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Gi Group India Compliance Newsletter

June'26 Edition



Dear Reader,

We are delighted to present the June'26 edition of our monthly Compliance Newsletter. The newsletter will help you stay updated with the latest regulatory changes, notifications, and amendments.

In this edition of our monthly Compliance Newsletter, we bring you the latest Minimum Wages revisions notifications from the states of West Bengal and Andaman & Nicobar.

Further, we have also appended the notifications and amendments released in the month of June'26. Some of the important announcements made in this newsletter are circular regarding the implementation of the New Social Security Schemes (EPF, EPS, and EDLI), the Employees' Provident Fund Scheme, 2026 and many more.

Read further to know more!

Best Regards,
Gi Group India

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About Gi Group India

Gi Group India is one of the world's leading human capital solutions and services provider, offering services in various domains of talent acquisition and management. The group is active in the fields of Temporary and Permanent Staffing, Site Managed Services, Search & Selection, Domestic & International Recruitment, Recruitment Process Optimization (RPO), Executive Search, and HR Consulting & Training. We have direct and indirect presence and strategic partnerships in about 57 countries across Europe, Asia, America, and Africa. Gi Group has developed strong expertise through its specialist divisions and dedicated local and international teams.

Gi Group has been present in India for the last two decades, helping clients implement highly crucial projects by hiring and managing great talent. In India Gi Group actively works with customers across the country through a network of offices in 10 major cities. We help organizations achieve accelerated growth by helping them acquire the right kind of talent and providing them with a continuum of staffing solutions, from short-term to long-term and incidental to strategic, for organizations of all sizes and across multiple locations.

Our list of clients ranges from global Fortune 500 companies to large Indian Companies and New Economy Startups. We service our customers through a combination of technology and an extremely agile and responsive team of recruiters and process specialists, thus enabling our clients to focus on business performance and productivity. Ranked globally and in India as one of the largest staffing firms by Staffing Industry Analysts, Gi Group is also a global corporate member of the World Employment Confederation (formerly CIETT).

In India, Gi Group is one of the founding members of the Indian Staffing Federation (ISF). Gi Group is also a long-term strategic member of the National HRD Network.

Minimum Wage Revision

West Bengal Minimum Wages Revision

The Government of West Bengal vide No. 07/Stat/14/RW/24/2023/LCS/JLC, has issued revision of minimum wages for various schedules employment with effect from 01st July 2026. Please refer to the table below for the revised minimum wages and notification appended herewith for more details:

<u>State: West Bengal</u>		
<u>Effective Date: 01/07/2026</u>		
<u>Category: Shops & Commercial Establishment</u>		
Class of Employment	Monthly Minimum Rate of Wages 01/07/2026 to 31/12/2026	
	Zone A	Zone B
Unskilled	10558	9760
Semi-Skilled	11615	10733
Skilled	12777	11807
Highly Skilled	14054	12990

Andaman & Nicobar Island Minimum Wages Revision

The Administrator of Union Territory of Andaman and Nicobar Islands vide Order No.229, has released Notification of the revision of minimum wages rates w.e.f 01st Jul 2026. Please refer to the table below for the revised minimum wages and notification appended herewith for more details:

<u>State: Andaman & Nicobar Island</u>		
<u>Effective Date: 01/07/2026</u>		
<u>Category: All Employments including Shops & Commercial Establishment</u>		
Class of Employment	Monthly Minimum Rate of Wages effective 01/07/2026	
	Per Day	Per Month
Unskilled	660	17160
Semi-Skilled	741	19266
Skilled/Clerical	864	22464
Highly Skilled	947	24622

Notifications/ Circulars/ Amendments



Implementation of the New Social Security Schemes (EPF, EPS, and EDLI)

The Ministry of Labour & Employment has officially notified three new social security schemes as defined in Chapter III under the Code on Social Security, 2020. Effective June 29, 2026, these updated frameworks completely replace their legacy counterparts.

- a) The Employees' Provident Fund Scheme, 2026 (replacing the Employees' Provident Funds Scheme, 1952)
- b) The Employees' Pension Scheme, 2026 (replacing the Employees' Pension Scheme, 1995)
- c) The Employees' Deposit-Linked Insurance Scheme, 2026 (replacing the Employees' Deposit-Linked Insurance Scheme, 1976)

Below are the salient features of these 3 new social security schemes:

The Employees' Provident Fund Scheme, 2026

- a) Higher Voluntary Contributions & High-Earner Enrolment: Elimination of case-by-case statutory approval from an Assistant Provident Fund Commissioner (APFC) for contributions exceeding the standard wage ceiling. Employers and employees can now immediately opt for higher contributions through a written joint option.
- b) First-Time Employees: A first-time employee whose monthly "wage" at the time of joining exceeds the statutory wage ceiling (₹15,000) can also be directly enrolled under the scheme through this joint option.
- c) Principal Employer & Contractor Accountability: The new framework introduces strict, dual-stream compliance logs to track contract labor and enforce real-time principal employer accountability:
 - Principal Employers must log Form X to formally register the establishment and declare all third-party contractors engaged. Additionally, they must file an aggregate monthly abstract via Form XII.
 - Contractors are strictly mandated to file a detailed monthly recovery statement via Form XI mapping out their specific worker contributions.
- d) Digital Enrolment: Manual tracking forms are eliminated. Centralized backend reconciliation requires every employee to provide a verified Universal Account Number (UAN), PAN, and an Aadhaar-seeded bank account.
- e) Unemployment Withdrawals: The waiting period for full settlement due to unemployment is extended to 12 months (waived for female members resigning for marriage).
- f) New Graded Damages Framework: The Central Provident Fund Commissioner (CPFC) or authorized officers can levy and recover damages from employers who default on contribution payments. There is provision for graded damages rates and has been reduced as against earlier rates.
- g) Statutory Interest Rate: In addition to penal damages, any delayed contributions will continue to attract 12% per annum simple interest.

The Employees' Pension Scheme, 2026

- a) Expanded Average Wage Window: Pensionable wages will be calculated using an expanded 60-month rolling average preceding retirement (up from the shorter window used in the 1995 scheme).
- b) Contribution Slabs: The core employer pension allocation remains 8.33%. However, for historical joint-option members (prior to 01st September, 2014), an employer rate of 9.49% applies to wages exceeding ₹15,000.
- c) Bilateral Alignment: Nepalese and Bhutanese nationals are treated as Indian workers to prevent misclassification under costlier "International Worker" terms. International Workers under a Social Security Agreement (SSA) can add overseas service periods to determine pension eligibility.

The Employees' Deposit-Linked Insurance Scheme, 2026

- a) Enhanced Benefits: The active death-in-service payout corridor remains a minimum of ₹2.5 Lakhs and a maximum of ₹7 Lakhs. However, a new Minimum Assurance Benefit of ₹50,000 is guaranteed regardless of account balance, and standard calculated benefits receive an automatic 20% bonus increase.

- b) Service Gap Relaxations: Service gaps up to 60 days between different establishments are ignored to maintain "continuous service" status. Additionally, coverage is maintained if an employee passes away within 6 months of their last contribution while still on your company's payroll.
- c) Strict Claim Turnaround: Claims must be settled within 20 days. Delayed settlements attract a 12% annual interest penalty, which can be deducted directly from the responsible Commissioner's personal salary.

Please refer to the notifications appended herewith for detailed information.

Central Government notifies wage ceiling under Chapter III of the Code on Social Security

The Central Government through Ministry of Labour & Employment vide Notification No. S.O. 2702 (E) has notified Rs. 15000 per month as wage ceiling for the purpose Chapter III of the Code on Social Security. Please refer to the notification appended herewith for more details.

Central Government notifies rate of pension contribution under Chapter III of the Code on Social Security

The Central Government through Ministry of Labour & Employment vide Notification No. S.O. 3580 (E) has notified 8.33% of the wages as the rate of contribution with respect to pension fund for the purpose Chapter III of the Code on Social Security and with effect from the commencement of the Employees' Pension Scheme, 2026 i.e. 29th June, 2026.. Please refer to the notification appended herewith for more details.

Central Government notifies rate of EDLI contribution under Chapter III of the Code on Social Security

The Central Government through Ministry of Labour & Employment vide Notification No. S.O. 3581 (E) has notified 0.50% of the wages as the rate of contribution payable to the Insurance Fund for the purpose Chapter III of the Code on Social Security and with effect from the commencement of the Employees' Deposit-Linked Insurance Scheme, 2026 i.e. 29th June, 2026. Please refer to the notification appended herewith for more details.

Central Government notifies rate of interest for delayed payment of contribution under Chapter III of the Code on Social Security

The Central Government through Ministry of Labour & Employment vide Notification No. S.O. 2698 (E) has notified 12% per annum on any amount due from employer under Chapter III of the Social Security Code. The interest shall be levied from the date of any amount due from employer till the actual date of payment. The effective date of the notification shall be 21/11/2025. Please refer to the notification appended herewith for more details.

Circular regarding Declaration of Rate of Interest for the Employees Provident Fund Members Account for the Year 2025-26

The EPFO vide Circular No. INV-11/2/2021-INV/E-41960/2519 has declared interest rate of 8.25% for the financial year 2025-26. Please refer to the circular appended herewith for more details.

Circular on Awareness and Outreach activities on the Code on Social Security 2020

The ESIC Asst. Director has issued internal circular to all its Additional Commissioners cum Regional Directors/Joint Directors/Dy. Directors (Incharges) ESIC Regional Offices/Sub-Regional Offices with respect to awareness and outreach activities on the Code on Social Security through workshops, seminars and awareness camps for employers, workers and trade union representatives. Please refer to the circular appended herewith for more details.

Andhra Pradesh notifies final Code on Wages (Andhra Pradesh) Rules, 2026

The Government of Andhra Pradesh Vide G.O.Rt.No.124, has released Final Notification of the Code on Wages (Andhra Pradesh) Rules, 2026. Please refer to the notification appended herewith for more details.

Andhra Pradesh notifies final Industrial Relations (Andhra Pradesh) Rules, 2026

The Government of Andhra Pradesh Vide G.O.Rt.No.111, has released Final Notification of the Industrial Relations (Andhra Pradesh) Rules, 2026. Please refer to the notification appended herewith for more details.

Rajasthan notifies final Occupational Safety Health and Working Condition Rules, 2026

The Government of Rajasthan Vide S.O.23, has released Final Notification of the Rajasthan Occupational Safety, Health and Working Condition Rules, 2026. Please refer to the notification appended herewith for more detail

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Government of West Bengal
Labour Commissionerate, Statistics Section,
6th Church Lane, 3rd Floor, Kolkata-700 001

No: 30 /Stat/14/RW/24/2023/LCS/JLC

dated 22/06/2026

CIRCULAR

- (1) The following are the minimum rates of wages for the employees employed in the Scheduled Employments in the State of West Bengal effective for **1st July 2026 to 31st December 2026**. The minimum rates of wages have been updated vide Fixation / Revision Notifications mentioned against each scheduled employment, as well as in cases of Zone-B, vide previous period Circular no. 07/Stat/14/RW/24/2023/LCS/JLC dated 09.01.2026 read with Labour Department Notification No. I/723462/2025/LABR-25099/31/2025-LWMW dated 15/12/2025:

Sl. No	Scheduled Employments	Referral Fixation / Revision Notification Nos.& date	Categories of Employees	Minimum Rates of Wages			
				Zone A		Zone B	
				Per Month	Per Day	Per Month	Per Day
1	ANY ESTABLISHMENT IN WHICH MANUFACTURING ACTIVITY AS DEFINED UNDER SECTION 2(K) OF THE FACTORIES ACT IS CARRIED OUT AND IS NOT COVERED UNDER ANY OF THE OTHER SCHEDULED EMPLOYMENTS	Labr/639/(LAW)-MW/2W- 32/13, dt. 29.12.2016	Unskilled	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
2	AUTOMOBILE ENGINEERING REPAIRING WORKSHOPS & GARAGES	Labr/640(Law)/MW/2W/32/13 dated 29.12.2016	Unskilled: Helper, Washman, Attendant, Peon, Cleaner, Sweeper, Security Man	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Electrical Semi-Technician, Tele-caller, Receptionist	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Painter, Body Maker, Mechanic, Sales Executive, Electrician, Driver, Accessories Fitter, Technician, Assistant Administrator, Assistant Accountant, Billing Clerk	Rs. 12777	Rs.491	Rs. 11807	Rs. 454
			Highly Skilled: Administrator, Accountant and Customer Care Executive.	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500
3	BEVERAGE MANUFACTURING & VENDING ESTABLISHMENTS	Labr/641(Law)/MW/2W/32/13 dated 29.12.2016	Unskilled: Store Keeper, Peon, Cleaner, Security Guard, Sweeper	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Light Inspector.	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Operator.	Rs. 12777	Rs.491	Rs. 11807	Rs. 454

4	BISCUIT MANUFACTURING	Labr/642(Law)/MW/2W/32/13 dated 29.12.2016	Unskilled: Peon, Cleaner, Sweeper, Security Guard, helper	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Assistant Mechanic, Market Seller	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Baker, Mechanic, Minder, Mixing Man, Electrician	Rs. 12777	Rs. 491	Rs. 11807	Rs. 454
			Highly Skilled: Checker, Production Manager	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500
5	BOTTLING AND PACKAGING INDUSTRY	Labr/643(Law)/MW/2W/32/13 dated 29.12.2016	Unskilled: Helper, General Worker, Night Guard, Peon, Security Guard, Sweeper.	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Assistant operator.	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Operator, Assistant Manager.	Rs. 12777	Rs. 491	Rs. 11807	Rs. 454
			Highly Skilled: Chemist, Microbiologist and Production Manager.	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500
6	CLINICAL ESTABLISHMENTS INCLUDING PATHOLOGICAL LABORATORIES AND DIAGNOSTIC CENTRES	Labr/645(Law)/MW/2W/32/13 dated 29.12.2016	Unskilled: Helper, Cleaner, Ward Boy, Ward Assistant, Ayah, Attendant Durwan, Peon, Security Guard, Housekeeping Assistant, Office Bearer, Canteen Boy, Sweeper	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Lab Assistant, Blood Collector, Male Nursing Attendant, Male Medical Attendant, Trained Ayah, Receptionist, Assistant Cook, Typist	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Nurse, O.T. Assistant, Technician, X-Ray Technician, C.T. Scan Technician, MRI Technician, Laboratory Technician, Dental Technician, Medical Record Keeper, Supervisor, Clerk, Cashier, Accountant, Cook	Rs. 12777	Rs. 491	Rs. 11807	Rs. 454
			Highly Skilled: Senior Nurse, Pathologist, Matron, Dietician, Biochemist, Radiologist	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500
7	CONFECTIONERY AND SWEETS MANUFACTURING	Labr/646(Law)/MW/2W/32/13 dated 29.12.2016	Unskilled: Helper, Cleaner, Service Man, Peon, Security Guard, Sweeper.	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Assistant Mistry, Assistant Karigar, Assistant Cook, Assistant Haluikar.	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Sweet-maker, Mistry, Karigar, Cook, Haluikar, Clerk, Cashier.	Rs. 12777	Rs. 491	Rs. 11807	Rs. 454
			Highly Skilled: Manager.	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500

8	CONSUMER CO-OPERATIVE SOCIETIES, PRIMARY AGRICULTURAL CO-OPERATIVE SOCIETIES / MARKETING SOCIETIES	Labr/647(Law)/M W/2W/32/13 dated 29.12.2016	Unskilled: Peon, Cleaner, Sweeper, Security Guard, Bearer, Durwan.	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Duftry.	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Clerk, Typist, Accountant, Computer Operator, Office Assistant.	Rs. 12777	Rs. 491	Rs. 11807	Rs. 454
			Highly Skilled: Manager, Senior Accountant, Supervisor.	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500
9	COURIER SERVICE	Labr/648(Law)/M W/2W/32/13 dated 29.12.2016	Unskilled: Peon, Cleaner, Sweeper, Security Man, Loader	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Assistant operator, Assistant Customer Care Staff, Assistant System Delivery Man.	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Clerk, Computer Operator, Accountant, Office Assistant, Field Representative, Executive-Business Development, Executive-Operation, Executive-Customer Care, Supervisor, Driver.	Rs. 12777	Rs. 491	Rs. 11807	Rs. 454
			Highly Skilled: Senior Executive, Senior Supervisor.	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500
10	EMPLOYMENT IN ENGINEERING UNITS EMPLOYING LESS THAN 50 PERSONS	Labr/626/LC-MW Dated. 20.12.2019	Unskilled	Rs. 10556	Rs. 406	Rs. 9758	Rs. 375
11	ESTABLISHMENTS AS DEFINED UNDER THE SHOPS & ESTABLISHMENTS ACT, 1963	Labr/650(Law)/M W/2W/32/13 dated 29.12.2016	Unskilled: Peon, Cleaner, Sweeper, Security Guard, Bearer, Messenger	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Duftry, Assistant Accountant	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Clerk, Typist, Office Assistant, Office Maintenance and Inventory Management Staff, Data Entry Operator, Accountant	Rs. 12777	Rs. 491	Rs. 11807	Rs. 454
			Highly Skilled: Head Assistant, Senior Accountant, Computer Operator, Research And Development Staff/Executive, Market Research Staff/Executive, Godown-in-Charge, Office Supervisor, Sales Representative/Sales Promotion Employees	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500
12	FLOOR AND WALL TILES MANUFACTURING	Labr/653(Law)/M W/2W/32/13 dated 29.12.2016	Unskilled: Loading and Unloading Worker, Helper, Peon, Cleaner, Sweeper, Security Man.	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Assistant of Tile Maker.	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Tile Maker.	Rs. 12777	Rs. 491	Rs. 11807	Rs. 454
			Highly Skilled: Chemist, Designer	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500

13	GARMENTS MANUFACTURING INDUSTRY	Labr/654(Law)/M W/2W/32/13 dated 29.12.2016	Unskilled: Helper, Cleaner, Sweeper, Durwan, Security Guard, General Worker.	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Machine Operator, Computer Operator.	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Lock-Stitch Operator.	Rs. 12777	Rs.491	Rs. 11807	Rs. 454
			Highly Skilled: Checker, Supervisor	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500
14	GLASS INDUSTRY	Labr/627/LC-MW Dated. 20/12/2019	Unskilled: Annealing Chamber (Coolies), Furnace Coolies, Carrier (Jaliwala) Coolies, General Coolies, Packer, Mason Helper, Batch Coolies (Batch Room Workers), Sweeper, Canteen Boys, Sacha Mazdoor, Chimney Grinder, Lorry Mazdoor	Rs. 10556	Rs. 406	Rs. 9758	Rs. 375
			Semi-skilled: Bubbler, Bubbler Holder, Lineman, Airman, Fireman, Helpers, Molters, Blacksmith, Grinder, Polisher, Cook, Sorter, Rulsawala (Neck Maker)	Rs. 11611	Rs. 447	Rs. 10732	Rs. 413
			Skilled: Lorry Driver, Fireman Flower (Ord), Helper to Blower, Machine man (Cutter), Machine man (Helper), Cutting off fine Polishing, Machine Operator, Fitter Mechanic, Electrician, Turner, Lather man, Welder	Rs. 12773	Rs.491	Rs. 11806	Rs. 454
			Highly Skilled: Blower, Foreman, Shift-In-Charge	Rs. 14050	Rs. 540	Rs. 12988	Rs. 500
15	HOTELS AND RESTAURANTS INCLUDING BOARDING HOUSES, EATING HOUSES, CANTEENS, CLUBS AND GUEST HOUSES	Labr/655(Law)/M W/2W/32/13 dated 29.12.2016	Unskilled: Waiter, Washman, Peon, Utility Worker, Helper, Cleaner, Sweeper, Canteen Boy.	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Helper of Technician Service, Waiter Grade-I, Steward, Assistant Supervisor	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Cook, Chief Cashier, Accountant, Bar Tender, Assistant Manager	Rs. 12777	Rs.491	Rs. 11807	Rs. 454
			Highly Skilled: Manager, Chief Executive	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500
16	ICE CREAM AND CANDY MANUFACTURING	Labr/656(Law)/M W/2W/32/13 dated 29.12.2016	Unskilled	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
17	ICE FACTORY	Labr/657(Law)/M W/2W/32/13 dated 29.12.2016	Unskilled: Helper, Cleaner, Sweeper, Security Guard	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Cup-filling Worker, Candy Pouching Worker	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Operator, Machine Operator	Rs. 12777	Rs.491	Rs. 11807	Rs. 454

18	INFORMATION TECHNOLOGY INDUSTRY	Labr/658(Law)/MW/2W/32/13 dated 29.12.2016	Unskilled	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
19	JEWELLERY MANUFACTURING INDUSTRY	Labr/659/(Law)-MW/2W-32/13 Dated 29.12.2016	Unskilled	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
20	LAUNDRIES, LAUNDRY SERVICES, CLEANING & DYEING PLANTS & SHOPS	Labr/660/(Law)MW/2W-32/13 Dated 29.12.2016	Unskilled	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
21	LEATHER GOODS MANUFACTORY	Labr/661/(Law)-MW/2W-32/13 Dated 29.12.2016	Unskilled: Peon, Cleaner, Sweeper, Security man, Checking Man, Packing Man, Production Worker	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Helper of Karigar, Stitcher, Switcher, Laturer	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Karigar, Flooring Lineman, Store-in-Charge	Rs. 12777	Rs. 491	Rs. 11807	Rs. 454
			Highly Skilled: Designer, Lead Karigar	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500
22	LOADING AND UNLOADING OPERATIONS	Labr/662/(Law)MW/2W-32/13 Dated 29.12.2016	Unskilled	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
23	MALLS, MULTIPLEXES, DEPARTMENTAL STORES AND MEGA STORES	Labr/663/(Law)-MW/2W-32/13 Dated 29.12.2016	Unskilled: Peon, Cleaner, Sweeper, Security Guard, House Keeping Staff, Washer Man	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Counter Sales Personnel, Assistant Store Keeper, Launder, Junior/ Assistant Clerk	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Engineering Assistant/Supervisor, Clerk, Office Assistant, Accountant, Cashier	Rs. 12777	Rs. 491	Rs. 11807	Rs. 454
			Highly Skilled: Office Supervisor / Administrator, Senior Clerk, Checker, Production Manager	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500
24	MANUFACTURE OF RUBBER PRODUCTS	Labr/628/LC-MW Dated. 20/12/2019	Unskilled	Rs. 10556	Rs. 406	Rs. 9758	Rs. 375
			Semi Skilled / Durwan	Rs. 11611	Rs. 447	Rs. 10732	Rs. 413
			Skilled / Clerk	Rs. 12773	Rs. 491	Rs. 11806	Rs. 454
25	NON-BANKING PRIVATE FINANCIAL INSTITUTIONS	Labr/652/(Law)-MW/2W-32/13 Dated 29.12.2016	Unskilled: Office Boy, Peon, Cleaner, Sweeper, Security Guard.	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Duftry.	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Clerk, Executive OIC, Junior Executive, Accountant, Computer Operator.	Rs. 12777	Rs. 491	Rs. 11807	Rs. 454
			Highly Skilled: Manager, Senior Executive	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500

26	PRIVATE HOSPITALS & RESEARCH CENTRES NOT CARRIED ON BY GOVT. OR LOCAL AUTHORITIES	Labr/664/ (Law)-MW/2W- 32/13 Dated 29.12.2016	Unskilled: Helper, Cleaner, Ward Boy, Ward Assistant, Ayah, Attendant, Durwan, Peon, Security Guard, House Keeping Assistant, Office Bearer, Canteen Boy, Sweeper	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Lab Assistant, Blood Collector, Male Nursing Attendant, Male Medical Assistant, Trained Ayah, Receptionist, Assistant Cook, Typist, Plumber, MGPS	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Nurse, O.T. Assistant, Technician, X-Ray Technician, C.T. Scan Technician, MRI Technician, Laboratory Technician, Dental Technician, Medical Record Keeper, Supervisor, Clerk, Cashier, Accountant, Cook, Pharmacist	Rs. 12777	Rs.491	Rs. 11807	Rs. 454
			Highly Skilled: Senior Nurse, Pathologist, Matron, Dietician, Biochemist, Radiologist, Administrative Executive, Sales and Marketing Executive	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500
27	REFRACTORY INDUSTRY	Labr/629/LC-MW Dated. 20/12/2019	Unskilled: General Mazdoor/Coolie/Kamin, Loader, Unloader, Porter, Assistant Gardener, Tarman, Stegman, Canteen Boy, Car cleaner, Peon, Durwan, Security Guard	Rs. 10556	Rs. 406	Rs. 9758	Rs. 375
			Semi-skilled: Crusher Mazdoor, Line Mazdoor, Grinder, Trolley man, Stamper, Checker, Setter, Semi-skilled Mason, Boiler man, Carpenter, Mixing Attendant, Pump Khalashi	Rs. 11611	Rs. 447	Rs. 10732	Rs. 413
			Skilled: Turner, Fitter, Electrician, Moulder, Fireman, Lathe man, Pipe-plant Polisher, Kiln Setter, Tindal Press Operator, Mixing man-cum- Operator, Welder, Gas Cutter, Blacksmith, Pattern Maker, Mill Attendant, Poker man, Junior Clerk, Typist, Compounder, Nurse, Driver, Stock Keeper, Laboratory Assistant	Rs. 12773	Rs.491	Rs. 11806	Rs. 454
			Highly Skilled: Head Mason, Head Carpenter, Head Fitter, Tindal, Shift Moulder, Head Welder, Head Turner, Moulder Supervisor, Mechanical Fitter, Senior Clerk, Head Clerk, Accountant, Supervisor, Security Officer, Foreman, Chemist	Rs. 14050	Rs. 540	Rs. 12988	Rs. 500

28	ROLLING OF IRON RODS, PLATES, ANGLES ETC. & ROLLING MILLS	Labr/665 / (Law)-MW/2W-32/13 Dated 29.12.2016	Unskilled	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
29	SALOONS AND BEAUTY PARLOUR	Labr/666/ (Law)-MW/2W-32/13 Dated 29.12.2016	Unskilled: Helper, Cleaner, Sweeper, Assistant, House-keeping Staff, Security Guard	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Front Office Employee.	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Hair Cutter, Hair Stylist, Skin Specialist, Therapist, Beautician.	Rs. 12777	Rs. 491	Rs. 11807	Rs. 454
			Highly Skilled: Hair Dresser, Spa Specialist, Dietician	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500
30	SECURITY SERVICES	Labr/630/LC-MW Dated 20/12/2019	Unskilled: Security Guard, Watchman, Durwan	Rs. 10556	Rs. 406	Rs. 9758	Rs. 375
			Semi-skilled: Ex-Service man Security Guard, Unskilled Supervisor	Rs. 11611	Rs. 447	Rs. 10732	Rs. 413
			Skilled: Field Supervisor, Ex-Service man Field Supervisor, Marketing Personnel, Guard with Fire Arms, Gunman, Marketing Personnel, Clerk, Accountant, Cashier	Rs. 12773	Rs. 491	Rs. 11806	Rs. 454
31	WOOD WORKS AND FURNITURE INDUSTRY	Labr/668/ (Law)-MW/2W-32/13 Dated 29.12.2016	Unskilled: Peon, Cleaner, Sweeper, Bearer, Van Puller.	Rs. 10558	Rs. 406	Rs. 9760	Rs. 375
			Semi-skilled: Assistant Carpenter, Assistant Fitter, Assistant Mistry.	Rs. 11615	Rs. 447	Rs. 10733	Rs. 413
			Skilled: Carpenter, Fitting Mistry, Varnishing and Polishing Mistry.	Rs. 12777	Rs. 491	Rs. 11807	Rs. 454
			Highly Skilled: Designer	Rs. 14054	Rs. 541	Rs. 12990	Rs. 500

(2) Implementing Areas:

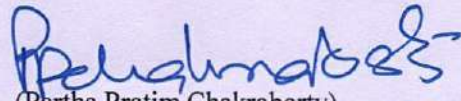
Zone A: Areas under Municipal Corporations, Municipalities, Notified Areas, Development Authorities, Thermal Power Plant Areas including Township Areas.

Zone B: Rest of West Bengal.

- (3) To arrive at daily rate, monthly rate shall have to be divided by 26 (to be rounded off to the nearest rupee) and to arrive at weekly rate, daily rate shall have to be multiplied by 6;
- (4) A normal working day shall consist of eight hours of actual work and not less than half hour of recess, subject to 48 hours of actual work in a week;

- (5) One day in any period of seven days as may suit the local convenience shall be the day of weekly rest. The minimum rates of wages include the wages for weekly day of rest. Payment for the work done on the day of weekly rest and for work done beyond the normal working hours shall be double the ordinary rates of wages;
- (6) Where the existing rates of wages of any employee based on contractor or agreement or otherwise are higher than the rates notified herein, the higher rates shall be protected;
- (7) The minimum rates of wages are applicable to the employees employed by contractors also;
- (8) The minimum rates of wages for disabled persons shall be same as payable to the workers of appropriate category;
- (9) The men and women employees shall get the same rates of wages for the same work or work of similar nature;
- (10) The minimum rates of wages and variable dearness allowance, if any, both together shall constitute the minimum rates of wages to be enforceable under the Minimum Wages Act, 1948 (11 of 1948).

This is issued with due approval of the Labour Commissioner, West Bengal.


(Partha Pratim Chakraborty)

22.06.28
Additional Labour Commissioner

West Bengal

**ANDAMAN AND NICOBAR ADMINISTRATION
OFFICE OF THE LABOUR COMMISSIONER**

F. No. A-196/1/2022-Lab.Ins-I-LAB_AN

**Sri Vijaya Puram, Date the
29th July, 2026**

June

ORDER No. 229

Whereas, in the exercise of powers conferred under Section 5 of the Minimum Wages Act, 1948 read with Notification No. LP 24(1) dated the 16th March, 1949 of the Ministry of Labour, GoI, the Lt. Governor (Administrator), Andaman & Nicobar Islands had last revised minimum wages per day in the Six Schedules of Employment covered under Minimum Wages Act, 1948 in the Union Territory of A&N Islands vide **Notification No. 133/2023/F, dated 27.12.2023.**

And whereas, the rates are required to be revised on Six-Monthly Basis by taking into account the variable dearness allowance in pursuance of the above said Notification No. 133/2023/F, dated 27.12.2023.

And whereas upon implementation of the "Code on Wages, 2019 (Central Act No. 29 of 2019)" w.e.f. 21.11.2025, the Minimum Wages Act, 1948 was subsumed in it and therefore, the said revision shall be now be declared in accordance with the relevant provisions of "Code on Wages, 2019 (Central Act No. 29 of 2019)"

Now, therefore, in exercise of powers conferred under Section 7 of the "Code on Wages, 2019 (Central Act No. 29 of 2019)" read with Section 2 (w) thereof, the Lt. Governor (Administrator), A&N Islands declares the following Minimum Rates of Wages **w.e.f. 01.07.2026** across all Employments of the Union Territory of A & N Islands, in addition to Govt. Departments/ Offices/ Industrial Establishments taking into account the Average All India Consumer Price Index from the period October, 2025 to March, 2026.

Category of Employees	Minimum Wage per Day
Unskilled	660.00
Semi-Skilled/Unskilled Supervisory	741.00
Skilled/Clerical	864.00
Highly Skilled	947.00

The other terms and conditions as mentioned in the Notification No. 133/2023/F, dated 27.12.2023 shall remain unchanged.

**By order and in the name of Lieutenant Governor
A & N Islands**

Additional Secretary (Labour)/Labour Commissioner

Copy to:

1. Secretary to Govt. of India, Ministry of Labour, Shram Shakti Bhawan, Rafi Marg, New Delhi.
2. All Head of Departments/Offices under the A & N Administration.
3. All members of the Advisory Committee.
4. All Central Govt. Departments/Offices in A & N Islands.
5. All PRI Members/Local Bodies.
6. The PS to Hon'ble Lt. Governor, A & N Islands, Raj Niwas, Sri Vijaya Puram.
7. All PS to Secretaries.
8. The SIO, NIC, Sri Vijaya Puram for information and uploading the same on <https://andamannicobar.gov.in/> as well as <https://labour.and.nic.in/>
9. SOVTECH, Sri Vijaya Puram for uploading on the portal.
10. The Assistant Secretary (Labour), A & N Administration, Secretariat, Sri Vijaya Puram. (05 Copies)
11. Office of the Assistant Labour Commissioner, Rangat & Hutbay.
12. All Sections in the Secretariat, A & N Administration.
13. Spare copies- 50.

**By order and in the name of Lieutenant Governor
A & N Islands**

Additional Secretary (Labour)/Labour Commissioner



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-01072026-273957
CG-DL-E-01072026-273957

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 473]

नई दिल्ली, सोमवार, जून 29, 2026/ आषाढ 8, 1948

No. 473]

NEW DELHI, MONDAY, JUNE 29, 2026/ ASHADHA 8, 1948

श्रम और रोजगार मंत्रालय

अधिसूचना

नई दिल्ली, 29 जून, 2026

सा.का.नि. 525(अ).— केन्द्रीय सरकार, सामाजिक सुरक्षा संहिता, 2020 (2020 का 36) की धारा 15 की उपधारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और कर्मचारी भविष्य निधि स्कीम, 1952 को उन बातों के सिवाय अधिक्रांत करते हुए जिन्हे ऐसे अधिक्रमण से पूर्व किया गया है या करने का लोप किया गया है, निम्नलिखित स्कीम बनाती है, अर्थात:-

अध्याय I प्रारंभिक

1. संक्षिप्त शीर्षक, प्रारंभ और लागू होना. – (1) इस स्कीम का संक्षिप्त नाम कर्मचारी भविष्य निधि स्कीम, 2026 है।

(2) यह राजपत्र में प्रकाशन की तिथि को प्रवृत्त होगी।

(3) संहिता की धारा 20, 21 और धारा 143 के उपबंधों के अधीन, यह स्कीम लागू होगी –

(i) प्रत्येक उस स्थापना पर, जिस पर संहिता का अध्याय III लागू होता है; और

(ii) केन्द्रीय सरकार या राज्य सरकार स्वामित्व वाले या उनके नियंत्रणाधीन, अथवा किसी केंद्रीय अधिनियम या राज्य अधिनियम या उस समय लागू किसी अन्य विधि के अधीन स्थापित प्रत्येक स्थापना पर, जो संहिता की पहली अनुसूची में विनिर्दिष्ट कर्मचारियों की संख्या नियोजित करती है और जिनके कर्मचारी, उस विधि के अधीन बनाई गई किसी स्कीम या नियमों के अनुसार, अंशदायी भविष्य निधि या वृद्धावस्था पेंशन के लाभों हेतु पात्र नहीं हैं।

2. परिभाषाएं . – (1) इस स्कीम में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो:-

(क) "प्राधिकृत हस्ताक्षरकर्ता" से संबंधित स्थापना का ऐसा कर्मचारी अभिप्रेत है जिसे स्थापना के नियोक्ता द्वारा नियोक्ता या स्थापना की ओर से, जैसा भी मामला हो, किसी विवरणी या दस्तावेज़ पर हस्ताक्षर करने के लिए विधिक रूप से अधिकार दिया गया है, और ऐसे कार्य नियोक्ता के साथ-साथ स्थापना पर भी विधिक रूप से बाध्यकारी होंगे;

(ख) "न्यासी बोर्ड" से धारा 143 की उप-धारा (5) के अधीन गठित न्यास के अध्यक्ष और सदस्यों से मिलकर बनी विधिक इकाई अभिप्रेत है;

(ग) "बालक" का तात्पर्य विधिमान्य संतानों से है और इसमें गोद ली गई संतानें भी सम्मिलित हैं, यदि आयुक्त संतुष्ट है कि सदस्य के स्वीय विधि के अधीन बालक को गोद लेना विधिक रूप से मान्यता प्राप्त है;

(घ) "संहिता" से सामाजिक सुरक्षा संहिता, 2020 अभिप्रेत है;

(ङ) "आयुक्त" से संहिता की धारा 14 के अन्तर्गत नियुक्त कर्मचारी भविष्य निधि आयुक्त अभिप्रेत है;

(च) "अपवर्जित कर्मचारी" से ऐसा कर्मचारी अभिप्रेत है, जो—

(i) ऐसा कर्मचारी जिसकी मजदूरी, उस समय जब वह फंड का सदस्य बनने का हकदार होता है, संहिता के अधीन तय मजदूरी की सीमा से ज्यादा हो;

(ii) किसी अंतर्राष्ट्रीय कामगार के मामले में, जो अपने मूल देश के नागरिक या निवासी के रूप में, उस देश के सामाजिक सुरक्षा कार्यक्रम में अभिदाय देता है जिसके साथ भारत ने—

(अ) पारस्परिक आधार पर एक सामाजिक सुरक्षा करार किया है, और जो ऐसे करार में विनिर्दिष्ट अवधि और शर्तों के लिए एक 'डिटैच्ड वर्कर' के दर्जे का लाभ उठाता है; या

(आ) 1 अक्टूबर, 2008 से पूर्व सामाजिक सुरक्षा से संबंधित खंड वाले किसी द्विपक्षीय व्यापक आर्थिक करार में प्रवेश किया है, जो विशेष रूप से दोनों में से किसी भी देश के प्राकृतिक व्यक्तियों को मेजबान देश के सामाजिक सुरक्षा कोष में अभिदाय करने से छूट प्रदान करता है;

(छ) "छूट प्राप्त स्थापना" से संहिता की धारा 143 के अधीन छूट प्राप्त स्थापना अभिप्रेत है;

(ज) "वित्तीय वर्ष" से अप्रैल के पहले दिन से प्रारंभ होने वाला वर्ष अभिप्रेत है;

(झ) "निधि" से इस स्कीम के अधीन स्थापित भविष्य निधि अभिप्रेत है;

(ञ) "अंतर्राष्ट्रीय कर्मचारी" से—

(i) भारतीय कर्मचारी से भिन्न कोई अन्य कर्मचारी, जिसके पास भारतीय पासपोर्ट से भिन्न कोई अन्य पासपोर्ट हो, जो भारत में किसी स्थापना में कार्यरत हो, जिस पर संहिता लागू होती है;

(ii) कोई भारतीय कर्मचारी जो किसी ऐसे विदेशी देश में काम कर चुका है अथवा काम करने जा रहा है जिसके साथ भारत ने सामाजिक सुरक्षा समझौता किया है और जो उक्त समझौते के अधीन प्राप्त पात्रता के आधार पर अथवा प्राप्त करने जा रहा है, उस देश के सामाजिक सुरक्षा कार्यक्रम के अधीन फायदा प्राप्त करने का पात्र है;

परन्तु वह कामगार जो 1950 की शांति और मैत्री संधि के कारण नेपाली नागरिक है और वह कामगार जो 2007 की भारत-भूटान मैत्री संधि के कारण भूटानी नागरिक है, भारतीय कामगार माना जाएगा;

(ट) "सदस्य" से निधि के सदस्य अभिप्रेत है;

(ठ) "प्रधान नियोक्ता" से ऐसा नियोक्ता अभिप्रेत है जिसके साथ कर्मचारी किसी ठेकेदार द्वारा या उसके माध्यम से नियोजित हैं और इसमें निम्नलिखित सम्मिलित होंगे: -

- (i) सरकार या स्थानीय प्राधिकरण के किसी कार्यालय या विभाग के संबंध में, उस कार्यालय या विभाग का प्रमुख या ऐसा अन्य अधिकारी जिसे सरकार या स्थानीय प्राधिकरण इस निमित्त विनिर्दिष्ट करे;
- (ii) किसी कारखाने में, कारखाने का स्वामी या पट्टेदार और जहां किसी व्यक्ति को कारखाने के प्रबंधक के रूप में नामनिर्दिष्ट किया गया है, वहां इस प्रकार नामनिर्दिष्ट व्यक्ति;
- (iii) किसी खदान में, खदान का मालिक या एजेंट;
- (iv) किसी दूसरी स्थापना के संबंध में, कोई भी व्यक्ति जिसका उस स्थापना के मामलों पर पूरा नियंत्रण हो।

(ड) "निरसित अधिनियम" से कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) अभिप्रेत है;

(ढ) "स्कीम" से संहिता की धारा 15 के अधीन बनाई गई कर्मचारी भविष्य निधि स्कीम अभिप्रेत है;

(ण) "सेबी" से भारतीय प्रतिभूति और विनियम बोर्ड अभिप्रेत है, जिसकी स्थापना भारतीय प्रतिभूति और विनियम बोर्ड अधिनियम, 1992 (1992 का 15) की धारा 3 के अधीन की गई थी।

(त) "ट्रस्टी" से "ट्रस्टी बोर्ड" का सदस्य अभिप्रेत है; और

(थ) "यूनिवर्सल अकाउंट नंबर" (यूएएन) से केंद्रीय भविष्य निधि आयुक्त द्वारा विनिर्दिष्ट रूप और तरीके से किसी कर्मचारी को स्थायी आधार पर आवंटित पहचान संख्या अभिप्रेत है।

(2) उन शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं और परिभाषित नहीं हैं किंतु संहिता में परिभाषित हैं, वही अर्थ होंगे, जो उनके संहिता और उसके अधीन विरचित नियमों में हैं।

अध्याय II

केंद्रीय बोर्ड के अधिकारी

3. केंद्रीय भविष्य निधि आयुक्त और वित्तीय सलाहकार और मुख्य लेखा अधिकारी. – केंद्रीय भविष्य निधि आयुक्त और वित्तीय सलाहकार और मुख्य लेखा अधिकारी, केंद्रीय सरकार की पूर्व अनुमति के बिना, अपने कार्यालय से असंबद्ध कोई भी कार्य नहीं करेंगे।

4. **क्षेत्रीय और स्थानीय कार्यालय.** – केंद्रीय बोर्ड, स्कीम को लागू करने के लिए ज़रूरी समझे जाने वाले क्षेत्रीय और स्थानीय कार्यालय स्थापित कर सकता है और ऐसे कार्यालयों के कार्यों और कर्तव्यों को तय कर सकता है।

5. **केंद्रीय बोर्ड के अधिकारियों और कर्मचारियों की नियुक्ति.** – केंद्रीय बोर्ड, भारत सरकार के संयुक्त सचिव के पद के बराबर के स्तर तक के अधिकारियों और कर्मचारियों की नियुक्ति करेगा।

6. **केंद्रीय बोर्ड को नियुक्तियों की जानकारी.** – अध्यक्ष, केंद्रीय बोर्ड द्वारा क्षेत्रीय भविष्य निधि आयुक्त और उससे ऊपर के स्तर के अधिकारियों की सभी नियुक्तियों से संबंधित संदर्भों को जानकारी के लिए केंद्रीय बोर्ड की अगली बैठक में रखा जाएगा।

7. **आयुक्त की प्रशासनिक और वित्तीय शक्तियां.** – (1) केंद्रीय बोर्ड द्वारा मंजूर किए गए बजट आवंटन और सीमाओं के अधीन रहते हुए, आयुक्त, निधि के संचालन के लिए ज़रूरी आकस्मिक खर्चों, सामान, सेवाओं और खरीद पर खर्च को मंजूरी देगा।

(2) केंद्रीय भविष्य निधि आयुक्त, समय-समय पर केंद्रीय बोर्ड द्वारा उप-पैरा (1) में निहित प्रशासनिक और वित्तीय शक्तियों का प्रयोग कर सकता है।

8. **स्टाफ़ भविष्य निधि और अन्य फायदे.** – केंद्रीय बोर्ड के अधिकारियों और कर्मचारियों के संबंध में भविष्य निधि अधिनियम, 1925 के अधीन स्थापित 'स्टाफ़ भविष्य निधि' और 'पेंशन-सह-ग्रेच्युटी और निधि' तथा 'कर्मचारी भविष्य निधि प्रकीर्ण उपबंध अधिनियम, 1952' (1952 का 19) के अधीन केंद्रीय बोर्ड के कर्मचारियों के लाभ के लिए गठित किसी भी अन्य निधि को, संहिता की धारा 120 की उप-धारा (4) के अनुसार गठित माना जाएगा।

अध्याय III

सदस्यता

9. **निधि की सदस्यता.** – इस स्कीम के पैरा 2(च) के अधीन –

- (1) प्रत्येक कर्मचारी, जो उक्त स्कीम की समाप्ति की तिथि तक क.भ.नि. स्कीम, 1952 का सदस्य था या उसका सदस्य होना आवश्यक था, इस स्कीम का सदस्य होगा।
- (2) किसी भी स्थापना में या उसके कार्य के संबंध में कार्यरत प्रत्येक कर्मचारी, जिस पर यह स्कीम लागू होती है, उस दिन से निधि का सदस्य बनने का पात्र है और ऐसा करना उसके लिए अनिवार्य है, जिस दिन से यह स्कीम उस स्थापना में लागू होती है या स्थापना में कार्यरत होने की तिथि से, जो भी बाद में हो।
- (3) प्रत्येक अपवर्जित कर्मचारी या छूट प्राप्त कर्मचारी, अपवर्जित या छूट प्राप्त कर्मचारी न रहने के तत्काल पश्चात से इस निधि का सदस्य बन जाएगा।
- (4) इस पैरा में किसी भी बात के होने के बावजूद, कोई भी कर्मचारी और उसका नियोक्ता ऐसे कर्मचारी को सदस्य के रूप में नामांकित करने या उसे वेतन सीमा से अधिक वेतन पर अभिदान करने की अनुमति देने के लिए लिखित में संयुक्त अनुरोध कर सकते हैं; और उसके पश्चात ऐसा कर्मचारी निधि के लाभ प्राप्त करने का पात्र होगा और निधि की शर्तों के अधीन होगा;

परंतु नियोक्ता प्रशासनिक प्रभार का भुगतान करेगा और ऐसे कर्मचारी के संबंध में सभी सांविधिक प्रावधानों का पालन करेगा।

(5) प्रत्येक अंतर्राष्ट्रीय कामगार,–

(i) जो कर्मचारी भविष्य निधि स्कीम, 1952 का सदस्य था, वह इस स्कीम का सदस्य होगा;

(ii) जो किसी ऐसी स्थापना में या उसके कार्य के संबंध में नियोजित है जिस पर यह स्कीम लागू होती है, वह ऐसी स्थापना में या स्थापना में कार्यभार ग्रहण करने की तिथि से, जो भी पश्चात में हो, इस स्कीम का सदस्य बनने का पात्र होगा और उसके लिए सदस्य बनना अनिवार्य होगा;

(iii) जो एक अपवर्जित कर्मचारी या छूट प्राप्त कर्मचारी है, वह अपवर्जित कर्मचारी या छूट प्राप्त कर्मचारी न रहने के तत्काल पश्चात इस स्कीम का सदस्य बन जाएगा।

(6) किसी अंतर्राष्ट्रीय कामगार के मामले में, नीचे दी गई सारणी में सूचीबद्ध देश में रोजगार गतिविधि करने वाला कोई कर्मचारी, जिसने भारत के साथ सामाजिक सुरक्षा अभिदाय पर एक द्विपक्षीय समझौते पर हस्ताक्षर किए हैं और जो इस संहिता के अधीन है, वह नियोक्ता के साथ मिलकर संहिता की धारा 2 की उप-धारा 88 में यथापरिभाषित कुल वेतन पर अभिदाय का भुगतान करेगा, यदि वे उक्त समझौते के अधीन डिटेचमेंट का लाभ उठाने के इच्छुक हैं।

सारणी

क्रम सं	देश का काम
1.	यूनाइटेड किंगडम-ग्रेट ब्रिटेन और उत्तरी आयरलैंड

10. सदस्यता का बने रहना. - (1) स्कीम का सदस्य तब तक सदस्य बना रहेगा, जब तक कि वह पैरा 49 के अधीन निधि में जमा अपनी राशि को निकाल नहीं लेता है, या संहिता की धारा 143 के अधीन छूट की अधिसूचना या स्कीम के पैरा 12 के अधीन छूट के आदेश के दायरे में नहीं आता है;

(2) कोई अंतर्राष्ट्रीय कामगार इस स्कीम का सदस्य तब तक बना रहेगा, जब तक कि—

(i) वह पैरा 49 के अधीन, निधि में अपने खाते में जमा संपूर्ण राशि को आहरित नहीं कर लेता;

(ii) वह संहिता की धारा 143 के अधीन छूट की अधिसूचना या इस स्कीम के पैरा 12 के अधीन छूट के आदेश के दायरे में नहीं आ जाता; या

(iii) भारत और उसके मूल देश के मध्य किए गए सामाजिक सुरक्षा समझौते के प्रावधानों के अधीन लाभों का निपटारा नहीं हो जाता।

11. सदस्यता के संबंध में प्रश्नों का समाधान. - (1) जहां यह प्रश्न उठता है कि क्या कोई कर्मचारी सदस्य बनने या बने रहने का पात्र है या उसके लिए ऐसा करना आवश्यक है, या उस तिथि के संबंध में जिससे वह सदस्य बनने का पात्र है या उसके लिए ऐसा करना आवश्यक है, तो मामला क्षेत्रीय भविष्य निधि आयुक्त को भेजा जाएगा, जो नियोक्ता और कर्मचारी दोनों को सुनवाई का अवसर देने के पश्चात इस पर निर्णय देगा:

परंतु यदि इस तरह के विवाद में यह भी सम्मिलित है कि क.भ.नि. स्कीम, 1952 के अधीन आने वाले या आ सकने वाली किसी स्थापना में या उसके कार्य के संबंध में कार्यरत कोई कर्मचारी, उक्त स्कीम की समाप्ति की तिथि तक निधि का सदस्य बनने का पात्र या उसके लिए आवश्यक था, तो उस अवधि के लिए समाप्त हो चुकी स्कीम के सदस्यता नियमों के अनुसार इसका समाधान किया जाएगा।

(2) अंतर्राष्ट्रीय कामगार के मामले में, यदि कोई ऐसा प्रश्न उत्पन्न होता है कि क्या कोई अंतर्राष्ट्रीय कामगार सदस्य बनने या बने रहने का पात्र है अथवा उसके लिए ऐसा करना आवश्यक है, या उस तिथि के संबंध में जिससे वह कामगार इस प्रकार सदस्य बनने का पात्र है या उसके लिए ऐसा करना आवश्यक है, तो उक्त मामला क्षेत्रीय भविष्य निधि आयुक्त को विनिर्दिष्ट किया जाएगा, जो नियोक्ता और अंतर्राष्ट्रीय कामगार दोनों को सुनवाई का अवसर प्रदान करने के पश्चात मामले का निर्णय करेंगे और ऐसी कोई भी सुनवाई भारत में होगी:

परंतु यदि इस विवाद में यह प्रश्न सम्मिलित है कि क्या कर्मचारी भविष्य निधि स्कीम, 1952 के दायरे में आने वाली या आ सकने वाली किसी स्थापना में या उसके काम से जुड़े किसी अंतर्राष्ट्रीय कामगार को उक्त स्कीम के बंद होने की तारीख तक निधि का सदस्य बनने का अधिकार था या उसके लिए ऐसा करना जरूरी था, तो इसका फैसला बंद हो चुकी स्कीम के नियमों के अनुसार ही किया जाएगा और इसे इस स्कीम के लाभों के लिए सदस्यता माना जाएगा।

(3) उप पैरा (1) और (2) के अधीन कोई भी कार्रवाई विवाद उत्पन्न होने की कथित तिथि के पांच वर्ष की अवधि समाप्त होने के पश्चात शुरू नहीं की जाएगी।

परंतु इस स्कीम के प्रारंभ होने के समय क.भ.नि. स्कीम, 1952 के पैरा 26बी के अधीन चल रही सभी विद्यमान जांच या सुनवाई, सामाजिक सुरक्षा संहिता, 2020 की अधिसूचना की तिथि से दो वर्ष के भीतर समाप्त की जाएगी।

अध्याय-IV**छूट**

12. कर्मचारी या कर्मचारियों के वर्ग को छूट. – (1) कर्मचारी से प्रपत्र-1 में आवेदन प्राप्त होने पर, समुचित सरकार, अधिसूचना द्वारा और ऐसी शर्तों के अधीन जो आदेश में विनिर्दिष्ट की जा सकती हैं, इस स्कीम के सभी या किसी भी उपबंध के संचालन से छूट दे सकती है:

परंतु ऐसी छूट प्रदान की जाएगी जहां कर्मचारी उस स्थापना के नियमों के अधीन लाभों का हकदार है जो अलग-अलग या संयुक्त रूप से संहिता और इस स्कीम के अधीन प्रदान किए गए लाभों के समान या बेहतर हैं।

परंतु यह भी कि उप-पैरा (1) के अधीन छूट प्राप्त कोई कर्मचारी, आयुक्त को आवेदन करके यह घोषणा कर सकता है कि वह निधि का सदस्य बनना चाहता है।

परंतु यह भी कि किसी भी कर्मचारी को एक ही खाते पर एक से अधिक बार ऐसी छूट प्रदान नहीं की जाएगी या छूट से बाहर निकलने की अनुमति नहीं दी जाएगी।

(2) जहां छूट दी जाती है, नियोक्ता -

- (i) खातों का रखरखाव करें;
- (ii) प्रपत्र-2 में इलेक्ट्रॉनिक प्रारूप में विवरणी जमा करें;
- (iii) निरीक्षण के लिए सुविधाएं प्रदान करें;
- (iv) निरीक्षण फीस का भुगतान करें; और
- (v) केंद्रीय सरकार द्वारा निर्देशित रीति से भविष्य निधि संग्रह विनिधान करें।

(3) कर्मचारियों के किसी वर्ग को तब तक कोई छूट नहीं दी जाएगी, जब तक की स्थापना द्वारा ऐसे कर्मचारियों के बहुमत की सहमति प्रस्तुत न कर दी जाए।

13. छूट के पश्चात नियम और शर्तें. – (1) नियोक्ता, भविष्य निधि के प्रबंधन के लिए अपनी अध्यक्षता में एक न्यासी बोर्ड की स्थापना करेगा।

- (2) न्यासी बोर्ड प्राप्ति्यों और भुगतानों और शेष रकम के लेखांकन के लिए कर्मचारी भविष्य निधि संगठन के प्रति उत्तरदायी और जवाबदेह होगा।
- (3) न्यासी बोर्ड की बैठक हर तीन महीने में कम से कम एक बार होगी, और यह उन दिशानिर्देशों के अनुसार कार्य करेगा जो केंद्रीय सरकार या केंद्रीय भविष्य निधि आयुक्त द्वारा जारी किए जाएं और न्यासी बोर्ड की बैठक के कार्यवृत्त को प्रपत्र-3 में क्षेत्रीय भविष्य निधि आयुक्त को प्रस्तुत किया जाएगा।
- (4) छूट प्राप्त स्थापना का नियोक्ता छूट प्रदान करने वाली अधिसूचना में विनिर्दिष्ट शर्तों से भिन्न संहिता की धारा 16, 125, 128 और 129 का अनुपालन करेगा और किसी भी उल्लंघन पर संहिता की धारा 133 के अधीन जुर्माना लगाया जाएगा।
- (5) केंद्रीय सरकार द्वारा अधिसूचित दर पर नियोक्ता निरीक्षण प्रभार का भुगतान करेगा।
- (6) कर्मचारी, जो यदि स्थापना को छूट न दी गई होती, तो भविष्य निधि के सदस्य बनने के पात्र होते— उन्हें सदस्य के रूप में नामांकित किया जाएगा।
- (7) नियोक्ता, नियोक्ता और कर्मचारियों द्वारा देय अंशदानों को, उस महीने के पश्चात के प्रत्येक महीने की 15 तारीख तक न्यासी बोर्ड को अंतरित करेगा, जिसके लिए अभिदाय देय हैं, अन्यथा नियोक्ता संहिता की धारा 127 और 128 के अधीन ब्याज और क्षति के लिए उत्तरदायी होगा।

- (8) नियोक्ता, भविष्य निधि के प्रशासन से संबंधित व्यय वहन करेगा और ट्रस्ट फंड को होने वाले किसी भी हानि की प्रतिपूर्ति करेगा।
- (9) न्यासी बोर्ड वार्षिक रूप से ब्याज दर घोषित करेगा, जो उस वर्ष के लिए अर्जित आय के अनुरूप होगी, और यह केंद्रीय सरकार द्वारा घोषित ब्याज दर से 200 आधार अंकों से अधिक नहीं होगी।
- (10) ब्याज प्रत्येक सदस्य के खाते में सदस्य के मासिक चल शेष पर जमा किया जाएगा और किसी भी कमी को नियोक्ता द्वारा पूरा किया जाएगा।
- (11) नियोक्ता कर्मचारियों को निधि के नियमों को इलेक्ट्रॉनिक रूप से प्रसारित करेगा, साथ ही अधिकांश कर्मचारियों की भाषा में इसका अनुवाद भी करेगा।
- (12) न्यासी इलेक्ट्रॉनिक रूप से खातों का रख-रखाव करेंगे, वित्तीय वर्ष के समापन के दो महीने के भीतर वार्षिक विवरण जारी करेंगे और कर्मचारियों को अपनी शेष रकम ऑनलाइन एक्सेस करने की सुविधा प्रदान करेंगे।
- (13) नियोक्ता द्वारा बनाए गए नियमों में कोई भी संशोधन जो स्थापना के विद्यमान नियमों की तुलना में अधिक फायदेमंद है, स्वचालित रूप से कर्मचारी पर लागू होगा और क्षेत्रीय भविष्य निधि आयुक्त को सूचित किया जाएगा।
- (14) नियोक्ता, क्षेत्रीय भविष्य निधि आयुक्त को किसी भी नियम के बारे में सूचित करेगा जो स्थापना के विद्यमान नियमों से अधिक लाभकारी प्रतीत नहीं होता है और उसके बाद, क्षेत्रीय भविष्य निधि आयुक्त द्वारा नियोक्ता और कर्मचारी दोनों को नोटिस जारी करने के पश्चात एक तर्कपूर्ण आदेश पारित किया जाएगा।
- (15) प्रत्याहरण, अग्रिम और अंतरण के लिए सभी दावे, केंद्रीय भविष्य निधि आयुक्त द्वारा निर्धारित रीति से इलेक्ट्रॉनिक रूप से प्रस्तुत किए जाएंगे।
- (16) स्थापना ऑनलाइन दावा निपटान के लिए सुविधाएं प्रदान करेगा जिसका निपटान इस स्कीम में विनिर्दिष्ट समय सीमा के भीतर किया जाएगा।
- (17) न्यासी बोर्ड जमा किए गए अभिदाय , किए गए आहरण और अर्जित ब्याज को दर्शाने वाला विस्तृत इलेक्ट्रॉनिक खाता बनाएगा और स्थापना समय-समय पर सदस्य के खाते में इलेक्ट्रॉनिक रूप से इसे प्रसारित करेगी।
- (18) न्यासी बोर्ड और नियोक्ता को केंद्रीय भविष्य निधि आयुक्त द्वारा विनिर्दिष्ट मासिक और वार्षिक विवरणी इलेक्ट्रॉनिक रूप से जमा करना होगा, ऐसा न करने पर नियोक्ता और न्यासी बोर्ड को पहली बार में सुधार के लिए नोटिस जारी किया जाएगा, जिसके पश्चात उल्लंघन के मामले में, दो सौ रुपये प्रतिदिन का फीस और आगे के उल्लंघनों के मामले में, पांच सौ रुपये प्रतिदिन का फीस लगाया जाएगा, जो उस महीने के लिए देय निरीक्षण फीस की अधिकतम रकम के अधीन होगा, जिससे ऐसा विवरणी संबंधित है।
- (19) न्यासी बोर्ड, केंद्रीय सरकार के निदेशों के अनुसार निधि का विनिधान करेगा और अनुपालन में विफलता नियोक्ता और न्यासी बोर्ड को संयुक्त रूप से और अलग-अलग रूप से केंद्रीय भविष्य निधि आयुक्त द्वारा निर्धारित अधिभार के लिए उत्तरदायी बनाएगी।
- (20) प्रतिभूतियां न्यास के नाम पर प्राप्त की जाएंगी और वि-भौतिकीकृत रूप में होंगी।

- (21) ब्याज की समय पर वसूली सुनिश्चित करने के लिए एक स्क्रिप-वार रजिस्टर रखा जाएगा।
- (22) एक वि-भौतिकीकृत खाता भारतीय प्रतिभूति विनिमय बोर्ड द्वारा अनुमोदित डिपॉजिटरी प्रतिभागियों के माध्यम से खोला जाएगा।
- (23) वि-भौतिकीकृत खाते के रखरखाव की लागत और अन्य विनिधान लागतों को ट्रस्ट द्वारा विनिधान की आनुषंगिक लागत के रूप में माना जाएगा।
- (24) प्रतिभूतियों और बॉन्ड्स सहित सभी विनिधान भारतीय प्रतिभूति और विनिमय बोर्ड द्वारा अनुमोदित डिपॉजिटरी प्रतिभागियों के पास जमा किए जाएंगे जो संरक्षक के रूप में कार्य करेंगे और स्थापना के बंद होने या परिसमापन या इस स्कीम से छूट रद्द होने पर, नियोक्ता न्यास के नाम पर दर्ज निवेशों को संबंधित क्षेत्रीय भविष्य निधि आयुक्त को नकद में अंतरित करेगा।
- (25) छूट प्राप्त स्थापना, संबंधित क्षेत्रीय भविष्य निधि आयुक्त को उन डिपॉजिटरी प्रतिभागियों के संबंध में जानकारी देंगे, जिनके साथ विनिधान जमा किए जाते हैं और न्यासी बोर्ड अनिवार्य खर्चों के लिए आवश्यक रकम जुटा सकता है, जैसे कि दावों का निपटान, अग्रिम अनुदान, जमा रकम का अंतरण या छूट का निरस्तीकरण, परंतु इसकी सूचना क्षेत्रीय भविष्य निधि आयुक्त को ऑनलाइन दी जाए।
- (26) न्यास द्वारा किए गए निवेशों के लिए वित्तीय संस्थानों से प्राप्त कोई भी कमीशन, प्रोत्साहन, बोनस या अन्य आर्थिक लाभ न्यास के खाते में जमा किया जाएगा।
- (27) छूट देते समय, नियोक्ता और न्यासी बोर्ड क्षेत्रीय भविष्य निधि आयुक्त को **प्रपत्र-4** में एक लिखित वचन देंगे, ताकि शर्तों का पालन किया जा सके और यह वचन नियोक्ता, न्यासी बोर्ड और उनके उत्तराधिकारियों और नामनिर्दिष्ट व्यक्ति पर विधिक रूप से बाध्यकारी होगा।
- (28) नियोक्ता और न्यासी बोर्ड यह भी वचन देंगे कि वे संबंधित क्षेत्रीय भविष्य निधि आयुक्त द्वारा निर्धारित समय सीमा के भीतर तत्काल निधि का अंतरण करेंगे।
- (29) पूर्वव्यापी निरस्तीकरण या छूट आदेशों की वापसी की स्थिति में, कोई नुकसान या ब्याज नहीं लगाया जाएगा, परंतु स्थापना से न्यासी बोर्ड को धन के अंतरण में या प्रत्येक कर्मचारी के क्रेडिट में संचय के अंतरण में, अधिशेष या आरक्षित को कर्मचारी भविष्य निधि संगठन को अंतरित में कोई देरी न हो।
- (30) नियोक्ता और न्यासी बोर्ड किसी भी निष्क्रिय खाते और गैर-केवाईसी (अपने ग्राहक को जानें) खाते में कुल जमा रकम को ब्याज सहित एक महीने के भीतर कर्मचारी भविष्य निधि संगठन को अंतरित करेंगे।
- (31) भविष्य निधि के खातों का वार्षिक लेखा परीक्षण एक चार्टर्ड एकाउंटेंट द्वारा किया जाएगा और क्षेत्रीय भविष्य निधि आयुक्त जहां आवश्यक हो, पुनः लेखा परीक्षण का आदेश दे सकते हैं और एक ही लेखा परीक्षक को लगातार दो वर्षों के लिए और छह वर्ष के ब्लॉक में दो वर्ष से अधिक के लिए नहीं नियुक्त नहीं किया जाएगा।
- (32) लेखा परीक्षक की रिपोर्ट और लेखा परीक्षित बैलेंस शीट वित्तीय वर्ष के समापन से छह महीने के भीतर इलेक्ट्रॉनिक रूप से प्रस्तुत की जाएगी।
- (33) लेखांकन प्रारूप भारतीय चार्टर्ड अकाउंटेंट्स संस्थान के परामर्श से केंद्रीय भविष्य निधि आयुक्त द्वारा निर्धारित किया जाएगा।
- (34) छूट को रद्द करने की कार्रवाई, शर्तों के उल्लंघन की स्थिति में, अंतिम उपाय के रूप में होगी, जिसमें यह भी सम्मिलित है कि जहां घोषित अभिदाय या ब्याज की दर संहिता के अधीन है या दावा

विनिर्दिष्ट समय के भीतर नहीं निपटाया जाता है, लेकिन जहां सुधार नोटिस में दिए गए समय के भीतर कमियों को सुधारा जाता है वहां रद्द नहीं किया जाएगा और स्थापना के बंद होने या परिसमापन की स्थिति में भी रद्द किया जा सकता है।

- (35) धोखाधड़ी, गबन या गलत विनिधान निर्णयों के कारण न्यास को होने वाले किसी भी नुकसान की प्रतिपूर्ति नियोक्ता और मूल या ब्याज नुकसान द्वारा की जाएगी, नुकसान की तारीख या वित्तीय वर्ष के अंत से दो महीने के भीतर, जो भी पहले हो, की जाएगी।
- (36) छूट के रद्द होने या सरेंडर पर, सभी संचय, अधिशेष, आरक्षित और कर्मचारी जमा रकम, कर्मचारी भविष्य निधि संगठन को अंतरित कर दी जाएगी।
- (37) जहां विलय, विभाजन, अधिग्रहण, बिक्री, एकीकरण या किसी सहायक कंपनी का गठन होता है, सक्षम विधिक फोरम के आदेश में उल्लिखित शर्तें ही, छूट की स्थिति को नियंत्रित करेंगी और नए स्थापना का नियोक्ता केंद्रीय भविष्य निधि आयुक्त द्वारा विनिर्दिष्ट प्रक्रिया का पालन करके छूट जारी रखने या छूट को समर्पित करने के लिए स्वतंत्र होगा।
- (38) जहां एक से अधिक इकाइयां, किसी ऐसे साझा भविष्य निधि न्यास में भाग लेती हैं जिसे छूट प्रदान की गई है, वहां की गई किसी भी चूक के लिए नियोक्ता और सभी न्यासी, संयुक्त रूप से और अलग-अलग रूप से उत्तरदायी होंगे।
- (39) छूट का क्रम आरम्भ में तीन वर्ष की अवधि के लिए होगा और छूट का नवीनीकरण नियोक्ता और ट्रस्ट द्वारा आवेदन के आधार पर किया जाएगा और आम तौर पर स्वचालित होगा, यदि शर्तें संतुष्ट होती हैं, परंतु पिछले तीन वर्षों के दौरान स्थापना की शुद्ध संपत्ति सकारात्मक हो।
- (40) निरसित अधिनियम के अधीन छूट वाली स्थापना छूट के अनुदान के लिए पात्रता शर्तों को विनिर्दिष्ट करते हुए सामाजिक सुरक्षा (केंद्रीय) नियम, 2026 की अधिसूचना की तारीख से दो वर्षों के भीतर निरंतरता के लिए आवेदन करेंगे।

14. न्यासी बोर्ड की संरचना. – (1) उस स्थापना का न्यासी बोर्ड, जिसे छूट दी गई है, उसमें नियोक्ताओं और कर्मचारियों में से प्रत्येक के कम से कम दो और अधिक से अधिक छह प्रतिनिधि सम्मिलित होंगे:

परंतु दो या दो से अधिक स्थापना के समूह के लिए एक सामान्य भविष्य निधि के मामले में, प्रत्येक भाग लेने वाले स्थापना से कम से कम एक प्रतिनिधि होगा।

- (2) नियोक्ता, प्रबंधकीय क्षमता में कार्यरत अधिकारियों में से, न्यासी बोर्ड में अपने प्रतिनिधियों को नामनिर्दिष्ट करेगा।
- (3) न्यासी बोर्ड में, कर्मचारियों के प्रतिनिधि निम्नलिखित रीति से नामांकित या निर्वाचित किए जाएंगे, अर्थात्:

(क) जहां उद्योग में अनुशासन संहिता के अधीन या किसी अन्य अधिनियम के अधीन नियोक्ता द्वारा मान्यता प्राप्त कोई संघ है, वहां कर्मचारियों के प्रतिनिधियों को नामनिर्दिष्ट करने का कार्य ऐसी संघ ही करेगी।

(ख) जहां एक से अधिक व्यापार संघ को नियोक्ता से मान्यता प्राप्त हो, वहां कर्मचारियों के प्रतिनिधियों का निर्वाचन, संघ के सदस्यों द्वारा, इस प्रयोजन के लिए एक कार्य दिवस पर आयोजित होने वाले निर्वाचन में किया जाएगा।

(ग) जहां कोई संघ मान्यता प्राप्त नहीं है, लेकिन एक से अधिक रजिस्ट्रीकृत संघ स्थापना में कार्य करता है, सबसे बड़ी सदस्यता वाला संघ, न्यूनतम पंद्रह प्रतिशत के अधीन, प्रतिनिधियों को नामनिर्दिष्ट करने का अधिकार होगा; और

(घ) जहां केवल एक रजिस्ट्रीकृत संघ है, वहां उसे प्रतिनिधि नामनिर्दिष्ट करने का अधिकार होगा, परंतु उसमें न्यूनतम पंद्रह प्रतिशत सदस्यता हो।

(4) नियोक्ता, न्यासी बोर्ड का अध्यक्ष होगा और मतों की बराबरी की स्थिति में, अध्यक्ष एक निर्णायक मत का प्रयोग करेगा।

(5) न्यासी का कार्यकाल निर्वाचन या नामांकन की तारीख से पांच वर्ष का होगा।

(6) निवर्तमान न्यासी पुनर्चुनाव या पुनः नामांकन के लिए पात्र होगा और एक आकस्मिक रिक्ति को भरने के लिए चुने या नामांकित न्यासी, उस न्यासी के कार्यकाल की शेष अवधि के लिए पद धारण करेगा, जिसके स्थान पर निर्वाचन या नामांकन किया गया था।

(7) कोई व्यक्ति न्यासी बनने के लिए अयोग्य हो जाएगा यदि वह,—

(i) किसी सक्षम न्यायालय द्वारा मानसिक रूप से अस्वस्थ घोषित किया गया हो;

(ii) नैतिक अधमता से जुड़े किसी अपराध का दोषी पाया गया हो;

(iii) अनुमोचित दिवालिया हो; या

(iv) किसी छूट प्राप्त या अछूट प्राप्त स्थापना का नियोक्ता है, जिसने संहिता के अधीन किसी भी बकाया रकम के भुगतान में चूक की है।

(8) कोई व्यक्ति न्यासी नहीं रह जाएगा यदि वह,—

(i) उस स्थापना का कर्मचारी नहीं रह जाता है;

(ii) वह उस स्थापना की भविष्य निधि का सदस्य नहीं रह जाता है;

(iii) एक संघ का प्रतिनिधित्व करता है जो नियोक्ता द्वारा मान्यता प्राप्त नहीं रह जाती है; या

(iv) अध्यक्ष से अनुपस्थिति की अनुमति लिए बिना बोर्ड की लगातार तीन बैठकों में भाग लेने में विफल रहता है, जब तक कि अध्यक्ष इस बात से संतुष्ट न हो जाए कि ऐसी अनुपस्थिति के लिए उचित आधार विद्यमान थे।

(9) न्यासियों के निर्वाचन या नामांकन की प्रक्रिया, बैठकों में गणपूर्ती, कामकाज के लेन-देन के अभिलेख और इस स्कीम में विशेष रूप से विनिर्दिष्ट नहीं किए गए अन्य मामले, स्थापना के अनुमोदित भविष्य निधि नियमों और आयुक्त द्वारा विनिर्दिष्ट छूट प्राप्त स्थापनाओं के न्यासी बोर्ड के कामकाज के लिए दिशानिर्देशों द्वारा विनियमित किया जाएगा।

(10) जहां कोई विवाद या संदेह उत्पन्न होता है, मामला क्षेत्रीय भविष्य निधि आयुक्त को भेजा जाएगा, जिसके पास स्थापना के प्रधान कार्यालय पर अधिकारिता है, जिसका निर्णय अंतिम और बाध्यकारी होगा।

15. छूट का विस्तार.— (1) छूट का आदेश और उससे जुड़ी शर्तें, आरम्भ में, प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए मान्य होंगी।

(2) संहिता की धारा 143 के अधीन छूट की अवधि बढ़ाने के लिए आवेदन, एक निर्धारित पोर्टल पर, छूट की अवधि समाप्त होने से कम से कम छह माह पहले किया जाना चाहिए।

(3) छूट का नवीनीकरण किया जाएगा, परंतु छूट प्रदान करने की शर्तें स्थापना और न्यास द्वारा लगातार पूरी की जाती रहें।

(4) नवीनीकरण तब तक लागू रहेगा जब तक छूट देने की शर्त पूरी होती रहेंगी और स्थापना की निवल संपत्ति लगातार तीन या अधिक वर्षों तक नकारात्मक नहीं होगी।

(5) नवीनीकरण तब तक लागू रहेगा जब तक कि स्थापना छूट को रद्द करने या अभ्यर्पण करने के लिए आवेदन नहीं करती और वह आवेदन स्वीकार नहीं हो जाता; या जब तक कि केंद्रीय सरकार एक

कारणयुक्त आदेश जारी नहीं करती है जिसके पश्चात नवीनीकरण लागू होना बंद हो जाएगा और अमान्य हो जाएगा।

परंतु ऐसा कोई आदेश केंद्रीय सरकार द्वारा स्थापना को सुनवाई का अवसर दिए बिना पारित नहीं किया जाएगा।

16. छूट की समाप्ति और अभ्यर्पण. – (1) इस स्कीम में निहित किसी बात के होते हुए भी, किसी छूट प्राप्त स्थापना का नियोक्ता, चाहे उसे अपने सभी कर्मचारियों के लिए, या कर्मचारियों के किसी वर्ग के लिए, या किसी एक कर्मचारी के लिए छूट मिली हो, जैसा भी मामला हो, संहिता के अध्याय 3 के अधीन प्राप्त छूट को वापस करने के लिए समुचित सरकार को आवेदन कर सकता है; भले ही छूट की शर्तों का उल्लंघन हुआ हो या न हुआ हो।

परंतु आवेदन करने से पहले, स्थापना और संबंधित क्षेत्रीय भविष्य निधि आयुक्त, कर्मचारियों की जानकारी के लिए इस आशय की एक सार्वजनिक सूचना जारी करेंगे।

- (2) समुचित सरकार, ऐसा आवेदन मिलने पर, नियोक्ता को आवेदन में विनिर्दिष्ट तारीख से निधि में अभिदाय जमा करने की अनुमति दे सकती है, और छूट रद्द करने के आवेदन पर कार्रवाई कर सकती है;

परंतु क्षेत्रीय भविष्य निधि आयुक्त नियोक्ता और न्यासी बोर्ड को यह अनुमति दे सकता है कि वे संहिता की धारा 143 की उप-धारा (5) में विनिर्दिष्ट निधि से प्रत्येक कर्मचारी की संचित रकम के साथ पिछली संचित रकम, तथा अधिशेष और आरक्षित निधियों को निधि में अंतरित कर दें।

- (3) नियोक्ता और न्यासी बोर्ड, समुचित सरकार द्वारा रद्दीकरण आदेश जारी होने तक, प्रत्येक कर्मचारी के संचय के साथ छूट प्राप्त निधि से अधिशेष और आरक्षित निधियों को इस स्कीम के अधीन सांविधिक निधि में अंतरित करेंगे; और तत्पश्चात ऐसे छूट प्राप्त कर्मचारी, निधि के सदस्य बन जाएंगे।
- (4) किसी भी कर्मचारी या कर्मचारियों के किसी वर्ग को, एक ही खाते के संबंध में, एक से अधिक बार छूट प्रदान नहीं की जाएगी, और न ही उन्हें छूट छोड़ने के लिए आवेदन करने की अनुमति दी जाएगी।
- (5) किसी भी स्थापना को 10 वर्ष की अवधि के भीतर, एक ही खाते पर एक से अधिक बार छूट नहीं दी जाएगी, और न ही उसे छूट से बाहर निकलने के लिए आवेदन करने की अनुमति दी जाएगी;
- (6) छूट दिए जाने के लिए, बाद में किए गए अनुरोध के समय, स्थापना को यह प्रदर्शित करना होगा कि उसने अनुरोध की तिथि से ठीक पहले के लगातार तीन वर्ष की अवधि के दौरान, छूट दिए जाने की शर्तों का पालन किया है।

17. विद्यमान भविष्य निधियों से संचित रकम का अंतरण. – (1) कोई भी प्राधिकारी, जो किसी ऐसे विद्यमान भविष्य निधि का प्रभारी है या जिसके प्रबंधन का दायित्व उसे सौंपा गया है, जिसकी संचित रकम इस स्कीम के अधीन 'निधि' में अंतरित की जानी है, वह:

- (i) आयुक्त को एक विवरण भेजे, जिसमें इस स्कीम के आवेदन या छूट की रद्दीकरण के पच्चीस दिनों के भीतर, अंतरण की तारीख को प्रत्येक अंशदाता के खाते में जमा रकम, आम तौर पर ग्राहकों के जमा में उस तारीख को कुल संचय और अग्रिम, यदि कोई ग्राहकों द्वारा हो, लिया गया है; दर्शाया जाए।
- (ii) उप-पैरा (2) में विनिर्दिष्ट रीति से, प्रत्येक स्थापना के संबंध में अंशदाताओं के खाते में जमा कुल संचय को, स्कीम के लागू होने या छूट के रद्द होने, बैंक में नकदी उपलब्ध होने की स्थिति में दस दिन के भीतर और प्रतिभूतियों के मामले में तीस दिन के भीतर, निधि में अंतरण करना, और

- (iii) उक्त संचयों से संबंधित सभी पासबुक, लेखा-पुस्तकें और अन्य दस्तावेज़ केंद्रीय बोर्ड को अंतरित करना।
- (2) अंशदाताओं के खाते में जमा समस्त संचय, चाहे वे किसी भी प्रकार से निवेशित हों, नकद रूप में निधि को अंतरित किए जाएंगे;
- परंतु यदि जहां ऐसे जमा का पूरा या कोई हिस्सा राष्ट्रीय बचत प्रमाण-पत्रों या राष्ट्रीय स्कीम बचत प्रमाण-पत्रों में निवेशित है, तो अंतरण के समय, ऐसे प्रमाण-पत्रों के बढ़े हुए मूल्य को अंतरण की जाने वाली संचयी रकम निर्धारित करते समय ध्यान में रखा जाएगा;
- परंतु ऐसे प्रमाण-पत्रों के अंकित मूल्य और अंतरण के समय उनके बढ़े हुए मूल्य के बीच का अंतर पहले ही अंशदाताओं के खातों में जमा कर दिया गया हो।
- परंतु यह और कि जहां ऐसे संचय का पूरा या कोई हिस्सा प्रतिभूतियों में विनिधान से मिलकर बना है, वहां केंद्रीय सरकार, असाधारण मामलों में, ऐसी प्रतिभूतियों के अंतरण को उस मूल्य पर स्वीकार करने की अनुमति दे सकती है जिस पर उन्हें वास्तव में खरीदा गया था।
- स्पष्टीकरण:* शंकाओं को दूर करने के लिए, भविष्य निधि में जमा कुल रकम में उस पर मिलने वाला ब्याज भी सम्मिलित होता है और निधि का प्रभारी प्राधिकारी, विनिधान पर मिलने वाले ब्याज की उस शेष रकम को नकद में अंतरित करेगा, जो अंतरण की तारीख तक बांटी नहीं गई हो, या जो केंद्रीय बोर्ड के नाम पर प्रतिभूतियों के रजिस्ट्रीकरण से पहले की अवधि के लिए प्राप्त हो चुकी हो या प्राप्त होने योग्य हो।
- (iii) उप-पैरा (2) के अधीन अंतरित की गई कोई भी संचय रकम, केंद्रीय बोर्ड के बैंक खाते में जमा की जाएगी।
- (iv) इस पैरा के अनुसार निधि में अंतरित की गई संचय रकम को, निधि के प्रत्येक सदस्य के खाते में, प्राधिकारी द्वारा प्रस्तुत विवरण को ध्यान में रखते हुए, उस सीमा तक जिसके वह पात्र हैं, जमा किया जाएगा।

अध्याय 5

अभिदाय और प्रभार

18. अभिदाय. — (1) इस पैरा के अधीन किसी सदस्य के लिए देय अभिदाय में नियोक्ता द्वारा देय अभिदाय (जिसे इसमें इसके पश्चात् नियोक्ता का अभिदाय कहा गया है) और कर्मचारी द्वारा देय अभिदाय (जिसे इसमें इसके पश्चात् कर्मचारी का अभिदाय कहा गया है) सम्मिलित होंगे।

- (2) जिस पर यह स्कीम लागू होती है इस स्कीम के अधीन नियोक्ता का अभिदाय कर्मचारी को देय वेतन का बारह प्रतिशत की दर से होगा और ऐसे कर्मचारी के संबंध में कर्मचारी द्वारा देय अभिदाय नियोक्ता द्वारा देय अभिदाय के बराबर होगा।

परंतु केंद्रीय सरकार द्वारा इस संबंध में अधिसूचित स्थापनाओं की श्रेणी के लिए अभिदाय की दर दस प्रतिशत होगी।

परंतु यह और कि केंद्रीय सरकार, ऐसी जांच करने के पश्चात्, अधिसूचना द्वारा किसी भी कर्मचारी वर्ग के लिए कर्मचारियों के अभिदाय की दरें तथा वह अवधि विनिर्दिष्ट कर सकती है, जिसके लिए ऐसी दरें लागू होंगी;

परंतु यह भी कि केंद्रीय सरकार आदेश द्वारा, महामारी, स्थानिक रोग या राष्ट्रीय आपदा की स्थिति में, पूरे भारत या उसके किसी भाग के लिए, नियोक्ता के अभिदाय, या कर्मचारी के अभिदाय, या दोनों को एक बार में तीन माह तक के लिए स्थगित या कम कर सकती है।

- (3) किसी सदस्य के लिए देय अभिदाय, केंद्रीय सरकार द्वारा समय-समय पर अधिसूचित वेतन सीमा के अधीन होगा:

परंतु पैरा 9 के उप-पैरा(4) में निहित उपबंधों के अधीन रहते हुए, जहां ऐसे सदस्य का मासिक वेतन, वेतन सीमा से अधिक हो जाता है, वहां नियोक्ता और कर्मचारी का अभिदाय, वेतन सीमा पर देय अभिदाय तक ही सीमित होगा:

परंतु यह और कि कोई नियोक्ता, ऐसे मामलों में जहां कर्मचारी पेंशन स्कीम, 1995 के अधीन उच्च वेतन पर अभिदाय के लिए अनुमत किए गए हैं, पेंशन निधि में वेतन सीमा से अधिक वेतन पर ऐसा अभिदाय कर सकता है।

- (4) अभिदाय की गणना पूरे महीने के दौरान वास्तव में प्राप्त या देय वेतन के आधार पर की जाएगी, चाहे भुगतान दैनिक, साप्ताहिक, पाक्षिक या मासिक आधार पर किया गया हो।
- (5) प्रत्येक अभिदाय की गणना निकटतम रुपए तक की जाएगी, पचास पैसे या उससे अधिक को अगले उच्चतम रुपए के रूप में गिना जाएगा और पचास पैसे से कम रुपए के अंश को छोड़ दिया जाएगा।

स्पष्टीकरण:- संदेह दूर करने के लिए, यदि, वेतन का भुगतान भारतीय रुपए के अतिरिक्त किसी अन्य मुद्रा में किया जाता है, तो उस मुद्रा की विनिमय दर भारतीय स्टेट बैंक द्वारा, जो कि भारतीय स्टेट बैंक अधिनियम, 1955 (1955 का 23) के अधीन स्थापित है, उस महीने के अंतिम कार्य दिवस पर ऐसी मुद्रा की खरीद के लिए दी गई टेलीग्राफिक अंतरण खरीद दर होगी, जिसके लिए वेतन देय है।

19. अतिरिक्त स्वैच्छिक अभिदाय. – (1) इस स्कीम में निहित किसी भी बात के रहते हुए, कर्मचारी स्वैच्छिक आधार पर सांविधिक वेतन सीमा से अधिक वेतन पर, सांविधिक दर से या उससे अधिक अतिरिक्त अभिदाय करने का विकल्प चुन सकता है और नियोक्ता नियमित विवरणी के माध्यम से ऐसे स्वैच्छिक अभिदाय को तदनुसार आयुक्त को अंतरित करेगा;

परंतु अतिरिक्त स्वैच्छिक अभिदाय, वेतन संहिता की धारा 18 की उपधारा 2 के अधीन अनुमत कटौतियों के पश्चात के वेतन से अधिक नहीं होगा।

- (2) नियोक्ता, यदि वह चाहे, तो ऐसे कर्मचारियों के स्वैच्छिक अभिदाय पर उतना ही अभिदाय दे सकता है; तथापि, इस पैरा के अधीन कर्मचारी द्वारा किए गए अतिरिक्त स्वैच्छिक अभिदाय के बराबर अभिदाय देने के लिए नियोक्ता बाध्य नहीं होगा।
- (3) नियोक्ता को उस वेतन पर अतिरिक्त प्रशासनिक प्रभार का भुगतान करना होगा, जिस पर इस पैरा के अधीन स्वैच्छिक अभिदाय का भुगतान किया जाता है।
- (4) कर्मचारी या नियोक्ता किसी भी समय ऐसे अतिरिक्त स्वैच्छिक अभिदाय को कम करने या बंद करने का विकल्प चुन सकता है।
- (5) नियोक्ता द्वारा किया गया कोई भी स्वैच्छिक अभिदाय भविष्य निधि में जमा किया जाएगा।

20. अभिदाय के भुगतान का दायित्व. – (1) नियोक्ता, प्रारंभ में, उसके द्वारा सीधे नियोजित या ठेकेदार [ऐसी स्थापना के संबंध में जो अलग से रजिस्ट्रीकृत नहीं है] के माध्यम से नियोजित कर्मचारियों के संबंध में, केंद्रीय बोर्ड द्वारा विनिर्दिष्ट रीति से प्रत्येक माह की समाप्ति के पंद्रह दिन के भीतर, इस स्कीम के अधीन देय प्रशासनिक प्रभार या अन्य प्रभार सहित नियोक्ता के अभिदाय और कर्मचारी के अभिदाय दोनों का भुगतान करेगा।

(2) ठेकेदार द्वारा या उसके माध्यम से नियोजित कर्मचारियों के संबंध में, [ऐसी स्थापना के संबंध में जो अलग से रजिस्ट्रीकृत नहीं है], ठेकेदार ऐसे कर्मचारी द्वारा देय अभिदाय की वसूली करेगा और सदस्य के अभिदाय की रकम को, समान रकम के अभिदाय के साथ प्रधान नियोक्ता को भुगतान करेगा।

(3) यह प्रधान नियोक्ता की जिम्मेदारी होगी कि वह उप- पैरा (1) में दिए अनुसार उसके द्वारा सीधे नियोजित कर्मचारियों के संबंध में तथा उप- पैरा (2) में दिए अनुसार ठेकेदार द्वारा या उसके माध्यम से नियोजित कर्मचारियों के संबंध में देय दोनों अंशदानों का भुगतान प्रशासनिक प्रभार के साथ करे।

(4) इसमें दी गई किसी भी बात के होते हुए, प्रधान नियोक्ता उसके द्वारा सीधे या किसी ठेकेदार के माध्यम से नियुक्त कर्मचारी के संबंध में अभिदाय और प्रशासनिक प्रभार या अन्य फीस का भुगतान करने के लिए जिम्मेदार रहेगा।

21. सदस्यों की आय से नियोक्ता का भाग नहीं काटा जाएगा. — (1) किसी संविदा के प्रतिकूल किसी बात के होते हुए भी, नियोक्ता किसी सदस्य के वेतन में से नियोक्ता का अभिदाय काटने या अन्यथा उससे इसकी वसूली करने का पात्र नहीं होगा।

22. सदस्यों के अभिदाय के भाग की वसूली. — (1) किसी सदस्य के अभिदाय की वह रकम जिसका भुगतान नियोक्ता या ठेकेदार द्वारा किया गया हो, इस स्कीम के उपबंधों या उस समय प्रभावी किसी भी विधि या इसके विपरीत किसी अनुबंध के बावजूद, सदस्य के वेतन से कटौती करके वसूल की जाएगी और अन्य तरीके से नहीं:

परंतु ऐसी कोई कटौती उस अवधि या अवधि के उस भाग के लिए भुगतान किए गए वेतन के अतिरिक्त किसी अन्य वेतन से नहीं की जाएगी, जिसके लिए अभिदाय देय है:

परंतु यह और अगर कर्मचारी ने नौकरी आरंभ करते समय लिखित में गलत घोषणा की थी कि वह पहले से ही निधि का सदस्य नहीं था, तो नियोक्ता या ठेकेदार उस अवधि के लिए भुगतान किए गए वेतन के अतिरिक्त वेतन से कर्मचारी के अभिदाय की वसूली कर सकता है।

परंतु यदि किसी आकस्मिक गलती या लिपिकीय भूल के कारण ऐसी कोई कटौती नहीं की गई हो, तो ऐसी कटौती निरीक्षक-सह-सुविधाकर्ता की लिखित सहमति से आगामी वेतन से की जा सकेगी।

(2) किसी सदस्य के दैनिक, साप्ताहिक या पाक्षिक आधार पर भुगतान किए गए वेतन में से की गई कटौती को जोड़ा जाएगा ताकि मासिक कटौतियां दर्शाई जा सकें।

(3) इस स्कीम के अधीन नियोक्ता या ठेकेदार द्वारा कर्मचारी के वेतन से काटी गई कोई भी राशि, उस अभिदाय के भुगतान के उद्देश्य से उसे सौंपी गई मानी जाएगी, जिसके संबंध में वह कटौती की गई थी।

23. चूक के लिए नुकसानी लगाना और वसूली. — यदि कोई नियोक्ता चूक करता है,

(क) निधि में किसी भी अभिदाय के भुगतान में जिसका वह संहिता के अध्याय-3 के अनुसार भुगतान करने के लिए उत्तरदायी है, या

(ख) संहिता की धारा 143 की उपधारा (8) और (9) के अधीन अंतरित की जाने वाले संचय राशि के अंतरण में, या

(ग) इस स्कीम के उपबंधों के अधीन या संहिता की धारा 143 में विनिर्दिष्ट किसी भी शर्त के अधीन देय किसी भी प्रभार के भुगतान में,

केंद्रीय भविष्य निधि आयुक्त या केंद्रीय सरकार द्वारा प्राधिकृत कोई अन्य अधिकारी, नीचे दी गई सारणी में बताई गई दरों के अनुसार नियोक्ता से नुकसानी के रूप में रकम वसूल कर सकता है, बशर्ते यह राशि बकाया रकम से अधिक न हो।

सारणी

क्रम संख्या	चूक की अवधि	नुकसानी की दर (प्रति माह बकाया राशि का प्रतिशत)
1	दो माह से कम	0.25%
2	दो माह से अधिक और 4 माह से कम	0.50%
3	चार माह से अधिक	1%

(2) 14 जून, 2024 से उप-पैरा (1) के अधीन विनिर्दिष्ट नुकसानी, कर्मचारी भविष्य निधि स्कीम, 1952 के पैरा 32-क के अधीन विनिर्दिष्ट किसी चूक के मामले में भी लागू होगी।

अध्याय 6

कर्तव्य, प्ररूप और विवरणी

24. नियोक्ताओं के कर्तव्य. – (1) प्रत्येक नियोक्ता, इस स्कीम के स्थापना पर लागू होने के पंद्रह दिन के भीतर, आयुक्त को प्रपत्र 5 में एक समेकित विवरण प्रस्तुत करेगा:

परंतु यदि कोई ऐसा कर्मचारी नहीं है जिसका निधि का सदस्य बनना आवश्यक है या जो सदस्य बनने का पात्र है, तो नियोक्ता 'शून्य' विवरण प्रस्तुत करेगा।

(2) प्रत्येक नियोक्ता प्रत्येक माह की समाप्ति के पंद्रह दिन के भीतर, इस उद्देश्य के लिए विनिर्दिष्ट पोर्टल पर इलेक्ट्रॉनिक माध्यम से अपलोड करेगा—

(i) पिछले माह के दौरान पहली बार निधि के सदस्य बनने के लिए पात्र कर्मचारियों का विवरण;

(ii) ऐसे कर्मचारियों के संबंध में स्थापना के साथ यूएन के लिंकेज के माध्यम से पिछले महीने के दौरान किसी अन्य स्थापना से स्थानांतरण के परिणामस्वरूप इस स्थापना में रोजगार ग्रहण करने पर निधि के सदस्यों के रूप में नामांकित कर्मचारियों का विवरण ।

(iii) यदि कोई कर्मचारी पोर्टल पर अपना यूएन जनरेट करने में विफल रहता है, जिससे उसका सदस्य खाता जुड़ा होगा, तो नियोक्ता यूएन जनरेट करने में कर्मचारी की सहायता करेगा।

(iv) किसी कर्मचारी के निधि का सदस्य बनने पर, प्रत्येक नियोक्ता ऐसे प्रत्येक सदस्य को केंद्रीय बोर्ड द्वारा इलेक्ट्रॉनिक रूप से उपलब्ध कराई गई ई-पासबुक डाउनलोड करने के लिए आवश्यक डिजिटल सुविधा और तकनीकी सहायता प्रदान करेगा।

(v) प्रत्येक नियोक्ता प्रत्येक माह की समाप्ति के पंद्रह दिनों के भीतर, पिछले माह के दौरान नियोक्ता की सेवा छोड़ने वाले कर्मचारियों का विवरण विनिर्दिष्ट पोर्टल पर इलेक्ट्रॉनिक रूप से अपलोड करेगा।

(vi) संहिता के अधीन आने वाली किसी स्थापना के संबंध में प्रत्येक नियोक्ता, स्थापना के रजिस्ट्रीकरण के बाद, विनिर्दिष्ट पोर्टल पर पहचान प्रमाणित करने हेतु दस्तावेजी प्रमाण के साथ, अधिग्रहणकर्ताओं, निदेशकों, साझेदारों, प्रबंधक या किसी अन्य व्यक्ति, जिसका स्थापना के प्रशासन पर अंतिम नियंत्रण हो, का विवरण युक्त **प्रपत्र 6** में स्वामित्व विवरण फाइल करेगा।

(vii) प्रत्येक नियोक्ता, उस स्थापना के संबंध में जिस पर यह संहिता लागू होती है, उप पैरा (6) में उल्लिखित स्वामित्व से संबंधित विवरण में परिवर्तन होने पर पंद्रह दिन के भीतर, इस उद्देश्य के लिए विनिर्दिष्ट पोर्टल पर परिवर्तन संबंधी विवरण प्रस्तुत करेगा।

(viii) नियोक्ता स्थापना के प्रवेश द्वार पर और वेबसाइट पर स्वामित्व विवरण का सारांश प्रदर्शित करेगा;

(ix) नियोक्ता माह की समाप्ति के पंद्रह दिनों के भीतर प्रत्येक कर्मचारी के लिए देय अभिदाय से संबंधित विवरण इलेक्ट्रॉनिक चालान-सह-वापसी **प्रपत्र 7** के माध्यम से विनिर्दिष्ट पोर्टल पर अपलोड करेगा और उसके पश्चात इस स्कीम के पैरा 28 के उप-पैरा 3 के अधीन विनिर्दिष्ट देय राशि का भुगतान करेगा।

(x) किसी स्थापना का नियोक्ता, समुचित सरकार द्वारा निर्धारित प्ररूप में, इलेक्ट्रॉनिक रूप से या अन्य रूप में अभिलेखों और रजिस्ट्रों का रखरखाव करेगा जिसमें नियोजित व्यक्तियों, मस्टर रोल, वेतन के संबंध में ऐसी जानकारी और विवरण तथा ऐसी अन्य जानकारी और विवरण ऐसी रीति से जो संहिता की धारा 123 के खंड (क) में सूचीबद्ध समुचित सरकार द्वारा निर्धारित किया गया हों सम्मिलित होंगे।

(xi) नियोक्ता, कर्मचारियों/कर्मकारों के ब्यौरों और उन्हें किए गए भुगतानों से संबंधित सभी रजिस्ट्रों और लेखा पुस्तकों को, जो उस समय लागू किसी अन्य विधि के अधीन संधारित किए जाते हैं, विधिवत प्रमाणीकरण के साथ इलेक्ट्रॉनिक रूप में उपलब्ध कराएगा या इस संहिता के अधीन नियुक्त निरीक्षक-सह-सुविधाप्रदाता को स्थापना के निरीक्षण के समय जांच हेतु भौतिक अभिलेख उपलब्ध कराएगा।

(xii) प्रत्येक नियोक्ता, जब भी आयुक्त या उसकी ओर से प्राधिकृत कोई अन्य अधिकारी या निरीक्षक-सह-सुविधाप्रदाता ऐसा करने की अपेक्षा करे, तो अपने द्वारा नियोजित किसी भी कर्मचारी का रिकॉर्ड प्रस्तुत करेगा और यदि ऐसा करने की अपेक्षा की जाए, तो वह ऐसे रिकॉर्ड आयुक्त या प्राधिकृत अधिकारी या निरीक्षक-सह-सुविधाप्रदाता को, जैसा भी मामला हो, निरीक्षण स्कीम के अधीन परिकल्पित प्रक्रिया के अनुसार सौंप देगा, जो यदि आवश्यक समझे तो उचित पावती के साथ रिकॉर्ड अपने पास रख सकता है।

(3) अंतर्राष्ट्रीय कर्मकार के मामले में,—

(i) प्रत्येक नियोक्ता, स्थापना पर इस स्कीम के लागू होने के पंद्रह दिनों के भीतर, आयुक्त द्वारा विनिर्दिष्ट प्ररूप में एक समेकित विवरणी आयुक्त को भेजेगा, जिसमें निधि का सदस्य बनने के लिए आवश्यक या पात्र प्रत्येक अंतर्राष्ट्रीय कर्मकार की राष्ट्रीयता को स्पष्ट रूप से दर्शाते हुए उनके विवरण तथा ऐसे प्रत्येक अंतर्राष्ट्रीय कर्मकार को भुगतान किया गया वेतन दर्ज होगा:

परंतु यदि निधि का सदस्य बनने के लिए अनिवार्य या पात्र कोई भी अंतर्राष्ट्रीय कर्मकार न हो, तो नियोक्ता एक 'शून्य' विवरणी फाइल करेगा;

(ii) प्रत्येक नियोक्ता, प्रत्येक माह की समाप्ति के पंद्रह दिनों के भीतर, इस प्रयोजन के लिए विनिर्दिष्ट पोर्टल पर इलेक्ट्रॉनिक रूप में निम्नलिखित विवरण अपलोड करेगा,—

(क) पूर्ववर्ती माह के दौरान पहली बार निधि का सदस्य बनने की पात्रता रखने वाले अंतर्राष्ट्रीय कर्मकारों का विवरण;

(ख) पूर्ववर्ती माह के दौरान किसी अन्य स्थापना से स्थानांतरित होने के परिणामस्वरूप, स्थापना में रोजगार ग्रहण करने पर निधि के सदस्य के रूप में नामांकित अंतर्राष्ट्रीय कर्मकारों का विवरण;

(ग) पूर्ववर्ती माह के दौरान नियोक्ता की सेवा छोड़ने वाले अंतर्राष्ट्रीय कर्मकारों का विवरण।

(4) इस पैरा में पहले से निहित किसी भी बात के होते हुए, केंद्रीय बोर्ड स्कीम के कार्यान्वयन के उद्देश्य से, नियोक्ताओं को सामान्य रूप से उपयुक्त समझे जाने वाले निदेश जारी करेगा, और प्रत्येक नियोक्ता का यह कर्तव्य होगा कि वह ऐसे निदेश का पालन करे।

25. कर्मचारी के कर्तव्य. — (1) निधि का सदस्य बनने के लिए आवश्यक या पात्र प्रत्येक व्यक्ति नियोक्ता या कर्मचारी भविष्य निधि संगठन, जैसा भी मामला हो, को अपने बारे में विवरण प्रस्तुत करेगा, जिसमें आधार (वित्तीय और अन्य सहायिकियों, प्रसुविधाओं और सेवाओं का लक्षित वितरण) अधिनियम 2016 की धारा 2 के खंड (क) में परिभाषित आधार संख्या, भारत में किसी भी अनुसूचित बैंक या सहकारी बैंक का आधार से जुड़ा बैंक खाता संख्या, आयकर अधिनियम, 2025 (2025 का 30) के अधीन जारी स्थायी खाता संख्या और सार्वभौमिक खाता संख्या सम्मिलित हैं।

(2) निधि का सदस्य बनने के लिए आवश्यक या पात्र प्रत्येक व्यक्ति आयुक्त को अपने परिवार के सदस्यों के बारे में विवरण प्रस्तुत करेगा, जिसमें आधार संख्या सम्मिलित है, ताकि इस उद्देश्य के लिए विनिर्दिष्ट पोर्टल पर नामांकन किया जा सके।

(3) निधि का सदस्य बनने के लिए आवश्यक या पात्र प्रत्येक व्यक्ति, संहिता या कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 या किसी अन्य मान्यता प्राप्त भविष्य निधि के अधीन अपने पूर्व रोजगार या सदस्यता का विवरण इस उद्देश्य के लिए विनिर्दिष्ट पोर्टल पर प्रस्तुत करेगा।

26. नियोक्ता द्वारा स्वामित्व और प्राधिकृत हस्ताक्षरकर्ता का विवरण प्रस्तुत किया जाना. — (1) किसी भी रजिस्ट्रीकृत स्थापना का प्रत्येक नियोक्ता, —

(i) **प्रपत्र 8** प्रस्तुत करेगा जिसमें शाखाओं और विभागों का विवरण हो, और शाखा के प्रशासन पर अंतिम नियंत्रण रखने वाले व्यक्ति/व्यक्तियों का विवरण हो, साथ ही ऐसे व्यक्ति/व्यक्तियों की पहचान प्रमाणित करने वाले दस्तावेजी प्रमाण भी प्रस्तुत करेगा, जो स्थापनाओं के प्रशासन पर अंतिम नियंत्रण रखते हैं;

(ii) स्थापनाओं के कर्मचारियों में से अधिकतम पांच व्यक्तियों को नियोक्ता की ओर से दस्तावेजों पर हस्ताक्षर करने और विवरणी प्रस्तुत करने के लिए प्राधिकृत किया जा सकता है और ऐसे प्राधिकरण का विवरण **प्रपत्र 9** में प्रस्तुत किया जाएगा;

परंतु यह कि, बंदी, परिसमापन अथवा ऐसी ही अन्य परिस्थितियों में, जहाँ कोई अन्य व्यक्ति नियोजक के कर्तव्यों तथा उत्तरदायित्वों का निर्वहन करता हो, ऐसा व्यक्ति किसी भी व्यक्ति को, चाहे वह स्थापन का कर्मचारी न हो, प्राधिकृत हस्ताक्षरकर्ता के रूप में प्राधिकृत कर सकेगा;

iii) ऐसे प्राधिकरण के होते हुए भी, नियोजक अथवा नियोजक के कर्तव्यों और उत्तरदायित्वों का निर्वहन करने वाला अन्य कोई व्यक्ति, यथास्थिति, संहिता तथा इस स्कीम के उपबंधों के अधीन उत्तरदायी बना रहेगा;

(iv) स्वामित्व तथा प्राधिकृत हस्ताक्षरकर्ताओं के विवरणों में किसी भी परिवर्तन की सूचना प्रत्येक वित्तीय वर्ष में अथवा जब भी कोई परिवर्तन हो, यथास्थिति, ऐसे परिवर्तन की तिथि से तीस दिनों के भीतर प्रस्तुत करेगा:

परंतु यह कि, जिस स्थापन पर संहिता के अधीन बनाई गई पेंशन स्कीम अथवा बीमा स्कीम, या कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 लागू होता है, उसके किसी नियोजक के मामले में उक्त प्ररूप को इन आवश्यकताओं की पूर्ति के लिए पर्याप्त माना जाएगा।

27. प्रधान नियोजक तथा संविदाकार के कर्तव्य. – (1) प्रधान नियोजक यह सुनिश्चित करेगा कि स्थापन का रजिस्ट्रीकरण किया गया है तथा इस प्रयोजन के लिए विनिर्दिष्ट पोर्टल पर **प्रपत्र 10** में नियोजित सभी संविदाकारों की घोषणा की गई है।

(2) संविदाकार, नियोजित संविदा कर्मचारी के संबंध में इस स्कीम के अधीन संदेय अभिदायों तथा प्रभारों के भुगतान के लिए प्रधान नियोजक के साथ संयुक्त तथा पृथक रूप से उत्तरदायी होगा और ऐसे अभिदाय तथा प्रभार इस स्कीम में विनिर्दिष्ट अवधि की समाप्ति से पूर्व प्रेषित किए जाएंगे।

(3) प्रत्येक संविदाकार, प्रत्येक माह की समाप्ति के दस दिनों के भीतर, प्रधान नियोजक को **प्रपत्र 11** में इलेक्ट्रॉनिक माध्यम से ऐसे संविदा कर्मचारी का नाम, सर्वव्यापी खाता संख्या (यूनिवर्सल खाता संख्या), मजदूरी तथा संदेय अभिदायों की सूचना देगा।

(4) प्रधान नियोजक, प्रत्येक माह की समाप्ति के बीस दिनों के भीतर, आयुक्त को **प्रपत्र 12** में मासिक सार-संक्षेप प्रस्तुत करेगा, जिसमें संविदा कर्मचारी की मजदूरी से की गई वसूलियों की कुल राशि तथा ऐसे सदस्यों के संबंध में नियोजक द्वारा अभिदत्त कुल राशि दर्शाई जाएगी।

(5) यदि उप-पैरा (1), (3) तथा (4) के अधीन प्ररूप- (10), (11) तथा (12) में विनिर्दिष्ट सूचना ईपीएफओ द्वारा उपलब्ध कराए गए समर्पित पोर्टल के माध्यम से उपलब्ध करा दी जाती है, तो इस संबंध में अनुपालन किया हुआ माना जाएगा।

28. अभिदायों आदि का भुगतान. – (1) नियोजक, किसी सदस्य को उस अवधि अथवा अवधि के भाग के संबंध में मजदूरी का भुगतान करने से पूर्व, जिसके लिए अभिदाय संदेय हैं, ऐसी मजदूरी से कर्मचारी का अभिदाय काट लेगा।

(2) नियोजक, कर्मचारी के अभिदाय के साथ-साथ, नियोजक का अभिदाय तथा मजदूरी के ऐसे प्रतिशत के प्रशासनिक प्रभार का भी भुगतान करेगा।

(3) नियोजक, प्रत्येक माह की समाप्ति के पंद्रह दिनों के भीतर, अभिदायों तथा प्रशासनिक प्रभारों के खाते में संग्रहण हेतु प्राधिकृत इलेक्ट्रॉनिक भुगतान माध्यम द्वारा निधि में अभिदाय प्रेषित करेगा:

परंतु यह कि, केंद्रीय भविष्य निधि आयुक्त, लिखित रूप में अभिलिखित किए जाने वाले कारणों से, किसी नियोजक या नियोजकों के वर्ग को किसी अन्य माध्यम से अभिदाय जमा करने की अनुमति दे सकेगा;

परंतु यह भी कि, असाधारण परिस्थितियों में केंद्रीय भविष्य निधि आयुक्त, नियोजक को विवरणियाँ प्रस्तुत करने तथा इलेक्ट्रॉनिक चालान-सह-विवरणी के माध्यम से अभिदाय और प्रभार जमा करने के लिए उपलब्ध विहित समय का विस्तार कर सकेगा।

29. प्रशासनिक प्रभारों या अन्य फीस का निर्धारण. – (1) केंद्रीय सरकार, केंद्रीय बोर्ड से परामर्श करके तथा निधि के उन संसाधनों को ध्यान में रखते हुए जो उसकी सामान्य प्रशासनिक व्ययों की पूर्ति के लिए उपलब्ध हों, पैरा 28 के उप-पैरा (2) के अधीन संदेय प्रशासनिक प्रभारों का प्रतिशत निर्धारित कर सकेगी।

(2) इस स्कीम के अधीन अपेक्षित किसी विवरणी को दाखिल करने में विलंब होने पर, नियोजक प्रति दिन पाँच सौ रुपये की विलंब फीस का भुगतान करने के लिए दायी होगा:

परंतु यह कि, संदेय कुल विलंब फीस उस माह के लिए नियोजक द्वारा देय प्रशासनिक प्रभारों की राशि से अधिक नहीं होगी, जिससे ऐसी विवरणी संबंधित है।

30. सदस्य के खाते का वार्षिक विवरण तथा ई-पासबुक. – (1) प्रत्येक वित्तीय वर्ष की समाप्ति के पश्चात् यथाशीघ्र, आयुक्त इस प्रयोजन के लिए विनिर्दिष्ट पोर्टल पर इलेक्ट्रॉनिक प्ररूप में निधि में सदस्य के खाते का विवरण उपलब्ध कराएगा, जिसमें, अवधि के प्रारंभ में आदि अतिशेष, वर्ष के दौरान अभिदत्त राशि, अवधि के अंत में जमा किया गया अथवा अवधि के दौरान नामे डाली गई ब्याज की कुल राशि; तथा अवधि के अंत में अंत अतिशेष दर्शाए जाएंगे।

(2) सदस्य वार्षिक विवरण की शुद्धता के संबंध में स्वयं को संतुष्ट करेंगे और यदि कोई त्रुटि हो तो पोर्टल पर विवरण के प्रकाशन की तारीख से तीन मास के भीतर उसकी सूचना आयुक्त को देंगे।

अध्याय-7

खातों का संधारण

31. चालू खाता. – आयुक्त नियोजकों से इलेक्ट्रॉनिक माध्यम से प्राप्त अभिदायों को, इंटरनेट बैंकिंग अथवा किसी अन्य माध्यम से, भारतीय रिजर्व बैंक, भारतीय स्टेट बैंक या किसी अन्य राष्ट्रीयकृत बैंक अथवा PayGov प्लेटफॉर्म अथवा भारत के अनुसूचित बैंकों, जिनमें निजी क्षेत्र के बैंक भी सम्मिलित हैं, के माध्यम से निधि के चालू खाते में जमा करेगा।

32. प्रशासन खाता. – निधि के सभी प्रशासनिक व्ययों के अभिलेखन के लिए, जिसमें ऐसे प्रशासनिक प्रभार भी सम्मिलित होंगे जिन्हें अधिरोपित करने के लिए निधि प्राधिकृत हो, "केंद्रीय प्रशासन खाता" नामक एक पृथक खाता स्थापित किया जाएगा।

33. भविष्य निधि खाता. – (1) इस स्कीम के प्रयोजनों के लिए एक भविष्य निधि खाता स्थापित किया जाएगा, जिसमें अभिदायों अथवा प्रभारों के रूप में प्राप्त समस्त राशियां जमा की जाएंगी तथा जिससे अभिदाताओं को देय सभी लाभों का भुगतान किया जाएगा।

(2) कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 के अधीन भविष्य निधि की सभी आस्तियां तथा दायित्व उप-पैरा (1) के अधीन गठित निधि को अंतरित कर दिए जाएंगे।

34. ब्याज खाता. – विक्रय अथवा विनियोगों से प्राप्त समस्त ब्याज, किराया तथा अन्य आय और, यदि कोई हो, तो शुद्ध लाभ अथवा हानि, प्रशासन खाते के लेन-देन को छोड़कर, "ब्याज खाते" में यथास्थिति जमा अथवा नामे खाता डाली जाएगी, प्रतिभूतियों तथा अन्य विनियोगों के क्रय-विक्रय पर देय दलाली तथा कमीशन को, यथास्थिति, क्रय अथवा विक्रय मूल्य में सम्मिलित किया जाएगा और उसे पृथक रूप से "ब्याज खाते" में प्रभारित नहीं किया जाएगा।

35. कर्मचारी भविष्य निधि की धनराशियों का विनियोग. – (1) निधि की समस्त धनराशि भारतीय रिजर्व बैंक, भारतीय स्टेट बैंक अथवा केंद्रीय सरकार द्वारा अनुमोदित अन्य अनुसूचित बैंकों में जमा की जाएगी अथवा केंद्रीय सरकार द्वारा समय-समय पर दिए गए निदेशों के अधीन, भारतीय न्यास अधिनियम, 1882 (1882 का 11) की धारा 20 में उल्लिखित या विनिर्दिष्ट प्रतिभूतियों में विनियोजित की जाएगी, परंतु यह कि, ऐसी प्रतिभूतियां भारत में पूंजी तथा ब्याज दोनों के संबंध में देय हों।

(2) किसी भी विनियोग के संबंध में किए गए समस्त व्यय तथा उससे उत्पन्न, यदि कोई हो, हानि निधि पर प्रभारित की जाएगी।

36. निधि का व्ययन. – (1) संहिता तथा इस स्कीम के उपबंधों के अधीन रहते हुए, प्रशासन खाते को छोड़कर निधि का उपयोग केंद्रीय सरकार की पूर्व मंजूरी के बिना, किसी अन्य प्रयोजन के लिए नहीं किया जाएगा, सिवाय इसके कि निधि में व्यक्तिगत सदस्यों के खाते में उपलब्ध राशि अथवा उनके नामनिर्दिष्ट व्यक्तियों, उत्तराधिकारियों या विधिक प्रतिनिधियों को इस स्कीम के प्रावधानों के अनुसार भुगतान किया जाए।

(2) निधि का संचालन ऐसे अधिकारियों द्वारा किया जाएगा जिन्हें इस प्रयोजन के लिए केंद्रीय बोर्ड द्वारा प्राधिकृत किया गया हो।

37. प्रशासन का व्यय. – (1) निधि के प्रशासन से संबंधित सभी व्ययों का वहन निधि द्वारा किया जाएगा।

(2) निधि के समस्त व्यय, जिनमें केंद्रीय बोर्ड के न्यासियों के शुल्क और भत्ते, वेतन, अवकाश और स्थानांतरण/नियुक्ति के समय भत्ते, यात्रा और प्रतिपूरक भत्ते, उपदान और अनुकंपा भत्ते, पेंशन, केंद्रीय बोर्ड के अधिकारियों और कर्मचारियों हेतु स्थापित भविष्य निधि और अन्य लाभ निधि में अभिदाय , खातों के संपरीक्षण की लागत, विधिक व्यय तथा केंद्रीय बोर्ड के संबंध में प्रयुक्त समस्त लेखन सामग्री और प्ररूपों की

लागत, कार्यालय भवनों और स्टाफ क्वार्टरों के निर्माण से संबंधित लागत और व्यय सम्मिलित हैं, निधि के प्रशासनिक खाते से वहन किए जाएंगे।

38. लेखाओं के संधारण का स्वरूप तथा रीति. – निधि तथा प्रशासन खाते के लेखाओं का संधारण केंद्रीय भविष्य निधि आयुक्त द्वारा, केंद्रीय बोर्ड द्वारा विनिर्दिष्ट तथा केंद्रीय सरकार द्वारा अनुमोदित प्रारूप और रीति से किया जाएगा।

39. संपरीक्षा. – (1) निधि के लेखाओं, जिनमें प्रशासन खाते के लेखा भी सम्मिलित हैं, की संपरीक्षा केंद्रीय सरकार द्वारा भारत के नियंत्रक और महालेखापरीक्षक से परामर्श करके जारी किए गए अनुदेशों के अनुसार की जाएगी।

(2) संपरीक्षा संबंधी सभी प्रभार प्रशासन खाते से वहन किए जाएंगे।

40. बजट. – (1) केंद्रीय भविष्य निधि आयुक्त, प्रत्येक वर्ष फरवरी मास के प्रथम पखवाड़े से पूर्व, केंद्रीय बोर्ड के समक्ष पृथक् रूप से निम्नलिखित दर्शाने वाला बजट प्रस्तुत करेगा-

(i) अभिदायों तथा प्रशासनिक प्रभारों के उद्ग्रहण से संभावित प्राप्तियां; तथा

(ii) आगामी वित्तीय वर्ष के दौरान किए जाने हेतु प्रस्तावित व्यय।

(2) केंद्रीय बोर्ड द्वारा अनुमोदित बजट, उसके केंद्रीय बोर्ड के समक्ष प्रस्तुत किए जाने की तारीख से एक मास के भीतर केंद्रीय सरकार की मंजूरी के लिए प्रस्तुत किया जाएगा।

(3) केंद्रीय सरकार, बजट को मंजूरी प्रदान करने से पूर्व उसमें आवश्यक समझे जाने वाले संशोधन कर सकेगी।

(4) केंद्रीय भविष्य निधि आयुक्त, वर्ष के दौरान किसी भी समय, केंद्रीय सरकार द्वारा बजट में मंजूर निधियों का बजटीय पुनर्विनियोजन कर सकेगा:

परंतु यह कि-

(क) बजट में मंजूर कुल राशि से अधिक व्यय न हो;

(ख) ऐसा पुनर्विनियोजन केवल प्रशासनिक व्ययों की पूर्ति हेतु किया जाए, जिनका भुगतान प्रशासन खाते से किया जाना है; तथा

(ग) ऐसा प्रत्येक पुनर्विनियोजन केंद्रीय बोर्ड की अगली बैठक में उसके संज्ञानार्थ प्रस्तुत किया जाए।

(5) केंद्रीय भविष्य निधि आयुक्त किसी वित्तीय वर्ष के लिए अनुपूरक बजट केंद्रीय बोर्ड के समक्ष प्रस्तुत करेगा, जिसमें ऐसे अपरिहार्य व्ययों के विस्तृत प्राक्कलन तथा कारण दिए जाएंगे, जो वर्ष के दौरान किए जाने संभावित हों और जिनके लिए स्वीकृत बजट में कोई उपबंध न किया गया हो तथा जिन्हें उप-पैरा (4) के अधीन समायोजित न किया जा सके।

(6) केंद्रीय बोर्ड द्वारा अनुमोदित अनुपूरक बजट, उसके केंद्रीय बोर्ड के समक्ष प्रस्तुत किए जाने की तारीख से एक मास के भीतर केंद्रीय सरकार की मंजूरी हेतु भेजा जाएगा।

(7) यदि किसी वित्तीय वर्ष में केंद्रीय भविष्य निधि आयुक्त द्वारा स्वीकृत बजट से अधिक व्यय किया जाता है और वह उप-पैरा (4) तथा (5) के अधीन आच्छादित नहीं है, तो ऐसे अतिरिक्त व्यय की स्थापना होते ही उसे केंद्रीय बोर्ड के विचारार्थ तथा केंद्रीय सरकार की मंजूरी प्राप्त करने हेतु बिना विलंब रिपोर्ट किया जाएगा।

41. सदस्यों के खाते. – (1) निधि में प्रत्येक सदस्य के नाम से एक खाता खोला जाएगा, जिसमें निम्नलिखित जमा किए जाएंगे-

(i) सदस्य द्वारा किए गए अभिदाय;

(ii) सदस्य के संबंध में नियोजक द्वारा किए गए अभिदाय; तथा

(iii) पैरा 42 में विनिर्दिष्ट ब्याज।

(2) खाते की सभी मदों की गणना निकटतम रुपये तक की जाएगी; (पचास पैसे या उससे अधिक राशि को अगले पूर्ण रुपये के रूप में गिना जाएगा तथा पचास पैसे से कम राशि को उपेक्षित कर दिया जाएगा।)

42. ब्याज. – (1) आयुक्त प्रत्येक सदस्य के खाते में केंद्रीय सरकार द्वारा केंद्रीय बोर्ड से परामर्श करके निर्धारित दर से निम्नलिखित रीति से ब्याज जमा करेगा, अर्थात्: -

(क) सदस्य के खाते में मासिक चालू शेष के आधार पर प्रत्येक वर्ष के अंतिम दिन से प्रभावी ब्याज जमा किया जाएगा:-

(i) पूर्ववर्ती वर्ष के अंतिम दिन सदस्य के खाते में जमा राशि पर, चालू वर्ष के दौरान निकाली गई राशि घटाने के पश्चात्, बारह मास का ब्याज;

(ii) चालू वर्ष में निकाली गई राशियों पर, चालू वर्ष के प्रारंभ से लेकर निकासी के माह के पूर्ववर्ती माह के अंतिम दिन तक का ब्याज;

(iii) पूर्ववर्ती वर्ष के अंतिम दिन के पश्चात् सदस्य के खाते में जमा की गई सभी राशियों पर, जमा किए जाने वाले माह के अगले माह के प्रथम दिन से चालू वर्ष के अंत तक का ब्याज;

(iv) ब्याज की कुल राशि को निकटतम रुपये तक पूर्णांकित किया जाएगा; पचास पैसे या उससे अधिक को अगले पूर्ण रुपये के रूप में गिना जाएगा।

(ख) यदि पैरा 49 अथवा पैरा 50 के अधीन प्रत्याहरण का दावा किया गया हो, तो ब्याज उस तारीख तक देय होगा जिस दिन अंतिम भुगतान प्राधिकृत किया जाता है, चाहे दावा संबंधित दावेदार से किसी भी तारीख को प्राप्त हुआ हो।

परंतु यह कि, चालू वर्ष में प्रत्याहरण संबंधी दावों पर अनुज्ञात ब्याज की दर वही होगी जो उस वित्तीय वर्ष के लिए निर्धारित की गई हो जिसमें प्रत्याहरण प्राधिकृत किया गया है।

परंतु यह भी कि, यदि चालू वर्ष के लिए घोषित ब्याज दर कर्मचारी भविष्य निधि की अंतिम घोषित ब्याज दर से कम हो, तो अंतरराशि निर्गत सदस्यों को बोनस के रूप में संचित होगी तथा वर्षांत में चालू वर्ष की ब्याज दर निर्धारित करने हेतु गणना में सम्मिलित की जाएगी और इस पर किए गए दावों का निपटान अंतिम होगा ।

स्पष्टीकरण -(क) यदि कोई स्थापन चालू वर्ष के दौरान पहली बार संहिता के अधीन आच्छादित होता है, तो सदस्य के खाते में जमा की गई सभी राशियों पर, जमा किए जाने वाले माह के अगले माह के प्रथम दिन से चालू वर्ष के अंत तक ब्याज अनुज्ञात होगा।

(ख) यदि छूट के रद्द किए जाने या समर्पण के परिणामस्वरूप पूर्व संचयों का अंतरण किया जाता है तथा स्थापन पहली बार इस स्कीम के अधीन आच्छादित होता है, तो सदस्य के खाते में जमा की गई सभी राशियों पर उसी प्रकार ब्याज अनुज्ञात होगा।

(2) सदस्यों के खातों में जमा की गई ब्याज की कुल राशि "ब्याज खाते" में नामे डाली जाएगी।

(3) ब्याज की दर निर्धारित करते समय केंद्रीय सरकार यह सुनिश्चित करेगी कि सदस्यों के खातों में जमा ब्याज के कारण ब्याज स्थगित खाते में कोई अधिक आहरण न हो।

(4) यदि कोई सदस्य लिखित रूप में आयुक्त को सूचित करता है कि वह ब्याज प्राप्त नहीं करना चाहता, तो उसके खाते में ब्याज जमा नहीं किया जाएगा। तथापि, यदि पश्चात् में वह ब्याज की मांग करता है, तो उसके अनुरोध की तारीख से प्रचलित अवधि के प्रथम दिन से प्रभावी रूप में ब्याज उसके खाते में जमा किया जाएगा।

(5) जिस तारीख को किसी सदस्य का खाता पैरा 54 के अधीन निष्क्रिय हो जाता है, उस तारीख से उसके खाते में ब्याज जमा नहीं किया जाएगा।

अध्याय-8**अंतरण, नामनिर्देशन, भुगतान तथा प्रत्याहरण**

43. सदस्यता का अंतरण. – (1) जहाँ निधि का कोई सदस्य किसी स्थापन में अपना नियोजन छोड़कर-

(i) ऐसे अन्य स्थापन में नियोजन प्राप्त करता है जिस पर यह स्कीम लागू होती है; या

(ii) किसी छूट प्राप्त स्थापन में नियोजन प्राप्त करता है; या

(iii) ऐसे स्थापन में नियोजन प्राप्त करता है जिस पर संहिता का अध्याय-3 लागू नहीं होता, परंतु जिसकी अपनी भविष्य निधि स्कीम है, तो वह अभिहित पोर्टल पर आवेदन करके अपने वर्तमान खाते से नए खाते में भविष्य निधि शेष का अंतरण करा सकेगा।

(2) जहाँ कोई कर्मचारी-

(i) ऐसे स्थापन का नियोजन छोड़ता है जिस पर अध्याय-3 लागू नहीं होता; या

(ii) किसी छूट प्राप्त स्थापन का नियोजन छोड़ता है,

और तत्पश्चात् ऐसे स्थापन में नियोजन प्राप्त करता है जिस पर अध्याय-3 या यह स्कीम लागू होती है, तो वह केंद्रीय भविष्य निधि आयुक्त द्वारा विनिर्दिष्ट प्रारूप और रीति से आवेदन करके अपनी भविष्य निधि शेषराशि का निधि में अंतरण करा सकेगा।

परंतु भविष्य निधि खाते के सदस्य की पहचान आनलाइन माध्यम से पुष्ट नहीं हो पाने की स्थिति में नियोक्ता सदस्य की पहचान की पुष्टि करने के पश्चात् अंतरण हेतु आवेदन आयुक्त को अग्रेषित करेगा।

(3) सदस्य की पहचान तथा भविष्य निधि खाते के स्वामित्व की पुष्टि विहित प्रक्रिया के अनुसार हो, इस शर्त के अधीन रहते हुए आयुक्त निधियों के स्वचालित अंतरण की सुविधा उपलब्ध करा सकेगा।

परंतु भविष्य निधि खाते के सदस्य की पहचान ऑनलाइन माध्यम से पुष्ट नहीं हो पाने की स्थिति में नियोक्ता सदस्य की पहचान की पुष्टि करने के पश्चात् अंतरण हेतु आवेदन आयुक्त को अग्रेषित करेगा।

44. नामनिर्देशन. – (1) प्रत्येक सदस्य, अभिहित पोर्टल पर, एक घोषणा करेगा कि एक नामनिर्देशन जो, उसके खाते में जमा रकम के संदेय होने से पूर्व या जहां संदाय किए जाने से पूर्व रकम संदेय हो गई है, उसकी मृत्यु की दशा में, उसके खाते में जमा रकम प्राप्त करने का अधिकार प्रदान करेगा।

(2) सदस्य अपने नामनिर्देशन में, निधि में अपने खाते में जमा रकम को, अपने विवेकानुसार, अपने नामनिर्देशितीयों के बीच वितरित करेगा।

(3) यदि नामनिर्देशन के समय सदस्य का परिवार है तो नामनिर्देशन उसके परिवार से संबंधित एक या अधिक व्यक्तियों के पक्ष में होगा तथा ऐसे सदस्य द्वारा अपने परिवार से संबंध न रखने वाले किसी व्यक्ति के पक्ष में किया गया नामनिर्देशन अविधिमान्य होगा।

परंतुक कर्मचारी भविष्य निधि स्कीम, 1952 के अनुसार किसी सदस्य द्वारा किया गया कोई भी नामनिर्देशन उस सीमा तक शून्य होगा, जहां तक इस स्कीम के उपबंधों से असंगत है और सदस्य से इस स्कीम के अनुसार नामनिर्देशन फाइल करना अपेक्षित होगा।

परंतुक यह भी कि सदस्य द्वारा विवाह होने पर एक नया नामनिर्देशन किया जाएगा और ऐसे विवाह से पहले किए गए किसी भी नामनिर्देशन को शून्य माना जाएगा।

(4) जहां नामनिर्देशन करते समय सदस्य का कोई परिवार नहीं है, तो नामनिर्देशन किसी भी व्यक्ति या व्यक्तियों के पक्ष में किया जा सकता है, किन्तु यदि सदस्य का बाद में परिवार बन जाता है, तो ऐसा नामनिर्देशन तत्काल अविधिमान्य माना जाएगा और सदस्य को अपने परिवार के सदस्यों के पक्ष में एक नया नामनिर्देशन करना होगा।

(5) जहां नामनिर्देशन पूर्ण रूप से या आंशिक रूप से अवयस्क के पक्ष में है, इस प्रकार नियुक्त नामनिर्देशिनी और संरक्षक से पहले ही सदस्य की मृत्यु होने की दशा में, सदस्य परिवार में से किसी वयस्क व्यक्ति को नामनिर्देशिनी अवयस्क का संरक्षक नियुक्त कर सकता है।

परंतु जहां परिवार में कोई वयस्क व्यक्ति नहीं है, तो सदस्य किसी अन्य व्यक्ति को नामनिर्देशिनी अवयस्क व्यक्ति का संरक्षक नियुक्त कर सकेगा।

(6) उप-पैरा(1) के अधीन किया गया नामनिर्देशन सदस्य द्वारा किसी भी समय ई-नामनिर्देशन पोर्टल पर उपांतरित किया जा सकता है।

(7) यदि नामनिर्देशिनी की सदस्य से पहले मृत्यु हो जाती है तो नामनिर्देशिनी के सारे हित सदस्य को वापस मिल जाएंगे, जो ऐसे हित के संबंध में नया नामनिर्देशन कर सकेगा।

(8) कोई नामनिर्देशन या उसमें किया गया उपांतरण, उस तारीख से प्रभावी माना जाएगा कि वह विधिमान्य है जिस तारीख को वह आयुक्त द्वारा प्राप्त किया गया हो।

45. विद्यमान सदस्यों की जीवन बीमा पॉलिसी का वित्तपोषण. – (1) इस स्कीम में किसी बात के होते हुए भी, कर्मचारी भविष्य निधि स्कीम, 1952 के पैरा 62 से 67 के उपबंधों के अधीन इस स्कीम के प्रारंभ के समय पर वित्तपोषित की जा रही कोई भी सक्रिय जीवन बीमा पॉलिसी, उसमें विनिर्दिष्ट निबंधनों और शर्तों के अनुसार वित्तपोषित होती रहेंगी।

(2) कर्मचारी भविष्य निधि संगठन ऐसी सक्रिय पॉलिसी के प्रीमियम के संदाय की प्रक्रिया और सुविधा प्रदान करना जारी रखेगा, और इन पॉलिसियों के अधीन सभी फायदे, पॉलिसी के निबंधनों के अनुसार परिपक्वता या समाप्ति तक संदेय होंगे।

परंतु कर्मचारी भविष्य निधि स्कीम, 1952, के पैरा 62 से 67 के उपबंधों के अधीन इस स्कीम के प्रारंभ के समय पर वित्तपोषित हो रही सभी निष्क्रिय जीवन बीमा पॉलिसी को तत्काल सदस्य को पुनः समनुदेशित कर दिया जाएगा।

परंतु यह भी कि यदि पहले परंतुक के अनुसार पॉलिसी पुनः समनुदेशित करने से पूर्व ही सदस्य की मृत्यु हो जाने की दशा में आयुक्त हस्ताक्षरित पॉलिसी पर पृष्ठांकन द्वारा, जीवन बीमा निगम के पते पर पुनः समनुदेशन के नोटिस के साथ, उस पॉलिसी को सदस्य के नामनिर्देशिनी, यदि कोई विधिमान्य नामनिर्देशन है तो, और यदि ऐसा कोई नामनिर्देशिनी नहीं है तो उस व्यक्ति को जो उसे प्राप्त करने का विधिक रूप से हकदार है, को पुनः समनुदेशित करेंगे।

46. निधि से आंशिक प्रत्याहरण. – (1) आयुक्त, अभिहित पोर्टल पर किसी सदस्य से प्राप्त आवेदन पर और उप-पैरा (2), (3) और (4) में विनिर्दिष्ट प्रयोजनों तथा पात्रता और आवृत्ति के अधीन रहते हुए, तथा सदस्य के खाते में न्यूनतम अतिशेष बनाए रखने की अपेक्षा को ध्यान रखते हुए, उस सदस्य के भविष्य निधि खाते में जमा रकम में से आंशिक प्रत्याहरण जो प्रयोजनों हेतु एक हजार रुपए से अन्यून ना हो, की स्वीकृति दे सकता है।

स्पष्टीकरण: इस पैरा के प्रयोजनों के लिए, (क) “न्यूनतम अतिशेष” से निधि में किए गए कुल अभिदाय (जिसमें कर्मचारी और नियोक्ता दोनों का हिस्सा और उस पर मिलने वाला ब्याज सम्मिलित है) के सकल के **पच्चीस प्रतिशत** के बराबर की वह रकम, जो ऐसे प्रत्याहरण की तारीख को सदस्य के खाते में जमा हो, जो इस पैरा के अधीन किए गए किसी भी आंशिक प्रत्याहरण के प्रभावी होने के पश्चात् भी सदस्य के खाते में जमा रहेगी; और

(2) एक सदस्य को निधि में उसके खाते से, निम्नलिखित प्रयोजनों के लिए और विनिर्दिष्ट सीमा तक, प्रत्याहरण की अनुमति दी जा सकती है :

(क) स्वयं और परिवार के सदस्यों की बीमारी की दशा में, निधि की कुल बारह मास की सदस्यता पूरी होने के पश्चात्, पात्र सदस्य अतिशेष रकम के सौ प्रतिशत तक की रकम;

(ख) स्वयं और परिवार के सदस्यों की शिक्षा के लिए, निधि की कुल बारह मास की सदस्यता पूरी होने के पश्चात्, पात्र सदस्य अतिशेष रकम के सौ प्रतिशत तक और इस खाते में आंशिक प्रत्याहरण, निधि की सदस्यता की अवधि के दौरान दस बार से अधिक नहीं होगा।

(ग) स्वयं और परिवार के सदस्यों के विवाह के लिए, निधि की कुल बारह मास की सदस्यता पूरी होने के पश्चात, पात्र सदस्य अतिशेष रकम के सौ प्रतिशत तक और इस खाते में आंशिक प्रत्याहरण, निधि की सदस्यता की अवधि के दौरान पांच बार से अधिक नहीं होगा।

(3) आवास संबंधी अपेक्षाओं के लिए, एक सदस्य को निधि में अपने खाते से, निम्नलिखित प्रयोजनों के लिए और नीचे विनिर्दिष्ट सीमा तक, आंशिक प्रत्याहरण की अनुमति दी जा सकती है:

- (i) फ्लैट, मकान की खरीद ;
- (ii) मकान निर्माण के लिए भूखंड ;
- (iii) मकान का निर्माण
- (iv) फ्लैट या मकान की खरीद या निर्माण, या भूमि के अर्जन हेतु लिए गए गृह ऋण को चुकाने के लिए; तथा
- (v) विद्यमान मकान या फ्लैट में अतिरिक्त निर्माण, परिवर्तन, नवीनीकरण या सुधार के लिए;

परंतु ऐसे प्रत्याहरण की रकम, निधि की कुल बारह मास की सदस्यता के पूरा होने के पश्चात पात्र सदस्य अतिशेष के सौ प्रतिशत से अधिक नहीं होगा और इस खाते में आंशिक प्रत्याहरण, सदस्यता की अवधि के दौरान पांच बार से अधिक नहीं होगा;

(4) एक सदस्य को, विशेष परिस्थितियों में, निधि की कुल बारह मास की सदस्यता के पूरा होने के पश्चात पात्र सदस्य अतिशेष के सौ प्रतिशत तक, निधि में इस खाते से आंशिक प्रत्याहरण की अनुमति दी जा सकती है; और इस खाते से आंशिक प्रत्याहरण, एक वित्तीय वर्ष में दो बार से अधिक नहीं होगा।

(5) बारह मास की सदस्यता पूरी करने से पूर्व रोजगार छोड़ने वाले सदस्य भी इस पैरा के अधीन आंशिक प्रत्याहरण के उपभोग के लिए पात्र होगा, बशर्ते कि ऐसी प्रत्याहरण की रकम, ऐसे प्रत्याहरण की तारीख को पात्र सदस्य अतिशेष से अधिक नहीं होगी।

(6) उप-पैरा (2), (3) और (4) के अधीन आंशिक प्रत्याहरण के उपभोग के लिए अनुमत संख्या की गणना प्रत्येक सदस्य के संबंध में इस स्कीम के प्रारंभ होने की तारीख को और से नए सिरे से की जाएगी।

स्पष्टीकरण: इस पैरा के प्रयोजन के लिए, "पात्र सदस्य अतिशेष" से बनाए रखने के लिए आवश्यक न्यूनतम अतिशेष को घटाने के पश्चात निधि में सदस्य के खाते में जमा रकम अभिप्रेत है।

47. सदस्यता की अवधि की गणना. – आंशिक प्रत्याहरण के लिए निधि की सदस्यता की अवधि की गणना में निम्नलिखित सम्मिलित होंगे-

- (i) उन पर यह स्कीम लागू होने से पूर्व, किसी कारखाने या स्थापन के एक ही नियोजक के अधीन अंतराल की अवधियों को छोड़कर कुल सेवा;
- (ii) निधि की सदस्यता की अवधियाँ;
- (iii) छूट प्राप्त कारखानों या स्थापनों के निजी भविष्य निधि की सदस्यता की अवधियाँ; और
- (iv) निधि की वर्तमान सदस्यता से ठीक पहले, संहिता की धारा 143 के अधीन छूट प्राप्त कर्मचारी के रूप में सदस्यता की अवधियाँ;

परंतु सदस्य ने ऐसी अवधि के दौरान अपने भविष्य निधि का प्रत्याहरण करके सदस्यता को समाप्त नहीं किया है।

48. आंशिक प्रत्याहरण का संदाय. – स्कीम के पैरा 46 के अधीन स्वीकृत किसी भी आंशिक प्रत्याहरण का संदाय, सदस्य के विकल्प पर, किसी भी अनुसूचित बैंक में या सहकारी बैंक (शहरी सहकारी बैंक सहित) या किसी भी डाकघर में प्राप्तकर्ता के बैंक खाते में जमा किया जाए।

49. परिस्थितियां जिनमें निधि में संचित रकम सदस्य को संदेय हैं. – (1) सदस्य निधि में अपने खाते में जमा पूरी रकम निकाल सकता है –

(i) पचपन वर्ष की आयु प्राप्ति पर सेवानिवृत्ति होने पर:

परंतु कोई सदस्य जिसने उसकी सेवा की समाप्ति के समय पचपन वर्ष की आयु प्राप्त नहीं की है और यदि निधि के संदाय को प्राधिकृत करने से पूर्व उसकी आयु पचपन वर्ष की हो जाती है तो वह निधि में जमा उसकी सम्पूर्ण रकम के प्रत्याहरण का हकदार होगा।

(ii) स्थापन के चिकित्सा अधिकारी या जहां स्थापना में नियमित चिकित्सा अधिकारी न हो तो स्थापना द्वारा अभिहित रजिस्ट्रीकृत चिकित्सक व्यवसायी द्वारा सम्यक रूप से प्रमाणित किए जाने पर शारीरिक और मानसिक दुर्बलता के कारण स्थाई और पूर्ण रूप से कार्य करने में अक्षमता के कारण सेवानिवृत्ति होने पर;

(iii) विदेश में स्थाई रूप से बसने के लिए या विदेश में रोजगार प्राप्त करने के लिए भारत से प्रवास से ठीक पहले;

(iv) व्यष्टिक या सामूहिक छंटनी की दशा में सेवा की समाप्ति पर;

(v) नियोजक और कर्मचारियों द्वारा पारस्परिक करार से बनाई गई स्वैच्छिक सेवानिवृत्ति स्कीम के अधीन सेवा समाप्ति पर;

(vi) निम्नलिखित में से किसी भी आकस्मिक स्थिति में, परंतु वास्तविक संदाय केवल उस तारीख से ठीक पहले की कम-से-कम दो मास की निरंतर अवधि पूरी होने के पश्चात् ही किया जाएगा, जिस तारीख को कोई सदस्य प्रत्याहरण के लिए आवेदन करता है:-

(क) जहां कारखाना या अन्य स्थापन बंद हो जाता है, किंतु कतिपय ऐसे कर्मचारी जिनकी छंटनी नहीं की गई है, नियोजक द्वारा अन्य कारखाने या स्थापन में स्थानांतरित कर दिए जाते हैं, जो संहिता के अधीन नहीं आता है;

(ख) जहां किसी सदस्य को कवर कारखाने या अन्य स्थापन से दूसरे कारखाने या अन्य स्थापन में स्थानांतरित किया जाता है जो संहिता के अधीन कवर नहीं है, लेकिन उसी नियोजक के अधीन है; तथा

(ग) जहां किसी सदस्य को सेवामुक्त कर दिया जाता है तथा उसे औद्योगिक संबंध संहिता, 2020 (2020 का 35) के अधीन छंटनी का प्रतिकर दिया जाता है या;

स्पष्टीकरण - उप-पैरा (1) के खंड (ii) के प्रयोजन के लिए:

(क) जहां कोई स्थापन बंद हो गया हो, वहां किसी भी रजिस्ट्रीकृत चिकित्सा व्यवसायी का प्रमाण पत्र स्वीकार किया जा सकता है;

(ख) जहां स्थापन में कोई चिकित्सा अधिकारी नहीं हो, वहां नियोजक स्थापन के आस-पास रहने वाले किसी रजिस्ट्रीकृत चिकित्सा व्यवसायी को अभिहित करेगा;

(ग) जहां स्थापन कर्मचारी राज्य बीमा स्कीम के अधीन हो वहां कर्मचारी राज्य बीमा चिकित्सालय के चिकित्सा अधिकारी या उस बीमा चिकित्सा व्यवसायी जिसके पास वह उस स्कीम के अधीन रजिस्ट्रीकृत हो, से चिकित्सा प्रमाण-पत्र प्रस्तुत किया जाएगा :

परंतु जहां कर्मचारियों और नियोजकों के पारस्परिक करार से, किसी स्थापन या स्थापनों के समूह के लिए कोई चिकित्सीय बोर्ड विद्यमान हो, वहां ऐसे चिकित्सीय बोर्ड द्वारा जारी प्रमाण पत्र को भी इस पैरा के प्रयोजन के लिए स्वीकार किया जा सकता है:

परंतु यह और कि जहां सदस्य द्वारा प्रस्तुत मूल प्रमाण पत्र की मौलिकता पर संदेह उत्पन्न होता है, वहां क्षेत्रीय भविष्य निधि आयुक्त सदस्य से किसी सिविल सर्जन या उसके निमित्त काम कर रहे किसी भी चिकित्सक से नया प्रमाण पत्र लाने की मांग कर सकता है:

परंतु यह भी कि जहां सिविल सर्जन या उसके निमित्त काम कर रहे किसी भी चिकित्सक के निष्कर्ष मूल प्रमाण पत्र से मेल खाते हों, तो उस सिविल सर्जन या उसके निमित्त काम कर रहे किसी भी चिकित्सक के पूरी फीस का संदाय निधि से किया जाएगा तथा जहां पर ऐसे निष्कर्ष मूल प्रमाण पत्र से मेल नहीं खाते हों तो केवल आधी फीस ही निधि से संदत्त की जाएगी तथा शेष आधी फीस सदस्य के खाते से काटी जाएगी।

(घ) जहां सदस्य क्षय रोग या कुष्ठ रोग या कैंसर से पीड़ित हो, चाहे उसे ये बीमारी बीमार होने के आधार पर, स्थापन की सेवा छोड़ने के पश्चात् हुई हो, किन्तु संदान प्राधिकृत करने से पूर्व हुई हो, तो वह कार्य करने में पूर्ण तथा स्थाई रूप से असमर्थ माना जाएगा।

(2) उप-पैरा (1) में विनिर्दिष्ट से भिन्न की दशा में, केन्द्रीय भविष्य निधि आयुक्त या उनके द्वारा प्राधिकृत कोई अधिकारी, किसी सदस्य को उस निधि में जमा पूरी रकम प्रत्याहरण की अनुमति दे सकता है, जब वह किसी ऐसे स्थापन में कर्मचारी नहीं रह जाता है जिस पर यह संहिता लागू होती है:

परंतु कोई सदस्य प्रत्याहरण का पात्र तब तक नहीं होगा, जब तक कि वह आवेदन की दिनांक से ठीक पहले लगातार कम से कम बारह मास की अवधि तक किसी ऐसी प्रत्याहरण के या अन्य स्थापन में नियोजित न रहा हो, जिस पर यह संहिता लागू होती है:

परंतु यह और कि विवाह करने के प्रयोजन से स्थापन की सेवाओं से त्यागपत्र देने वाली महिला सदस्यों की दशा में प्रतीक्षा अवधि की अपेक्षा लागू नहीं होगी।

(3) कोई भी सदस्य, जो उप-पैरा (2) के अधीन संदेय रकम का प्रत्याहरण करता है, यदि वह किसी अन्य स्थापना में फिर से नौकरी प्राप्त करता है जिस पर यह स्कीम लागू होती है, तो उसे निधि की सदस्यता के लिए फिर से अर्हता प्राप्त करनी होगी; और सदस्यता के लिए अर्हता प्राप्त करने पर, उसे उस निधि का एक नया सदस्य माना जाएगा।

50. मृतक सदस्य की जमा रकम किसे संदेय है. – किसी सदस्य की जमा रकम के संदेय होने से पूर्व या जहां रकम संदेय हो चुकी हो, परन्तु संदाय किए जाने से पूर्व सदस्य की मृत्यु हो जाने पर-

(i) यदि सदस्य द्वारा स्कीम के पैरा 44 के अनुसार किया गया कोई नामनिर्देशन अभी भी मान्य है, तो निधि में उसके खाते में जमा रकम, या उसका वह हिस्सा जिससे नामनिर्देशन संबंधित है, ऐसे नामनिर्देशन के अनुसार उसके नामनिर्देशित को संदेय हो जाएगा; या

(ii) यदि नामनिर्देशन न हो या नामनिर्देशन निधि में उसकी जमा रकम के किसी भाग से संबंधित हो तो यथास्थिति वह पूरी रकम या वह भाग जो नामनिर्देशन से संबंधित नहीं है, उसके परिवार के सदस्यों को निम्नलिखित रीति में बराबर हिस्सों में संदेय होगा, अर्थात्:-

(क) पति/पत्नी;

(ख) कर्मचारी पर आश्रित कोई अवयस्क विधिमान्य या दत्तक पुत्र;

(ग) अविवाहित पुत्री जो पूरी तरह से कर्मचारी की आय पर निर्भर है

(घ) कोई ऐसा बालक जो किसी भी शारीरिक या मानसिक असामान्यता या चोट के कारण अशक्त है, और जब तक अशक्तता बनी रहती है, तब तक वह पूरी तरह से कर्मचारी की आय पर निर्भर हो ;

(ङ) महिला कर्मचारी के आश्रित माता-पिता, जिनमें ससुर और सास भी सम्मिलित हैं;

(च) कर्मचारी अविवाहित होने की दशा में और उसके माता-पिता जीवित नहीं हैं, अवयस्क भाई या बहन जो पूरी तरह से सदस्य की आय पर निर्भर हो ;

(iii) किसी भी ऐसे अन्य दशा में, जिस पर खंड (i) और (ii) के उपबंध लागू नहीं होते हैं, मृतक सदस्य के खाते में जमा पूरी रकम उस व्यक्ति को संदेय होगी जो विधिक रूप से इसका हकदार है।

स्पष्टीकरण: इस पैरा के प्रयोजन के लिए, किसी सदस्य की मृत्यु के पश्चात् जन्मे बालक को, यदि वह जीवित पैदा होता है, तो उसी तरह माना जाएगा जिस तरह सदस्य की मृत्यु से पहले जन्मे जीवित बालक को माना जाता।

51. अंतर्राष्ट्रीय कर्मचारियों की निधि के संचयन का संदाय. – (1) कोई अंतर्राष्ट्रीय कर्मकार निधि में अपने खाते में जमा संपूर्ण रकम को निम्नलिखित परिस्थितियों में प्रत्याहरित कर सकता है,—

(क) अट्ठावन वर्ष की आयु प्राप्त करने के पश्चात् किसी भी समय स्थापन की सेवा से सेवानिवृत्ति पर;

(ख) शारीरिक या मानसिक दुर्बलता के कारण कार्य के लिए स्थायी और पूर्ण अक्षमता के आधार पर सेवानिवृत्ति पर, जो स्थापन के चिकित्सा अधिकारी द्वारा सम्यक् रूप से प्रमाणित हो, या जहाँ स्थापन में कोई नियमित चिकित्सा अधिकारी न हो, वहाँ स्थापन द्वारा अभिहित किसी रजिस्ट्रीकृत चिकित्सक द्वारा प्रमाणित हो:

परंतु कि—

(i) जहाँ कोई स्थापन बंद कर दिया गया हो, वहाँ किसी भी रजिस्ट्रीकृत चिकित्सा व्यवसायी का प्रमाण पत्र स्वीकार किया जा सकेगा;

(ii) जहाँ स्थापन कर्मचारी राज्य बीमा स्कीम द्वारा कवर किया जाता है, वहाँ कर्मचारी राज्य बीमा औषधालय के चिकित्सा अधिकारी या उस बीमा चिकित्सा व्यवसायी से प्राप्त चिकित्सा प्रमाण पत्र प्रस्तुत किया जाएगा जिसके पास कर्मचारी इस स्कीम के अधीन रजिस्ट्रीकृत है;

(iii) जहाँ नियोजकों और कर्मचारियों के पारस्परिक करार द्वारा किसी स्थापन या स्थापनों के समूह के लिए एक चिकित्सा बोर्ड विद्यमान हो, वहाँ ऐसे चिकित्सा बोर्ड द्वारा जारी प्रमाण पत्र भी स्वीकार किया जा सकेगा।

(2) क्षेत्रीय आयुक्त, सदस्य से सिविल सर्जन या उसके निमित्त कार्य करने वाले किसी चिकित्सक से एक नया प्रमाण पत्र मांग सकते हैं, जहाँ उप-पैराग्राफ (1) के खंड (ख) के अधीन प्रस्तुत मूल प्रमाण पत्र की वास्तविकता के संबंध में संदेह उत्पन्न होता है:

परंतु यदि निष्कर्ष मूल प्रमाण पत्र के अनुरूप होते हैं, तो सिविल सर्जन या ऐसे चिकित्सक की फीस का संदाय निधि से किया जाएगा, और जहाँ ऐसे निष्कर्ष मेल नहीं खाते हैं, वहाँ आधी फीस का संदाय निधि से किया जाएगा तथा शेष आधी फीस सदस्य के खाते में नामे की जाएगी।

(3) क्षय रोग या कुष्ठ रोग या कैसर से पीड़ित किसी सदस्य को कार्य के लिए स्थायी और पूर्ण रूप से अक्षम समझा जाएगा, भले ही वह बीमारी रुग्णता के आधार पर किसी स्थापन की सेवा छोड़ने के पश्चात् किंतु संदाय प्राधिकृत होने से पूर्व हुई हो।

(4) भारत सरकार और किसी अन्य देश के मध्य किए गए सामाजिक सुरक्षा करार के अधीन आने वाले किसी सदस्य के संबंध में, संहिता के अधीन आने वाले किसी स्थापन में कर्मचारी न रहने पर संचित रकम संदेय होगी।

52. हत्या के अपराध में आरोपित व्यक्ति को संदाय. — (1) कोई व्यक्ति, जो निधि के किसी सदस्य की मृत्यु होने पर, मृतक सदस्य के भविष्य निधि की जमा रकम प्राप्त करने का पात्र है, पर उस सदस्य की हत्या करने या ऐसे अपराध को उत्प्रेरित करने का आरोप लगाया जाता है, तो भविष्य निधि में अपना हिस्सा प्राप्त करने का उसका दावा तब तक निलंबित रहेगा, जब तक कि उस अपराध के लिए उसके विरुद्ध शुरू की गई दांडिक कार्यवाही समाप्त नहीं हो जाती।

(2) यदि उप-पैरा (1) में विनिर्दिष्ट दांडिक कार्यवाही के समापन पर, यदि वह व्यक्ति-

(i) सदस्य की हत्या करने या हत्या के लिए उत्प्रेरित करने के लिये दोषी पाया जाता है तो उसे भविष्य निधि की जमा रकम में से हिस्सा प्राप्त करने से विवर्जित कर दिया जाएगा; जो मृतक सदस्य के अन्य पात्र सदस्यों, यदि कोई हों, को संदेय होगा; या

(ii) आरोप से बरी कर दिया जाता है, तो भविष्य निधि का हिस्सा व्यक्ति को संदेय होगा।

53. भविष्य निधि का संदाय. — (1) जब किसी सदस्य के खाते में जमा रकम संदाय योग्य हो जाती है, तो आयुक्त का यह कर्तव्य होगा कि वह इस स्कीम के अधीन शीघ्र संदाय करे।

(2) इस स्कीम के अधीन कोई नामनिर्देशिती नहीं है या ऐसी रकम पाने का हकदार कोई व्यक्ति नहीं है, तो आयुक्त ऐसी रकम का संदाय दावेदार को कर सकते हैं, यदि निधि में जमा रकम दस हजार रुपये से अधिक न हो और दावेदार के हकदार होने के बारे में जांच के पश्चात् समाधान हो जाए।

(3) किसी सदस्य के खाते में जमा रकम का कोई हिस्सा संदाय के लिए तैयार है और उस पर कोई विवाद या संदेह में है, तो आयुक्त उस हिस्से का तुरंत संदाय करेंगे जिस पर कोई विवाद या संदेह नहीं है और अतिशेष का समायोजन (एडजस्टमेंट) किया जाएगा।

(4) इस स्कीम के अधीन जिस व्यक्ति को रकम का संदाय किया जाना है, वह अवयस्क है और उसकी संपदा के लिए 'संरक्षक और प्रतिपाल्य अधिनियम, 1890' (1890 का 8) के अधीन कोई संरक्षक नियुक्त किया गया है, तो संदाय ऐसे संरक्षक को किया जाएगा।

(5) 'संरक्षक और प्रतिपाल्य अधिनियम, 1890' के अधीन कोई संरक्षक नियुक्त नहीं किया गया है, तो संदाय उस संरक्षक को किया जाएगा, यदि कोई हो, जिसे इस स्कीम के पैरा 44 के उप-पैरा (5) के अधीन नियुक्त किया गया है।

(6) 'संरक्षक और प्रतिपाल्य अधिनियम, 1890' या स्कीम के पैरा 44 के उप-पैरा (5) के अधीन कोई संरक्षक नियुक्त नहीं किया गया है, तो संदाय प्राकृतिक संरक्षक को किया जाएगा और प्राकृतिक संरक्षक के न होने पर, ऐसे व्यक्ति को किया जाएगा जिसे आयुक्त द्वारा किया जाएगा जहां रकम बीस हजार रुपये से अधिक न हो या केन्द्रीय बोर्ड के अध्यक्ष द्वारा किया जाएगा जहां रकम बीस हजार रुपये से ज्यादा हो, अवयस्क का प्रतिनिधित्व करने वाला उचित व्यक्ति मानते हैं, और संदत रकम के लिए ऐसे व्यक्ति की रसीद ही इसके लिए पर्याप्त उन्मोचन (संदत की पुष्टि) होगा।

(7) इस स्कीम के अधीन जिस व्यक्ति को रकम संदत है, वह मानसिक रूप से अस्वस्थ (पागल) है और उसकी संपदा के लिए 'भारतीय पागलपन अधिनियम, 1912' (1912 का 4) के अधीन कोई प्रबंधक नियुक्त किया गया है, तो संदाय ऐसे प्रबंधक को किया जाएगा।

(8) जहाँ उप-पैरा (7) के अधीन ऐसा कोई प्रबंधक नियुक्त नहीं किया गया है, वहाँ संदाय मानसिक रूप से अस्वस्थ व्यक्ति के प्राकृतिक संरक्षक को किया जाएगा और यदि ऐसा कोई प्राकृतिक संरक्षक नहीं है, तो संदाय उस व्यक्ति को किया जाएगा जिसे आयुक्त द्वारा किया जाएगा जहां रकम बीस हजार रुपये से अधिक नहीं है या केन्द्रीय बोर्ड के अध्यक्ष द्वारा किया जाएगा जहां रकम बीस हजार रुपये से अधिक है, उस व्यक्ति का सही प्रतिनिधि मानता है; और संदाय की गई रकम के लिए उस व्यक्ति की रसीद ही संदाय की पुष्टि के लिए पर्याप्त उन्मोचन होगा।

(9) यदि आयुक्त के ध्यान में यह बात आती है कि मृतक सदस्य के मरणोपरांत कोई बालक पैदा होने वाला है, तो आयुक्त उस रकम को रोककर रखेंगे जो बालक के जीवित पैदा होने की दशा में उसे मिलनी चाहिए, और बाकी रकम का वितरण कर देंगे।

(10) जहां तत्पश्चात् कोई बालक पैदा नहीं होता है या बालक मृत पैदा होता है, तो रोकी गई रकम का वितरण इस स्कीम के उपबंधों के अनुसार किया जाएगा।

(11) अंतर्राष्ट्रीय कर्मकार की दशा, जब सदस्य के खाते में जमा रकम संदाय के योग्य हो जाती है, तो-

(i) स्कीम में किए गए उपबंध के अनुसार तुरंत संदाय करना आयुक्त की ज़िम्मेदारी होगी।

(ii) भारत और किसी अन्य देश के बीच सामाजिक सुरक्षा करार के अधीन आने वाले सदस्य और फायदाग्राहियों के संबंध में देय रकम, संदाय पाने वाले के बैंक खाते में जमा की जाएगी।

(iii) अन्य सभी मामलों में, देय रकम भारत में संदाय पाने वाले के बैंक खाते में जमा की जाएगी।

(54) **दावों को फाईल करना.** — (1) प्रत्येक सदस्य सेवा छोड़ने के समय पर, इस स्कीम में अंतर्विष्ट उपबंधों के अधीन, इस प्रयोजन के लिए अभिहित पोर्टल पर दावा आवेदन फाईल कर सकता है।

(2) सदस्य द्वारा ई-नामनिर्देशन फाईल न करने की दशा में, नियोजक, सदस्य की मृत्यु होने पर, पात्र फायदाग्राहियों से दावा आवेदन प्राप्त करेगा और आवेदन प्राप्त होने के पांच दिन के भीतर, उसे अग्रेषित करेगा।

(3) यदि दावेदार किन्हीं भी तकनीकी कारणों से ऑनलाइन माध्यम से अभिहित पोर्टल पर दावा फाईल करने में असमर्थ होता है, तो दावाकर्ता वह दावा भौतिक प्ररूप में नियोजक को अग्रेषित कर सकता है, जो उसे, उचित सत्यापन और अनुप्रमाणन के पश्चात् आवेदन प्राप्ति के पांच दिन के भीतर, आयुक्त को प्रेषित करेगा।

(4) दावा आयुक्त को या उनके द्वारा इस निमित्त प्राधिकृत किसी अन्य अधिकारी को भेज सकता है, और यदि आयुक्त ऑनलाइन माध्यम से दावा दाखिल न करने के कारणों से संतुष्ट है तो आयुक्त या उनके द्वारा इस निमित्त प्राधिकृत कोई अन्य अधिकारी उस आवेदन को नियोजक को भेज सकते हैं और नियोजक को उचित सत्यापन और अनुप्रमाणन के पश्चात् आवेदन प्राप्ति के पांच दिन के भीतर, आयुक्त को वापस प्रेषित करना होगा।

(5) उस व्यक्ति जिसे संदाय किया जाना है, को संदाय, किसी भी अनुसूचित बैंक या सहकारी बैंक या डाकघर की इलेक्ट्रॉनिक या डिजिटल निधि अंतरण प्रणाली के माध्यम से किया जा सकता है।

(6) उप-पैरा (1) से (5) में अंतर्विष्ट किसी बात के होते हुए, केन्द्रीय बोर्ड, उचित समझी जाने वाली मौद्रिक सीमा के अधीन रहते हुए, केन्द्रीय भविष्य निधि आयुक्त या किसी अन्य अधिकारी को भविष्य निधि खाते से यथास्थिति सदस्य या पात्र फायदाग्राहियों, को दावे की प्राप्ति के बिना संदाय करने के लिए प्राधिकृत कर सकता है।

(7) सभी तरह से पूर्ण और आवश्यक दस्तावेजों के साथ जमा किए गए दावों का निपटारा किया जाएगा और आयुक्त को दावे प्राप्त होने की तारीख से बीस दिनों के भीतर फायदाग्राहियों को फायदे की रकम का संदाय किया जाएगा।

(8) दावे में कोई कमी पाई जाती है, तो ऐसा आवेदन प्राप्त होने की दिनांक से बीस दिनों के भीतर दावाकर्ता को इसकी जानकारी दी जाएगी।

(9) आयुक्त बिना किसी ठोस कारण के, सभी तरह से पूर्ण दावे का निपटारा बीस दिनों के अंदर नहीं कर पाते हैं, तो उक्त अवधि के पश्चात् हुई देरी के लिए आयुक्त उत्तरदायी होंगे। ऐसी स्थिति में, फायदे की रकम पर वार्षिक 12% की दर से दंडिक ब्याज लगाया जा सकता है, जिसे आयुक्त के वेतन से काटा जाएगा।

(55) अप्रवर्तनीय खाता. – निम्नलिखित कारणों से सदस्य को देय कोई भी रकम 'अप्रवर्तनीय खाता' ज्ञात खाते में अंतरित कर दी जाएगी:

(i) छुट्टी की मजदूरी/मजदूरी के बकाया के संबंध में नियोजक से प्राप्त पूरक अभिदाय, किसी ऐसे सदस्य के संबंध में प्राप्त बकाया अभिदाय की किस्त जिसका दावा पहले ही निपटाया जा चुका है, किंतु जिसका संदाय नवीनतम पते के अभाव में नहीं किया जा सका; या

(ii) किसी ऐसे सदस्य के संबंध में जमा राशि, जो 55 वर्ष की आयु प्राप्त करने पर सेवानिवृत्त हो गया है, या स्थायी रूप से विदेश प्रवास चला गया है, या जिसकी मृत्यु हो गई है, किन्तु जिसके संबंध में संदाय योग्य होने की दिनांक से 36 मास के भीतर इस स्कीम के अधीन निकासी के लिए कोई आवेदन नहीं किया गया है; या

(iii) किसी व्यक्ति को भेजी गई कोई रकम जो बिना परिदत्त हुए वापस आ गई हो और संदाय योग्य होने की तारीख से 36 महीनों के भीतर जिसका दावा न किया गया हो,

परंतु उक्त अतिशेष के संदाय की दशा में, अप्रवर्तनीय खाते से रकम का संदाय किया जाएगा।

परंतु यह और कि यदि किसी सदस्य को कोई रकम देय हो जाती है तो विधिक वाद या स्थापन द्वारा व्यतिक्रम के कारण पूरक अभिदाय के परिणामस्वरूप या किसी ऐसे दावे के कारण देय कोई रकम जिसका निपटारा हो चुका है किन्तु जो सदस्य की किसी गलती के बिना ही परिदत्त हुए बिना वापस प्राप्त हो गई हो तो ऐसी रकम को अप्रवर्तनीय खाते में अंतरित नहीं किया जाएगा।

अध्याय-9

वार्षिक रिपोर्ट

56. बोर्ड की वार्षिक रिपोर्ट. – (1) लेखापरीक्षित लेखों और भारत के नियंत्रक और महालेखा परीक्षक की रिपोर्ट सहित केंद्रीय बोर्ड के क्रियाकलापों से संबंधित वार्षिक रिपोर्ट पर कार्यकारी समिति द्वारा विचार किया

जाएगा तथा संबंधित वित्त वर्ष की समाप्ति के बाद 10 दिसंबर से पहले होने वाली केन्द्रीय बोर्ड की बैठक में अंगीकार किए जाने हेतु रखा जाएगा ।

परंतु कि यदि वित्तीय वर्ष की समाप्ति के पश्चात दिसंबर के पहले दिन या सप्ताह तक नियंत्रक और महालेखा परीक्षक की रिपोर्ट प्राप्त नहीं होती है, तो लेखापरीक्षित लेखों को नियंत्रक और महालेखा परीक्षक की रिपोर्ट सहित, वार्षिक रिपोर्ट से अलग बोर्ड की कार्यकारी समिति के समक्ष प्रस्तुत किया जाएगा ।

(2) केन्द्रीय बोर्ड द्वारा अंगीकृत केन्द्रीय बोर्ड की वार्षिक रिपोर्ट तथा केन्द्रीय बोर्ड के लेखापरीक्षित लेखों सहित भारत के नियंत्रक और महालेखा परीक्षक की रिपोर्ट को केन्द्रीय बोर्ड की सामान्य मुहर लगाकर अधिप्रमाणित किया जाएगा।

(3) वार्षिक रिपोर्ट की चार प्रतियां, नियंत्रक और महालेखा परीक्षक की रिपोर्ट पर केन्द्रीय बोर्ड की टिप्पणियों सहित, संबंधित वित्तीय वर्ष की समाप्ति के पश्चात बीस दिसंबर से पूर्व केन्द्रीय सरकार को संसद के समक्ष रखने हेतु प्रस्तुत की जाएगी।

परंतु कि यदि संबंधित वित्तीय वर्ष की समाप्ति के पश्चात पहली दिसंबर तक नियंत्रक और महालेखा परीक्षक की रिपोर्ट प्राप्त नहीं होती है तो लेखापरीक्षित लेखे नियंत्रक और महालेखा परीक्षक की रिपोर्ट सहित और उस पर केन्द्रीय बोर्ड की टिप्पणियों के साथ, वार्षिक रिपोर्ट से अलग, केन्द्र सरकार को प्रस्तुत की जाएगी।

57. केन्द्रीय बोर्ड के कार्यों का संचालन. – (1) सभी आदेश और अन्य लिखतें केन्द्रीय बोर्ड के नाम से बनाए और निष्पादित की जाएंगी तथा उस व्यक्ति द्वारा ऐसी रीति में प्रमाणित किए जाएंगे जैसा केन्द्रीय बोर्ड विनिर्दिष्ट करे।

(2) संपत्ति की सभी संविदाएं और बीमा को केन्द्रीय बोर्ड द्वारा किया गया अभिव्यक्त किया जाएगा और केन्द्रीय बोर्ड की ओर से आयुक्त द्वारा निष्पादित किया जाएगा।

58. फायदों का दुरुपयोग. – (1) केन्द्रीय भविष्य निधि आयुक्त इस स्कीम के अधीन किसी भी स्थापना या किसी भी व्यक्ति को उपबंधित फायदों के किसी भी दुरुपयोग का पता लगाने की रीति विनिर्दिष्ट करेगा।

(2) जहां समुचित सरकार द्वारा प्राधिकृत किसी अधिकारी का यह समाधान हो जाता है कि किसी स्थापना या किसी व्यक्ति ने इस स्कीम के अधीन विनिर्दिष्ट फायदे का दुरुपयोग किया है, तो ऐसा अधिकारी यथास्थिति, ऐसी स्थापना या ऐसे व्यक्ति को ऐसे समय के लिए, जो वह ठीक समझे, ऐसे फायदे से वंचित कर सकेगा:

परंतु ऐसी स्थापना या ऐसे व्यक्ति को, सुनवाई का अवसर दिए बिना यथास्थिति पारित नहीं किया जाएगा।

59. हानियों को बढ़े-खाते डालना. – जहां केन्द्रीय बोर्ड का यह समाधान हो जाता है कि इस स्कीम के अधीन उसे देय अभिदाय , उपकर, ब्याज या नुकसानी की कोई भी रकम वसूल न होने योग्य है, तो वह प्रत्येक मामले के तथ्यों और परिस्थितियों तथा निधि की समग्र वित्तीय स्थिति का सम्यक ध्यान रखते हुए, यथास्थिति, ऐसे अभिदाय , उपकर, ब्याज या नुकसानी को बढ़े-खाते डाल सकेगा।

उपाबंध (विशेष उपबंध)

(क). कर्मचारी नामांकन अभियान, 2026. – (1) कर्मचारी नामांकन अभियान, 2026 इस स्कीम के प्रकाशन की तारीख से प्रवृत्त होगा और 31 अक्टूबर, 2026 को समाप्त हो जाएगा।

(2) कोई भी नियोजक, चाहे वह पहले से संहिता के अधीन कवर हो या न हो, को निम्नलिखित की अनुज्ञा दी जाएगी-

(क) कवरेज के लिए आवेदन करना; और

(ख) ऐसे कर्मचारियों को नामांकित करना, जिन्होंने 1 अप्रैल, 2009 और 31 अक्टूबर, 2026 के बीच उक्त स्थापना में कार्यभार ग्रहण किया हो, जो घोषणा की तारीख तक कार्यरत हों, परंतु जो किसी कारणवश पहले इस स्कीम के अधीन नामांकित नहीं थे।

(3) ऐसे घोषित कर्मचारियों के संबंध में अनुपालन, नियोजक द्वारा इस अभियान के अधीन ऐसी घोषणा के मास से आरंभ होगा, परंतु कर्मचारियों के अभिदाय का हिस्सा, पहले से न काटा गया हो और नियोजक के पास न रखा गया हो।

(4) यदि, यथास्थिति, कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952' की धारा 7क के अधीन या संहिता की धारा 125, या 'कर्मचारी भविष्य निधि स्कीम, 2026' के पैरा-11 या 'कर्मचारी भविष्य निधि स्कीम, 1952' के पैरा 26-ख, या 'कर्मचारी पेंशन स्कीम, 2026' के पैरा-8 या 'कर्मचारी पेंशन स्कीम, 1995' के पैरा-8 के अधीन जिसमें जांच चल रही है और नियोजक इस अभियान को चुनता है, तो कर्मचारी और नियोजक दोनों का अभिदाय संहिता और उसके अधीन बनी स्कीमों के उपबंधों के अनुसार संदेय होगा।

(5) इस अभियान का फायदा उठाने के इच्छुक नियोजक को सर्वप्रथम यह सुनिश्चित करना होगा कि घोषित किए जा रहे प्रत्येक पात्र कर्मचारी के लिए उमंग एप्लिकेशन के माध्यम से चेहरा प्रमाणीकरण तकनीक द्वारा प्रमाणित यूनिवर्सल खाता संख्या बनाया जाए और इलेक्ट्रॉनिक चालान-सह-विवरणी के माध्यम से उनके अभिदाय का संदाय किया जाए।

(6) इसके पश्चात् नियोजक, कर्मचारी भविष्य निधि संगठन द्वारा उपलब्ध करवाई गई ऑनलाइन सुविधा के माध्यम से इस अभियान के अधीन घोषणा करेगा, जिसमें नियोजक नामांकित कर्मचारियों के ब्यौरे उपदर्शित करेगा और उसे उस इलेक्ट्रॉनिक चालान-सह-विवरणी (अस्थायी विवरणी संदर्भ संख्या) से लिंक करेगा जिसके माध्यम से अभिदाय का संदाय किया गया है, और एक सौ रुपए की नुकसानी का संदाय करेगा;

परंतु कर्मचारी पेंशन स्कीम के अधीन सदस्यता, केंद्रीय सरकार द्वारा यथाअधिसूचित मजदूरी सीमा तक ही निर्बंधित रहेगी;

परंतु 1 सितंबर 2014 के पश्चात् नियुक्त कोई भी नया कर्मचारी, कर्मचारी पेंशन स्कीम का सदस्य नहीं होगा, यदि उसका वेतन, मजदूरी अधिकतम सीमा से अधिक है।

(7) नियोजकों द्वारा की गई घोषणा केवल कर्मचारी भविष्य निधि पोर्टल के माध्यम से ही अभिहित की जाएगी।

(8) एक से अधिक वचन या घोषणा-पत्र जमा करना अनुज्ञात होगा।

- (9) इस अभियान के अधीन घोषणा की तारीख से, नियोक्ता संहिता के उपबंधों का नियमित अनुपालन करेगा।
- (10) सभी स्थापनाएं कर्मचारी नामांकन अभियान, 2026 में भाग लेने के लिए पात्र हैं, इस तथ्य को विचार में लाए बिना किसी स्थापना को संहिता की धारा 125 के अधीन या निरसित अधिनियम की धारा 7क के अधीन, इस स्कीम के पैराग्राफ-11 या कर्मचारी भविष्य निधि स्कीम, 1952 के पैराग्राफ 26-बी, कर्मचारी पेंशन स्कीम, 2026 के पैराग्राफ-8 या कर्मचारी पेंशन स्कीम, 1995 के पैराग्राफ 8 के अधीन जांच का सामना करना पड़ रहा है।
- (11) जांच अधिकारी मामले का विनिश्चय करते समय इस अभियान के अधीन की गई घोषणा पर विचार करेगा।
- (12) यदि नियोक्ता द्वारा जांच की नियत अवधि के संबंध में घोषणा की जाती है, तो इस अभियान के अधीन मिलने वाले फायदा, सभी विद्यमान कर्मचारियों के संबंध में, उनके मजदूरी या हिस्सा की रकम और घोषित नियोजन की अवधि के संबंध में, इस अभियान के अधीन यथाउपबंधित काल्पनिक नुकसानी तक ही सीमित रहेंगे।
- (13) नियोक्ता अपने संबंधित कार्यभार ग्रहण करने की तारीख से पिछली अवधियों के लिए घोषित कर्मचारियों के संबंध में हिस्सा जमा करेगा, जो इस प्रकार होगा -
- (क) नियोक्ता को केवल अपना हिस्सा ही देना होगा, परंतु कर्मचारियों का हिस्सा नहीं काटा गया हो और नियोक्ता के पास रखा गया हो;
- (ख) यदि नियोक्ता द्वारा कर्मचारी का हिस्सा पहले से नहीं काटा गया है, तो कर्मचारी के अंशदान को अभिव्यक्त कर दिया जाएगा।
- (ग) नियोजक, संहिता की धारा 127 के अधीन पिछली अवधि के लिए लागू होने वाले प्रशासनिक प्रभारों सहित ब्याज का भुगतान करना होगा।
- (14) संहिता की धारा 125 के अधीन या निरसित अधिनियम की धारा 7क के अधीन पहले से ही संपन्न किए गए निर्धारण के मामले, यथास्थित इस स्कीम के पैराग्राफ-11 या कर्मचारी भविष्य निधि स्कीम, 1952 के पैराग्राफ 26-ख, कर्मचारी पेंशन स्कीम, 2026 के पैराग्राफ-8 या कर्मचारी पेंशन स्कीम, 1995 के पैराग्राफ 8, लंबित हैं और नियोक्ता इस अभियान का विकल्प चुनता है, तो इस पर विचार नहीं किया जाएगा।
- (15) इस अभियान के अधीन फायदे उठाने वाले नियोजकों के विरुद्ध कर्मचारी भविष्य निधि संगठन द्वारा उन कर्मचारियों के संबंध में कोई कार्रवाई शुरू नहीं की जाएगी, जो घोषणा की तारीख से पहले ही स्थापना छोड़ चुके हैं, परंतु स्थापना द्वारा एक वचनपत्र प्रस्तुत किया जाए कि-
- (क) सभी विद्यमान और पात्र कर्मचारियों को घोषित किया गया है; और
- (ख) विद्यमान या पूर्ववर्ती कर्मचारियों के हिस्सा के हिस्से से संबंधित कोई रकम जो उसके संबंध में नियोक्ताओं के अंशदान की लागू रकम के साथ उसमें से काटा गया था, निधि में जमा करने के लिए लंबित नहीं है।
- (16) इस अभियान के अधीन पात्र कर्मचारियों की घोषणा, ऐसे घोषित कर्मचारियों के नियोजन और नियोजन निबंधनों से संबंधित तथ्यों का दुर्व्यपदेशन किया गया है या दबाया गया है, ऐसी घोषणा शुरू से ही शून्य होगी और ऐसा समझा जाएगा कि घोषणा इस स्कीम के अधीन नहीं की गई है और ऐसी घोषणा करने वाला नियोक्ता संहिता के उपबंधों और उसके अधीन बनाई गई स्कीम के अनुसार कार्रवाई के लिए उत्तरदायी होगा।

(17) स्कीम के अधीन कवरेज और फायदों के विस्तार को बढ़ाने के प्रयोजनाधीन से, सदस्य का अंशदान इस अभियान के अधीन 1 अप्रैल, 2009 से शुरू होने वाली और 31 मार्च, 2026 को समाप्त होने वाली अवधि के लिए अधिव्यक्त कर दिया जाएगा:

परंतु यह और कि इस अभियान के अधीन ऐसा अधित्यजन तभी लागू होगी, जब सदस्य का अंशदान नहीं वसूला गया है।

(18) केंद्रीय भविष्य निधि आयुक्त या ऐसे अन्य प्राधिकृत अधिकारी, कर्मचारी से नामांकन अभियान, 2026 के अधीन सारणी में विनिर्दिष्ट दरों पर नुकसानी के रूप में रकम का उदग्रहण और वसूली कर सकेगा।

सारणी

चूक की अवधि	नुकसानी की दर
1 जुलाई 2009 के पहले दिन से 31 मार्च 2026 के बीच	कर्मचारी नामांकन अभियान-2026 के अधीन एक सौ रुपये।

ख. विश्वास, 2026.- (1) नुकसानी से संबंधित विशेष उपबंधों को विश्वास, 2026 कहा जाएगा।

(2) यह स्कीम की अधिसूचना की तारीख से छह मास की अवधि के लिए विधिमान्य रहेगी।

(3) इस अवधि को केंद्रीय भविष्य निधि आयुक्त द्वारा लिखित रूप में अभिलिखित किए जाने वाले कारणों के आधार पर अधिकतम छह मास तक बढ़ाया जा सकता है और इसे सूचनार्थ केंद्रीय न्यासी बोर्ड के समक्ष रखा जाएगा।

(4) 14 जून, 2024 से पहले की अवधि के लिए विश्वास, 2026 अंशदान के भुगतान में चूक के लिए नुकसानियों हेतु लागू होगी।

(5) विश्वास, 2026 को, कर्मचारी भविष्य निधि स्कीम, 1952 के पैराग्राफ 32क के साथ निरसित अधिनियम की धारा 14ख और इस स्कीम के पैराग्राफ 23 के साथ संहिता की धारा 128 पठित जाएगा जो निम्नलिखित प्रवर्गों पर लागू होगी: -

(क) जहां, यथास्थिति, निरसित अधिनियम की धारा 14ख के अधीन या संहिता की धारा 128 के अधीन कोई आदेश जारी किया गया है और विवाद के किसी भी पक्ष द्वारा किसी न्यायिक मंच के समक्ष विवादित हो।

(ख) जहां, यथास्थिति, निरसित अधिनियम की धारा 14ख के अधीन या संहिता की धारा 128 के अधीन कोई आदेश जारी किया गया हो, और वसूली योग्य रकम अभी उद्ग्रहित हो।

(ग) जहां, यथास्थिति, निरसित अधिनियम की धारा 14ख के अधीन या संहिता की धारा 128 के अधीन, नोटिस जारी किया गया हो और अंतिम आदेश अभी जारी किया जाना हो; या,

(घ) जहां, यथास्थिति, निरसित अधिनियम की धारा 14ख के अधीन या संहिता की धारा 128 के अधीन, अभी नोटिस जारी किया जाना हो।

(6) विश्वास 2026 ऐसे मामलों पर लागू नहीं होगी, जहां, यथास्थिति, निरसित अधिनियम की धारा 14ख के अधीन या संहिता की धारा 128 के अधीन, पूरी रकम पहले ही जमा की जा चुकी हो।

(7) अन्यथा लागू नुकसानी दर के होते हुए भी, विश्वास, 2026 के अधीन नुकसानी दर स्कीम के पैराग्राफ 23 के उप-पैराग्राफ (1) में यथाविनिर्दिष्ट होगी।

(8) किसी भी न्यायिक मंच के समक्ष निरसित अधिनियम की धारा 7झ के अधीन उप-पैराग्राफ (5) में विनिर्दिष्ट फाइल की गई अपील या पारित किया आदेश नोटिस या आदेश के विरुद्ध, उप-पैराग्राफ (7) में यथाविनिर्दिष्ट की नुकसानियों ऐसी रकम के प्रेषण पर, स्थगित हो जाएगी।

(9) विश्वास, 2026 निम्नलिखित शर्तों के अधीन लागू होगी: -

(क) निरसित अधिनियम की धारा 7थ या संहिता की धारा 127 के अधीन विनिर्दिष्ट अवधि के लिए या निरसित अधिनियम की धारा 14ख के अधीन अवधि के तत्स्थानी प्रेषण के विलंबित मास के लिए ब्याज पूर्ण रूप से जमा या वसूल किया गया;

(ख) नियोक्ता एक वचन पत्र प्रस्तुत करेगा कि इस स्कीम के अधीन विवाद के प्रकार समाप्त हो जाने के परिणामस्वरूप किसी भी मंच के समक्ष कोई और अपील फाइल नहीं की जाएगी।

(10) शोधों की वसूली, आंशिक रूप से भुगतान या वसूली निम्नानुसार होगी:

(क) निरसित अधिनियम की धारा 14स के अधीन कोई असंदत्त रकम निम्नानुसार विनियमित की जाएगी: -

(i) जहां आंशिक रूप से भुगतान की गई रकम, उप-पैराग्राफ (7) के अनुसार गणना की गई नुकसानी से अधिक है, वहां स्थापना को कोई भी रकम वापस नहीं की जाएगी और न ही इसे जमा करने में देरी की उक्त अवधि के लिए निरसित अधिनियम की धारा 14ख के अधीन जारी किसी अन्य आदेश या नोटिस के विरुद्ध समायोजित किया जाएगा

(ii) जहां आंशिक रूप से संदत्त रकम उप-पैराग्राफ (7) के अनुसार नुकसानी से अधिक है, वहाँ स्थापना उप-पैराग्राफ (7) के अनुसार संगणित नुकसानियों की विभेदक रकम का भुगतान करेगी;

(ख) निरसित अधिनियम की धारा 7-ण या संहिता की धारा 23 के अधीन पूर्व-जमा रकम :-

यथास्थिति, निरसित अधिनियम की धारा 7-ण के अधीन या संहिता की धारा 23 की उपधारा (3) के अधीन निरसित अधिनियम की धारा 7स या संहिता की धारा 23 के अपील फाइल करने के लिए जमा रकम और कर्मचारी भविष्य निधि संगठन के साथ जमा रकम को निरसित अधिनियम के अधीन स्थापना द्वारा विधिमान्य जमा माना जाएगा और इसके अधीन विनियमित किया जाएगा:

(i) उप-पैराग्राफ (7) के अधीन देय नुकसानियों के रूप में संगणित रकम और निरसित अधिनियम की धारा 7-ण के अधीन या संहिता की धारा 23 की उपधारा (3) के अधीन जमा रकम के बीच अंतर रकम स्थापना द्वारा संदत्त की जाएगी;

(ii) जहां निरसित अधिनियम की धारा 7-ण के अधीन या संहिता की धारा 23 की उपधारा (3) के अधीन जमा की गई अन्तर रकम, उपपैरा (7) के अधीन देय नुकसानियों के रूप में संगणित रकम से अधिक है, वहां अन्तर अतिरिक्त रकम का पहले निरसित अधिनियम की धारा 14ख के अधीन जारी किए गए किसी अन्य आदेश या संहिता की धारा 128 के अधीन जारी किए जाने वाले किसी नोटिस के विरुद्ध स्थापना द्वारा देय अंशदायों के प्रति प्रेषण में विलम्ब की किसी पश्चातवर्ती अवधि के लिए समायोजन किया जाएगा।

(11) केन्द्रीय भविष्य निधि आयुक्त प्रचालन मार्गदर्शक सिद्धांत जारी करेंगे।

ग. एमनेस्टी, 2026.- (1) छूट प्राप्त स्थापनाओं से संबंधित अनुबंधों को एमनेस्टी, 2026 कहा जाएगा।

(2) यह स्कीम की अधिसूचना की तारीख से छह मास की अवधि के लिए विधिमान्य रहेगी।

(3) केन्द्रीय बोर्ड की सिफारिशों पर अवधि को अधिकतम छह मास तक बढ़ाया जा सकता है।

(4) जिन छूट प्राप्त स्थापनाओं ने एमनेस्टी, 2026, छूट के लिए आवेदन किया है, उन्हें कर्मचारी भविष्य निधि स्कीम, 1952 के पैरा 27 और 27 क और संहिता की धारा 143 के साथ पठित निरसित अधिनियम की धारा 17 के अधीन भूतलक्षी रूप से प्रदान की जाएगी।

स्पष्टीकरण: इस पैरा के प्रयोजन के लिए, यह उपबंध उन स्थापनाओं पर लागू होगा जो आयकर अधिनियम, 1961 (1961 का 43) के अधीन मान्यता के आधार पर भविष्य निधि न्यास का प्रचालन कर रहे हैं, किंतु जिनके पास संहिता या निरसित अधिनियम के अधीन समुचित सरकार द्वारा छूट के अनुदान की औपचारिक अधिसूचना नहीं है।

(5) निम्नलिखित प्रवर्गों की स्थापनाएं, 2026 के लिए छूट की पात्र हैं:

(i) प्रवर्ग-1: वे स्थापनाएं जो अपने भविष्य निधि न्यासों के लिए भूतलक्षी रूप में छूट नियमितीकरण चाहते हैं और पहले से ही एक गैर-छूट प्राप्त स्थापना के रूप में अनुपालन शुरू कर चुके हैं या एक गैर-छूट प्राप्त स्थापना के रूप में संभावित अनुपालन का विकल्प चुन रहे हैं और आगे निम्नलिखित के रूप में उप-वर्गीकृत हैं:

(क) अपवर्जित कर्मचारियों के लिए बनाए गए न्यास; या

(ख) गैर-अपवर्जित कर्मचारियों के लिए बनाए गए न्यास ,

कर्मचारी भविष्य निधि स्कीम, 1952 के अधीन ;

(ii) प्रवर्ग-2: वे स्थापनाएं जो अपने भविष्य निधि न्यासों के लिए भूतलक्षी रूप में नियमितीकरण की मांग कर रहे हैं और संहिता के अधीन छूट प्राप्त स्थापना के रूप में जारी रखने का विकल्प चुन रहे हैं।

(6) प्रवर्ग-1 की स्थापनाओं के लिए एमनेस्टी, 2026 के उपबंध :-

(i) स्थापना की भूतलक्षी छूट और न्यास की स्थापना और मान्यता को प्रारंभ से कट-ऑफ तारीख अर्थात् ऐसी तारीख तक जिससे गैर-छूट के रूप में अनुपालन किया जाता है या भविष्य की ऐसी तारीख (विधिमान्य अवधि से परे नहीं) जिससे इसे स्थापना द्वारा एक गैर-छूट वाली स्थापना के रूप में अनुपालन करने के लिए प्रस्तावित किया जाता है;

(ii) वह अवधि जिसके लिए न्यास कार्य कर रहा है, यह समझा जाएगा कि वह तीन वर्ष के अनुपालन को पूरा करता है जो कि संहिता के अधीन सरकार द्वारा जारी छूट के अनुदान से संबंधित नियमों के अधीन अपेक्षित है;

(iii) संहिता के अधीन सरकार द्वारा जारी छूट देने से संबंधित नियमों के अधीन अपेक्षित कर्मचारियों की संख्या और/या कोष की न्यूनतम अपेक्षा को अधित्यक्त कर दिया जाएगा;

(iv) भविष्य निधि शेष से कर्मचारी पेंशन स्कीम , 1995 और/या कर्मचारी पेंशन स्कीम , 2026 में अंतरण की अनुज्ञा उन गैर-अपवर्जित कर्मचारियों के संबंध में दी जाएगी, जो कट-ऑफ तारीख पर सेवा में हैं और जिन्हें अनिवार्य रूप से कर्मचारी पेंशन स्कीम , 1995 का सदस्य बनने की अपेक्षा थी, किंतु जिन्हें पहले सदस्य नहीं बनाया गया था;

(v) स्थापना को केवल इस आधार पर चूक में नहीं माना जाएगा कि स्थापना और न्यास की छूट का औपचारिक अनुमोदन और अधिसूचना नहीं थी और शोध के निर्धारण के लिए कोई कार्यवाही नहीं होगी, परंतु सदस्य खातों में जमा किए गए अंशदान और ब्याज की दर वैधानिक दरों के बराबर या बेहतर हो:

परंतु ऐसी कोई कार्यवाही लंबित होने की स्थिति में वापस ले ली जाएगी और समाप्त कर दी जाएगी;

(vi) स्थापना को केवल इस आधार पर चूक में नहीं माना जाएगा कि स्थापना और न्यास की छूट का औपचारिक अनुमोदन और अधिसूचना नहीं थी और की गई नुकसानी और ब्याज के निर्धारण के लिए कोई कार्यवाही नहीं होगी, परंतु सदस्य खातों में जमा किए गए अंशदान और ब्याज की दर वैधानिक दरों के बराबर या बेहतर हो:

परंतु यदि ऐसी कोई कार्यवाही शुरू की गई है (किंतु पूरी नहीं हुई है) तो ऐसी स्थिति में वापस ले ली जाएगी और समाप्त कर दी जाएगी;

(vii) शोध और संबंधित नुकसानी और ब्याज का निर्धारण, किसी भी छूटे हुए कर्मचारी के संबंध में लागू होगा और कर्मचारी भविष्य निधि स्कीम, 1952 के पैरा 28 के अधीन स्थापना से न्यास को निधि के अंतरण में या अंतरण में देरी की दशा में लागू होगा;

(viii) यदि, शोध, नुकसानियों, ब्याज के निर्धारण के लिए कोई कार्यवाही पूरी हो गई है और आदेश जारी किए गए हैं, ऐसे आदेशों को शुरू से ही शून्य माना जाएगा और कोई भी रकम जो वसूली गई है उसे भविष्य के शोध के विरुद्ध समायोजित करने की अनुज्ञा दी जाएगी।

(ix) स्थापना ऐसे अधिभार के लिए दायी होगा जो कर्मचारी भविष्य निधि स्कीम, 1952 में सरकार द्वारा समय-समय पर न्यास की स्थापना से लेकर गैर-छूट प्राप्त स्थापना के रूप में अनुपालन की तारीख तक छूट प्राप्त स्थापनाओं के संबंध में विनिर्दिष्ट निवेश के पैटर्न के किसी भी उल्लंघन या विचलन के लिए विनिर्दिष्ट किया जाए;

(7) एमनेस्टी, 2026 का लाभ उठाने वाली स्थापनाओं का उत्तरदायित्व

(i) एमनेस्टी, 2026 के फायदों का लाभ उठाने के लिए स्थापना केंद्रीय भविष्य निधि आयुक्त द्वारा विनिर्दिष्ट केंद्रीय सरकार को आवेदन करेंगी;

(ii) स्थापना उन कर्मचारियों की सूची प्रदान करेगी जो कट-ऑफ तारीख पर अंशदान दे रहे हैं या सेवा में हैं, साथ ही उन कर्मचारियों की सूची, जिन्होंने सेवा छोड़ दी है, किंतु जिनके खातों का उस तारीख को उनके प्रत्यय में संचय के साथ अभी तक निपटान नहीं हुआ है और कट-ऑफ तारीख से पहले की अवधि के लिए कर्मचारियों द्वारा सेवाओं और फायदों से संबंधित किसी भी विवाद से उत्पन्न होने वाला कोई भी दायित्व नियोजक द्वारा वहन किया जाएगा;

(iii) स्थापना यह सुनिश्चित करेगी कि व्यक्तिगत सदस्यों के खाता-पत्र सहित न्यास के खातों का लेखा-परीक्षण एक चार्टर्ड एकाउंटेंट द्वारा कट-ऑफ तारीख पर किया गया है;

(iv) उन कर्मचारियों के संबंध में सदस्यता, अंशदान और फायदों का कोई विवाद, जिन्होंने अतीत में सेवा छोड़ दी थी और जिनके खातों का निपटान न्यास द्वारा किया गया था या भूतकाल में सेवा के दावे स्थापना द्वारा निपटाये जाते रहेंगे और कट-ऑफ तारीख से पहले की अवधि के लिए कर्मचारियों द्वारा सेवाओं और फायदों से संबंधित किसी भी विवाद से उत्पन्न होने वाला कोई भी दायित्व नियोजक द्वारा वहन किया जाएगा;

(v) स्थापना, न्यास की स्थापना की तारीख से कट-ऑफ तारीख तक किए गए निवेशों और आगे के संयवहार, यदि कोई हो, के ब्यौरे आयुक्त को ऐसे विशेषज्ञों या विशेषज्ञ अभिकरणों द्वारा सत्यापन के लिए प्रदान करेगी, जैसा कि आयुक्त द्वारा विनिर्दिष्ट किया जाए;

(vi) स्थापना, न्यास द्वारा प्रतिभूतियों के विक्रय और क्रय में उत्पन्न किसी भी हानि की प्रतिपूर्ति करेगी और निवेश के पैटर्न से विचलन के लिए किसी भी अधिभार या शास्ति का भुगतान करेगी;

(vii) न्यास के लेखापरीक्षा और अनुपालन लेखापरीक्षा के अनुक्रम में लेखाओं के प्रबंधन और निधियों और निवेशों के संचालन में किसी भी कमी या अनियमितताओं से उत्पन्न होने वाली कोई भी देनदारी नियोजक द्वारा वहन किया जाएगा;

(viii) स्थापना यह सुनिश्चित करेगी कि न्यास से निधि में कोष का अंतरण, यदि पहले से नहीं किया गया है; आयुक्त द्वारा उन्हें सूचित की गई रीति और समय सीमा में किया गया है।

(ix) स्थापना ईपीएफ प्राधिकारियों की मांग पर, न्यास और स्थापना के अभिलेख प्रस्तुत करके पूर्ण सहयोग और सहायता प्रदान करेगी;

(x) स्थापना यह सुनिश्चित करेगी कि ईपीएफ अधिकारियों द्वारा निदेशित कोई भी अनुपालन लेखा परीक्षा और विशेष लेखा परीक्षा, एमनेस्टी के लिए आवेदन की तारीख से तीन मास के भीतर पूरी हो जाए;

(xi) ईपीएफ अधिकारियों द्वारा सूचित विशेष लेखा परीक्षा के लिए प्रभार, स्थापना द्वारा वहन किए जाएंगे;

(8) कर्मचारी भविष्य निधि संगठन द्वारा अपनाई जाने वाली प्रक्रिया- कर्मचारी भविष्य निधि संगठन (ईपीएफओ) निम्नानुसार विनिर्दिष्ट प्रक्रिया का पालन करेगा:

- (i) ईपीएफओ स्थापनाओं से आवेदन स्वीकार करेगा और औपचारिकताओं को पूरा करने में मार्गदर्शन और समर्थन प्रदान करेगा;
- (ii) ईपीएफओ समानांतर कार्रवाई करेगा और न्यास के लेखापरीक्षा किए गए लेखाओं को जमा करने और ईपीएफओ कार्यालयों द्वारा मांगे गए सभी दस्तावेजों को जमा करने के छह मास के भीतर अनुपालन लेखापरीक्षा और विशेष लेखापरीक्षा अभिकरण के समनुदेशन और विशेष लेखापरीक्षा को पूरा करेगा;
- (iii) ईपीएफओ, कमियों और शोध, अधिभारों और शास्तियों के बारे में बताएगा जो स्थापना द्वारा समयबद्ध रीति से देय होंगे और स्थापना द्वारा उठाई गई किसी भी आपत्ति और शिकायतों को भी संबोधित करेगा;
- (iv) ईपीएफओ, एक गैर-छूट प्राप्त स्थापना के रूप में अनुपालन करने के लिए स्थापना के आशय की सार्वजनिक सूचना जारी करना और छूट की स्थिति को नियमित करना और प्रभावित व्यक्तियों द्वारा उठाई गई किसी भी आपत्ति या शिकायत का समाधान करना सुनिश्चित करेगा;
- (v) स्थापनाओं के मामले में, जो एक संभावित कट-ऑफ तारीख के लिए आवेदन करती हैं, सरकार के आदेशों के पश्चात् एक विशेष कट-ऑफ तारीख से गैर-छूट वाली स्थापनाओं के रूप में अनुपालन की अनुज्ञा देती हैं, ईपीएफओ, न्यास से निधि में निधियों का सुचारू अंतरण और व्यक्तिगत खातों में शेष रकम का जमा करना सुनिश्चित करेगा;
- (vi) स्थापनाओं को उनके आवेदन की तारीख से लेखापरीक्षा और लेखों को अद्यतन करने के लिए छह मास की समय सीमा की अनुज्ञा दी जाएगी;

(9) प्रवर्ग-2 स्थापनाओं के लिए एमनेस्टी, 2026 के उपबंध-

प्रवर्ग-2 के रूप में वर्गीकृत स्थापनाएं, उप-पैराग्राफ 8 में विनिर्दिष्ट शर्तों के अतिरिक्त, संहिता के उपबंधों, के अधीन बनाए गए नियमों और इस स्कीम का भी पालन करेंगी।

(10) अतिरिक्त शर्तें- एमनेस्टी के अनुदान के लिए अतिरिक्त शर्तों को निम्नानुसार विनिर्दिष्ट किया गया है:

- (i) अंशदान और उस पर ब्याज की दर गैर-छूट प्राप्त स्थापनाओं के कर्मचारियों को दिए जाने वाले भविष्य निधि फायदों से कम अनुकूल नहीं होगी और ब्याज या अंशदान में कमी, नियोजक द्वारा वहन की जाएगी;
- (ii) विश्वास स्कीम के उपबंध निरसित अधिनियम की धारा 14 ख और कर्मचारी भविष्य निधि स्कीम , 1952 के अधीन शास्ति के रूप में नुकसानी के उद्ग्रहण के मामलों में लागू होंगे;
- (iii) कर्मचारी नामांकन अभियान, 2026 के उपबंध सदस्यता को छिपाने के मामलों में ऐसी स्थापनाओं पर लागू होंगे;
- (iv) भूतलक्षी तारीख से कर्मचारी पेंशन स्कीम , 1995 की सदस्यता कर्मचारी पेंशन स्कीम , 1995 के अधीन पात्र मामलों को छोड़कर इस स्कीम के अधीन अनुज्ञा नहीं होगी:

परंतु ऐसे मामलों में नियोजक के भविष्य निधि के हिस्से से कर्मचारी पेंशन निधि, 1995 या कर्मचारी पेंशन स्कीम , 2026 में रकम के अपयोजन की अनुज्ञा दी जाएगी;

(v) स्थापना, न्यास में भाग लेने वाली स्थापनाओं के कर्मचारियों की केवाईसी अपेक्षाओं को अद्यतन करेगी।

(11) आदेश जारी करना: समुचित सरकार पूर्ण रूप से आवेदन प्राप्त होने के छह मास के भीतर एमनेस्टी, 2026 की स्वीकार्यता के संबंध में अंतिम आदेश जारी करेगी।

प्रपत्र 1

[पैराग्राफ 12(1) देखें]

सेवा में,
समुचित सरकार

विषय: कर्मचारी भविष्य निधि स्कीम 2026 के सभी या निम्नलिखित उपबंधों के प्रचालन से छूट
के लिए आवेदन

महोदय,

मैं, _____ (नाम) एतद्वारा कर्मचारी भविष्य निधि स्कीम 2026 के सभी या निम्नलिखित उपबंधों के प्रचालन से छूट के लिए आवेदन करता हूँ / करती हूँ

क _____
ख _____

मेरे ब्यौरे निम्नानुसार हैं

1. नाम स्पष्ट अक्षरों में

2.	जन्म तिथि
3.	लिंग
4.	आधार संख्या
5.	यूएन
6.	सदस्य आईडी या ईपीएफ खाता संख्या
7.	पता
8.	स्थापन का नाम
9.	स्थापन का ईपीएफ कोड संख्या

1. मैं घोषणा करता हूँ /करती हूँ कि ऊपर बताए गए सभी विशिष्टियां मेरे सर्वोत्तम ज्ञान और विश्वास के अनुसार सत्य हैं।
2. मैं एताद्वारा कर्मचारी भविष्य निधि संगठन को उपर्युक्त उपदर्शित प्रयोजन के लिए मेरी आधार जानकारी का उपयोग करने की सहमति देता हूँ / देती हूँ।

तारीख:

स्थान:

आवेदक का नाम और हस्ताक्षर

यह प्रमाणित किया जाता है कि ऊपर प्रस्तुत ब्यौरे स्थापन के अभिलेख के अनुसार सही हैं।

तारीख:

स्थान:

नियोक्ता का नाम और हस्ताक्षर /स्थापन प्राधिकृत हस्ताक्षरकर्ता

प्रपत्र 2

[पैराग्राफ 12(2)(ii) देखें]

(किसी छूट प्राप्त स्थापन या स्थापन के कर्मचारियों या कर्मचारियों के किसी वर्ग के लिए ऑनलाइन विवरणी)
फील्डवार निर्देश

भाग क: स्थापन का विवरण

क्र. सं.	क्षेत्र का नाम	डाटा का प्रकार	अभियुक्ति
क.	स्थापन आईडी	नियोक्ता द्वारा लॉग इन के आधार पर स्वतः भर जाएगा	बी और या सी के डाटा में किसी भी बदलाव के लिए नियोक्ता संबंधित क्षे.भ.नि.आ. को दस्तावेजों सहित ईमेल भेज सकता है
ख.	स्थापन का नाम	नियोक्ता द्वारा लॉग इन के आधार पर स्वतः भर जाएगा	
ग.	पता	नियोक्ता द्वारा लॉग इन के आधार पर स्वतः भर जाएगा	
घ.	स्थापन का पैन	डाटा प्रविष्टि	पैन और पैन के अनुसार नाम का सत्यापन आयकर डाटाबेस से किया जाएगा
ङ.	पैन के अनुसार स्थापन का नाम	डाटा प्रविष्टि	
च.	स्वामित्व का प्रकार	ड्रॉप डाउन सूची से चयन	सूची देखने के लिए कृपया उपाबंध क देखें
छ.	प्राथमिक गतिविधि	ड्रॉप डाउन सूची से चयन	सूची देखने के लिए कृपया उपाबंध ख देखें
ज.	धारा या पैरा के अधीन छूट	ड्रॉप डाउन सूची से चयन	सूची देखने के लिए कृपया उपाबंध ग देखें
झ.	i. शिथिलता आदेश संख्या ii. शिथिलता आदेश तारीख iii. जारीकर्ता v. शिथिलता प्रभावी होने की तारीख	डाटा प्रविष्टि डाटा प्रविष्टि ड्रॉप डाउन सूची से चयन डाटा प्रविष्टि	I(i) से (viii) तक के क्षेत्र प्रदर्शित किए जाएंगे
	v. अधिसूचना संख्या vi. अधिसूचना की तारीख vii. जारीकर्ता viii. अधिसूचना प्रभावी होने की तारीख	डाटा प्रविष्टि डाटा प्रविष्टि ड्रॉप डाउन सूची से चयन डाटा प्रविष्टि	अनिवार्य क्षेत्र अनिवार्य क्षेत्र

झ	पैरा 27 के अधीन छूट के मामले में, आदेश संख्या		यदि क्र. सं. ज के अधीन पैरा 27 है तो ये क्षेत्र दिखाई देंगे। नियोक्ता को किसी सदस्य को छूट प्रदान करने वाला पहला आदेश दर्ज करना आवश्यक है।
	i. आदेश की तारीख	डाटा प्रविष्टि	
	ii. प्रभावी तारीख	डाटा प्रविष्टि	यदि क्र. सं. ज के अधीन पैरा 27 है तो ये क्षेत्र दिखाई देंगे। नियोक्ता को किसी सदस्य को छूट प्रदान करने वाला पहला आदेश दर्ज करना आवश्यक है। लिंक पृथक कोड या उप कोड की सूची दिखाता है जिसे प्ररूप 5क में अद्यतन किया गया है।
	iii. जारीकर्ता	अद्यतन	
ञ	पृथक या उप कोड रखने वाली शाखाएं	लिंक पर क्लिक करें	नियोक्ता को अपनी उन सभी शाखाओं को भी सूचीबद्ध करना आवश्यक है जो स्थापन के अलावा अन्य स्थानों पर स्थित हैं और जिनके पास कोई पृथक या उप कोड संख्या नहीं है जहाँ काम करने वाले कर्मचारी भी न्यास के तहत अनुपालन कर रहे हैं। नियोक्ता प्ररूप 5क में नई शाखा जोड़ सकता है।
ट	पृथक या उप नंबर रखने वाली शाखाएं	यहाँ लिंक पर क्लिक करें	डिफ़ॉल्ट वैल्यू 12 प्रतिशत होगी
ठ	अंशदान दर	यथानुसार (10% या 12%) से चयन	

टिप्पण: (भाग ग, घ, ङ केवल प्रविष्टि की अनुमति देंगे जब भाग क, ख भरे हों। भाग ङ और च केवल तभी प्रविष्टि की अनुमति देंगे जब विवरणी दाखिल करने वाली स्थापन मूल न्यास भी हो, (भाग ख देखें))

भाग क में डाटा का संपादन

एक बार डाटा सहेजने के बाद डाटा में कोई भी बदलाव होने पर 'संशोधित करें' बटन पर क्लिक करके इसे बाद में संशोधित किया जा सकता है।

हालाँकि निम्नलिखित डाटा को संशोधित नहीं किया जा सकता है:

1. स्थापन का नाम और पता। यदि कोई बदलाव होता है तो नियोक्ता को सहायक दस्तावेजों के साथ संबंधित भविष्य निधि कार्यालय से अनुरोध करना होगा ताकि डाटा पहले ईपीएफओ एप्लिकेशन में बदला जाए और इसे स.भ.नि.आ. के स्तर पर एकीकृत पोर्टल पर अद्यतन किया जाएगा।
2. स्थापन का पैन और पैन के अनुसार नाम यदि डाटा सत्यापित हो चुका है और स्थिति सत्यापित दिखाई दे रही है।
3. शिथिलता आदेश या अधिसूचना से संबंधित धारा या पैरा का चयन और ऐसे आदेश का विवरण, क्योंकि विवरणी का प्रारंभिक माह छूट की "प्रभावी होने की तारीख" के आधार पर निर्धारित होता है।

भाग ख: न्यास का विवरण

क्र. सं.	क्षेत्र का नाम	डाटा का प्रकार	अभियुक्ति
क.	न्यास का पैन	डाटा प्रविष्टि	पैन और पैन के अनुसार नाम का सत्यापन आयकर डाटाबेस से किया जाएगा
ख.	पैन के अनुसार न्यास का नाम	डाटा प्रविष्टि	
ग.	अभिलेख के अनुसार न्यास का नाम	प्रदर्शित	नाम ईपीएफओ के अभिलेख से प्रदर्शित किया जाएगा
घ.	पता पंक्ति 1	डाटा प्रविष्टि	
ङ.	पंक्ति 2	डाटा प्रविष्टि	
च.	शहर	डाटा प्रविष्टि	
छ.	जिला	चयन	
ज.	राज्य	चयन	
झ.	पिन	डाटा प्रविष्टि	
ञ.	न्यास को मान्यता देने वाली आयकर आदेश संख्या	डाटा प्रविष्टि	कृपया सूचित करें कि क्या न्यास को आयकर विभाग द्वारा मान्यता दी गई है
ट.	आयकर न्यास की तारीख	डाटा प्रविष्टि	यथोपरि
ठ.	आयकर आदेश की तारीख	सहभागी चयन	यदि न्यास एकल स्थापन है, उसकी उन सभी शाखाओं सहित जिन्हें पृथक छूट प्रदान नहीं की गई है, भविष्य निधि अंशदान को संभाल रहा है तो कृपया 'एकल' चुनें। यदि न्यास अन्य सहभागी इकाइयों के भी अंशदान संभाल रहा है तो 'सीपीएफ न्यास' चुनें
ड.	मूल न्यास रखने वाले स्थापन का विवरण यदि (ठ) सामान्य पीएफ न्यास है	क्षेत्र निम्नानुसार होंगे,	यदि विवरणी भरने वाले स्थापन न्यास को संभालने वाले स्थापन के रूप में अपना कोड संख्या दर्ज करता है तो वह भाग ड और च में विवरण दर्ज करने में सक्षम होगा। यदि न्यास को किसी अन्य कोड द्वारा संभाला जाता है और स्थापन इकाई दाखिल कर रही है तो वह भाग ड और च में मूल न्यास द्वारा दर्ज किए गए डाटा को देख सकेगी। मार्च 2012 के बाद शाखा द्वारा किए गए अनुपालन को देखने

			का एक लिंक भी दिखाई देगा। अधिक शाखाओं के लिए पंक्ति जोड़ने की सुविधा होगी
ढ	अध्यक्ष का विवरण	निम्नलिखित क्षेत्र होंगे	
	नाम	डाटा प्रविष्टि	
	अध्यक्ष का आधार या पैन या यूएएन	डाटा प्रविष्टि	
	पदनाम	डाटा प्रविष्टि	
ण	प्रतिनिधियों का विवरण	निम्नलिखित क्षेत्र होंगे	विवरण भरने वाले स्थापन के प्रतिनिधियों का विवरण दर्ज किया जा सकता है
	नाम	डाटा प्रविष्टि	
	प्रतिनिधि का आधार या पैन या यूएएन	डाटा प्रविष्टि	
	पदनाम	डाटा प्रविष्टि	
	कर्मचारी या नियोक्ता प्रतिनिधि	चयन	
	निर्वाचित या नामांकित सदस्य	चयन	
त	डिमैट खाता विवरण	क्षेत्र जोड़ने की सुविधा होगी	अधिक खातों के लिए पंक्तियाँ जोड़ने की सुविधा होगी
	खाता संख्या	चयन प्रविष्टि	
	डिपॉजिटरी प्रतिभागी	चयन प्रविष्टि	
	डिपॉजिटरी का प्रकार	चयन	
थ	सीएसजीएल या एसजीएल खाता विवरण	क्षेत्र जोड़ने की सुविधा होगी	अधिक खातों के लिए पंक्तियाँ जोड़ने की सुविधा होगी
	खाता संख्या	डाटा प्रविष्टि	
	डिपॉजिटरी प्रतिभागी	डाटा प्रविष्टि	
	खाते का प्रकार	चयन	
द	न्यास बैंक खाता	निम्नलिखित क्षेत्र होंगे	यह विवरण इसलिए एकत्र किया जा रहा है ताकि ईपीएफओ कार्यालय और अन्य न्यास इलेक्ट्रॉनिक माध्यम से पीएफ राशि स्थानांतरित कर सकें। केवल एक ही खाता जोड़ा जा सकता है ताकि सभी भुगतान उसी में भेजे जाएं। यह जानकारी ईपीएफओ कार्यालयों और पीएफ छूट प्राप्त न्यासों को उपलब्ध कराई जाएगी और ऑनलाइन अंतरण दावा प्रारूप में भी स्वतः प्रदर्शित होगी
एस	बोर्ड के अंतिम गठन की तारीख	डाटा प्रविष्टि	कृपया वह डाटा दर्ज करें जब न्यासी बोर्ड का अंतिम बार गठन किया गया था

टिप्पण: भाग ग, घ और ङ केवल तभी प्रविष्टि की अनुमति देंगे जब भाग क और ख भरे हों।
भाग ङ और च केवल तभी प्रविष्टि की अनुमति देंगे जब विवरण दाखिल करने वाले स्थापन सामान्य पीएफ न्यास के मामले में मूल न्यास भी हो।

भाग ख में डाटा का संपादन

एक बार डाटा सहेजने के बाद डाटा में कोई भी बदलाव होने पर एपीएफसी के स्तर पर संपादित करें बटन पर क्लिक करके इसे बाद में संपादित किया जा सकता है।

हालाँकि निम्नलिखित डाटा को संपादित नहीं किया जा सकता है:

1. न्यास का पैन और पैन के अनुसार नाम यदि डाटा सत्यापित हो चुका है और स्थिति सत्यापित दिखाई दे रही है।
2. एकल और सामान्य पीएफ न्यास के संबंध में चयन और बाद की प्रविष्टि क्योंकि यह भाग ङ और च के डाटा को प्रभावित करेगा।

भाग ग, घ और ङ (मासिक भाग)

भाग ग और घ प्रत्येक माह सभी स्थापनों द्वारा भरे जाने हैं।

भाग ङ प्रत्येक माह केवल मूल न्यास द्वारा भरा जाना होगा और छूट प्राप्त सहभागी इकाइयों को इसे देखने का अधिकार होगा।

भाग ग : (i) कर्मचारी विवरण (मासिक भाग)

क्र. सं.	क्षेत्र का नाम	क्षेत्र का प्रकार	अभियुक्ति
क	पिछले मास की समाप्ति पर कर्मचारियों की संख्या	डाटा प्रविष्टि	एक बार की डाटा प्रविष्टि (केवल प्रथम विवरण में।) अगले मास पिछले मास की समाप्ति पर कर्मचारियों की संख्या स्वतः प्रदर्शित हो जाती है
ख	चालू मास में शामिल होने वाले कर्मचारियों की संख्या	डाटा प्रविष्टि	
ग	चालू मास के दौरान छोड़ने वाले कर्मचारियों की संख्या	डाटा प्रविष्टि	क +ख +ग का योग। सभी प्रकार के कर्मचारी शामिल हैं
घ	चालू मास के अंत में कर्मचारियों की संख्या	प्रदर्शित	
ङ	उपर्युक्त घ में से अपवर्जित कर्मचारियों की संख्या	डाटा प्रविष्टि	
च	उन कर्मचारियों की संख्या जिनके लिए स्थापन को अनुपालन करना है	प्रदर्शित	च = क +ख -ङ
छ	अनुबंध कर्मचारी विवरण	न्यास के तहत अनुपालन	डाटा प्रविष्टि
		स्थापन के किसी अन्य कोड के तहत गैर छूट प्राप्त के रूप में अनुपालन	
		ठेकेदार के संबंधित कोड	

		के माध्यम से अनुपालन	
ज	स्थापन के सीधे पेरॉल पर कर्मचारी	छूट प्राप्त कर्मचारी के रूप में	डाटा प्रविष्टि। छ और ज का योग च के बराबर होना चाहिए
		गैर छूट प्राप्त कर्मचारी के रूप में	
झ	अंतर्राष्ट्रीय श्रमिकों की संख्या		डाटा प्रविष्टि
ञ	दिव्यांग श्रमिकों की संख्या		डाटा प्रविष्टि
ट	निष्क्रिय खातों की संख्या		
ठ	निष्क्रिय खातों में पीएफ शेष की कुल राशि		
ड	निष्क्रिय खातों में पीएफ शेष पर ब्याज की राशि		
ढ	गैर केवाईसी खातों की संख्या		
ण	गैर केवाईसी खातों में पीएफ शेष की राशि		
त	गैर केवाईसी खातों में पीएफ शेष पर ब्याज की राशि		

भाग ग : (ii) कर्मचारियों का विवरण: अंशदान, ब्याज, निपटान और आंशिक निकासी (मासिक)

क्र. सं.	सदस्य का नाम	यूएन	प्रारंभिक शेष		अंशदान		निपटान या आंशिक निकासी		जमा ब्याज		अंतिम शेष	
			EE	ER	EE	ER	EE	ER	EE	ER	EE	ER

EE कर्मचारी हिस्सा

ER नियोक्ता हिस्सा

भाग घ : अंशदान विवरण (मासिक)

क्र. सं.	फील्ड का नाम	फील्ड का प्रकार	अभियुक्ति
क	नियोक्ता से अभी भी देय पीएफ अंशदान का प्रारंभिक शेष	डाटा प्रविष्टि	प्रथम विवरण के साथ केवल एक बार डाटा प्रविष्टि। बाद के मास में यह स्वतः प्रदर्शित होगा
ख	अंशदान के लिए उत्तरदायी पीएफ वेतन	डाटा प्रविष्टि	
ग	EE हिस्सा	डाटा प्रविष्टि	डाटा प्रविष्टि
घ		डाटा प्रविष्टि	डाटा प्रविष्टि
ङ	ER हिस्सा	डाटा प्रविष्टि	डाटा प्रविष्टि
च		डाटा प्रविष्टि	डाटा प्रविष्टि
छ	प्रतिदाय	मास में देय	डाटा प्रविष्टि
ज		स्थानांतरित	डाटा प्रविष्टि
झ	कुल देय	स्वतः प्रदर्शन	यह कुल देय राशियों अर्थात् क+ख+ग+घ को जोड़कर राशि प्रदर्शित करेगा
ञ	अंशदान के अंतरण का विवरण	राशि/ डाटा	यदि निधियों का अंतरण भागों में किया गया हो, तो

		प्रविष्टि।	“पक्ति जोड़ो” बटन पर क्लिक करें और राशि दर्ज करें
		तारीख/ चयन	
ट	न्यासी बोर्ड को अंतरित कुल राशि	स्वतः प्रदर्शन	
ठ	भुगतान किया गया ब्याज	डाटा प्रविष्टि	न्यास को विलंबित अंतरण के लिए नियोक्ता द्वारा न्यास को भुगतान किया गया ब्याज

माह तक हर्जाना (रुपये).....

माह तक ब्याज (रुपये).....

भाग ड : निवेश का विवरण (केवल मूल न्यास द्वारा मासिक भाग)

क्र. सं.	क्षेत्र का नाम	क्षेत्र का प्रकार	अभियुक्ति
क	प्रतिभूतियां	स्वतः प्रदर्शन	लिंक (प्रतिभूतियां) के माध्यम से प्रथम विवरण में डाटा प्रविष्टि के बाद प्रारंभिक शेष का अंकित मूल्य प्रदर्शित करें। अगले मास में स्वतः प्रदर्शन
	प्रतिभूतियों का विवरण	डाटा प्रविष्टि	आईएसआईएन आदि सहित प्रतिभूतियों की विशिष्ट विशेषताएं
ख	नकद	डाटा प्रविष्टि	एक बार डाटा प्रविष्टि
ग	कुल	स्वतः प्रदर्शन	यह प्रतिभूतियों और नकद यानी क धन ख को जोड़कर राशि प्रदर्शित करेगा अर्थात (क+ख)
प्राप्तियां			
घ	पीएफ अंशदान	डाटा प्रविष्टि	
ङ	प्रतिदाय (ऋण और अग्रिम)	डाटा प्रविष्टि	
च	आंतरिक अंतरण	डाटा प्रविष्टि	
छ	अन्य प्राप्तियां	डाटा प्रविष्टि	
ज	नियोक्ता द्वारा प्रतिप्राप्ति /निवेश पर पूंजीगत हानि	डाटा प्रविष्टि	
झ	न्यास द्वारा हानि का मामला मे ब्याज मे कमी के कारण राजस्व हानि	डाटा प्रविष्टि	
निवेश से आय			
ञ	ब्याज	पिछला बकाया	डाटा प्रविष्टि केवल एक बार करनी होगी। अगले मास यह स्वचालित रूप से प्रदर्शित होगा।"
ट		चालू मास में प्राप्य	
ठ		चालू मास में प्राप्य	
ड		शेष	प्रदर्शित

ढ	परिपक्वता	पिछला देय	डाटा प्रविष्टि	डाटा प्रविष्टि केवल एक बार करनी होगी। अगले महीने यह स्वचालित रूप से प्रदर्शित होगा।"
ण		चालू माह में प्राप्य	स्वतः भरा जायेगा	यह राशि "माह के दौरान परिपक्व" लिंक के माध्यम से दर्ज विवरण से प्रदर्शित होगी। इसमें परिपक्व हुई सभी प्रतिभूतियों के अंकित मूल्य का कुल योग प्रदर्शित किया जाएगा।
त		चालू माह में प्राप्य	डाटा प्रविष्टि	
थ		शेष	स्वतः प्रदर्शित	यह सूत्र का उपयोग करके राशि प्रदर्शित करेगा जाएगा (ढ+ण-त).
द	अन्य	प्राप्त देय	डाटा प्रविष्टि	डाटा प्रविष्टि केवल एक बार करनी होगी। अगले महीने यह स्वचालित रूप से प्रदर्शित होने लगेगा।
ध		चालू माह में प्राप्त	डाटा प्रविष्टि	
न		चालू माह में प्राप्त	डाटा प्रविष्टि	
प		शेष	स्वतः प्रदर्शित	यह सूत्र का उपयोग करके राशि प्रदर्शित करेगा। (द+ध-न).
फ	कुल प्राप्तियां		स्वतः प्रदर्शित	"निम्नलिखित फ़ील्ड्स के कुल योग के आधार पर राशि प्रदर्शित की जाएगी।" (घ+ङ+च+छ+ज+झ+ठ+त+न)
भुगतान				
ब	बाह्य अंतरण सहित दावे	डाटा प्रविष्टि		
भ	ऋण और अग्रिम	डाटा प्रविष्टि		
म	अन्य भुगतान	डाटा प्रविष्टि		
य		स्वतः प्रदर्शित		यह बाह्य अंतरण , ऋण एवं अग्रिम, और अन्य भुगतानों सहित दावों को जोड़कर कुल राशि प्रदर्शित करेगा (ब+भ+म).
य क	निवेश के लिए उपलब्ध राशि (ख+फ-य)	स्वतः प्रदर्शित		यह सूत्र का उपयोग करके राशि प्रदर्शित करेगा। (ख+फ-य)
य ख.	न्यास के बोर्ड द्वारा निवेशित कुल राशि	स्वतः प्रदर्शित		यह राशि "महीने के दौरान निवेश का विवरण "लिंक के माध्यम से दर्ज किए गए विवरण से प्रदर्शित होगी। यह सूत्र (च+छ-ज) का उपयोग करके प्रतिभूति स्क्रीन से राशि के कुल योग को स्वचालित रूप से प्रदर्शित करेगा। इसमें सौदा मूल्य को लिया जाएगा।
य ग	रोकड़ शेष	स्वतः प्रदर्शित		यह सूत्र का उपयोग करके राशि प्रदर्शित करेगा। कक-खख
य घ.	उपलब्ध के संबंध में रोकड़ का प्रतिशत	स्वतः प्रदर्शित		यह सूत्र का उपयोग करके राशि प्रदर्शित करेगा। (कग * 100/कक).

य ड.	अनिवेशित राशि के कारण	डाटा प्रविष्टि	

हाइपरलिंक प्रतिभूतियां या परिपक्व राशि या निवेशित राशि के माध्यम से खोली गई स्क्रीन निवेश विवरण प्रतिभूतियां:

क. सं.	प्रतिभूतियों का प्रकार जिसमें आईएसआईएन आदि शामिल हैं	प्रथम विवरणी के अनुसार प्रारंभिक शेष अंकित मूल्य	माह के दौरान परिपक्व अंकित मूल्य	मास के दौरान निवेशित समापन शेष				समापन शेष	प्रतिभूतियों के प्रकार का प्रतिशत	निवेश का विचलन प्रतिशत	अभियुक्ति
क्र. सं.	डाटा प्रविष्टि	अंकित मूल्य	अंकित मूल्य	अंकित मूल्य	डील वैल्यू	भुगतान किया गया संचित ब्याज	प्राप्त हुआ संचित ब्याज	अंकित मूल्य			
क	ख	ग	घ	ङ	च	छ	ज	झ			समापन शेष का अंकित मूल्य, सूत्र का उपयोग कर राशि स्वतः प्रदर्शनी होगी; प्रारम्भिक शेष का अंकित मूल्य - परिपक्व निवेश का अंकित मूल्य + निवेश का अंकित मूल्य, अर्थात (ग+घ-ङ)
1.	अधिसूचना की मद(i) की केंद्र सरकार की प्रतिभूति	एक बार का डाटा	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
2.	अधिसूचना की मद (II) (क) की राज्य सरकार की प्रतिभूतियां या एसओएल	एक बार का डाटा	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
3.	अधिसूचना की	एक बार	डाटा	डाटा	डाटा	डाटा	डाटा	स्वतः			

	मद (ii) (ख) की केंद्र या राज्य सरकार द्वारा प्रत्याभूत प्रतिभूतियां	का डाटा	प्रविष्टि	प्रविष्टि	प्रविष्टि	प्रविष्टि	प्रविष्टि	प्रदर्शन			
4.	अधिसूचना की मद (iii) (क) की सार्वजनिक वित्तीय संस्थान के बॉन्ड या प्रतिभूतियां	एक बार का डाटा	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
5.	अधिसूचना की मद (iii) (क) की केंद्रीय सार्वजनिक क्षेत्र के उपक्रम के बॉन्ड या प्रतिभूतियां	एक बार का डाटा	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
6.	अधिसूचना की मद (iii) (क) की सार्वजनिक बैंक के बॉन्ड या प्रतिभूतियां	एक बार का डाटा	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
7.	अधिसूचना की मद (iii) (क) की राज्य सार्वजनिक क्षेत्र के उपक्रमों के बॉन्ड या प्रतिभूतियां	एक बार का डाटा	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
8.	अधिसूचना की मद (iii) (ख) की पीएसबी की टीडीआर एक वर्ष से कम	एक बार का डाटा	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
9.	अधिसूचना की मद (iii) (ग) की कोलेटरल उधार और ऋण दायित्व (सीबीएलओ)	एक बार का डाटा	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
10.	अधिसूचना की मद (v) की निजी क्षेत्र के बॉन्ड या प्रतिभूतियां	एक बार का डाटा	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
11.	एसडीएस	एक बार का डाटा	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
12.	अन्य	एक बार का डाटा	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
			तारीख 29.05.2015 से प्रभावी नई निवेश पद्धति के अनुसार निवेश की श्रेणियां								
13.	श्रेणी (i) (क) सरकारी	एक बार डाटा	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			केवल मई 2015 से

	प्रतिभूतियां	प्रविष्टि									खुलेगा
14.	श्रेणी (i) (ख) अन्य प्रतिभूतियां	एक बार डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
15.	श्रेणी (i) ग गिल्ट म्यूचुअल फंड	एक बार डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
16.	श्रेणी (ii) (क) सूचीबद्ध ऋण प्रतिभूतियां	एक बार डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
17.	श्रेणी (ii)(ख) बेसल III टियर 1 बॉन्ड	एक बार डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
18.	श्रेणी (ii)(ग) आईबीआरडी, आईएफसी और एडीबी के रुपया बॉन्ड	एक बार डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
19.	श्रेणी (ii)(घ) सावधि जमा रसीदें (टीडीआर) जो एक वर्ष से कम अवधि की न हों	एक बार डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
20.	श्रेणी (ii)(ड) ऋण म्यूचुअल फंड	एक बार डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
21.	श्रेणी (ii)(च) अवसंरचना ऋण लिखत	एक बार डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
22.	श्रेणी (iii) (ख) लिक्विड म्यूचुअल फंड	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
23.	श्रेणी (iii) (ख) लिक्विड म्यूचुअल फंड	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
24.	श्रेणी (iii)(ग) एक वर्ष तक की अवधि की सावधि जमा रसीदें टीडीआर	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
25.	श्रेणी (iv) (क) बीएसई या एनएसई पर सूचीबद्ध कॉर्पोरेट निकायों के शेयर	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
26.	श्रेणी (iv)(ख) सेबी द्वारा विनियमित म्यूचुअल फंड	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			

27.	श्रेणी (iv)(ग) सेंसेक्स सूचकांक या निफ्टी 50 सूचकांक का ईटीएफ	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
28.	श्रेणी (iv) (घ) कॉर्पोरेट निकाय में भारत सरकार द्वारा विनिवेश के ईटीएफ	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
29.	श्रेणी (iv)(ड) हेजिंग के उद्देश्य से ईटीएफ	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
30.	श्रेणी (iv)(ड) हेजिंग के उद्देश्य से ईटीएफ	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
31.	श्रेणी (v) (ख) रीट्स द्वारा जारी इकाइयाँ	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
32.	श्रेणी (v) (ग) सेबी द्वारा विनियमित एबीएस	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
33.	श्रेणी (v) (घ) सेबी द्वारा विनियमित अवसंरचना निवेश ट्रस्टों की इकाइयाँ	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	डाटा प्रविष्टि	स्वतः प्रदर्शन			
34.		योग	योग	योग	योग	योग	योग	योग			

पावती पत्र रजिस्टर

क्र. सं.	लेनदेन आईडी	लेनदेन की तिथि	मूल्य की तिथि	टी टी	आई एस आई एन	को ड	अंकित मूल्य	क्रय मूल्य	संचित ब्याज	वाईटीए एम	परिपक्वता तिथि	प्रतिभूति का विवरण - समीक्षा	श्रेणी	लागत	फण्ड मैनेजर-संदर्भ

भाग ई से दो और हाइपरलिंक

1. स्थापन में दावा निपटान और शिकायत निवारण के संबंध में। पॉप अप स्क्रीन प्रत्येक महीने निम्नलिखित डाटा मांगेगी।

क्र. सं.	डाटा क्षेत्र	क्षेत्र का प्रकार	अभिव्यक्ति
दावे			
1.	दावों का प्रारंभिक शेष	एक बार डाटा प्रविष्टि	
2.	महीने में प्राप्त दावे	डाटा प्रविष्टि	
3.	महीने में कुल दावा कार्यभार	प्रदर्शित	1 +2

4.	20 दिनों के भीतर निपटाए गए दावे	डाटा प्रविष्टि	
5.	महीने में 20 दिनों के भीतर निपटाए गए दावों का प्रतिशत	प्रदर्शित	4 x 100 /3
6.	20 दिनों के बाद निपटाए गए दावे	डाटा प्रविष्टि	
7.	महीने में 20 दिनों के बाद निपटाए गए दावों का प्रतिशत	प्रदर्शित	6 x 100 /3
8.	लंबित दावों की संख्या	प्रदर्शित	3 -4 - 6 अगले महीने के प्रारंभिक शेष के रूप में आगे जाएगा
9.	लंबित दावों का प्रतिशत	प्रदर्शित	8 x100 /3
10.	दावों के लंबित होने के कारण	डाटा प्रविष्टि	
शिकायतें			
11.	प्रारंभिक शेष	एक बार डाटा प्रविष्टि	
12.	महीने में प्राप्त शिकायतें	डाटा प्रविष्टि	
13.	कुल कार्यभार	प्रदर्शित	11 +12
14.	निपटाई गई शिकायतें	डाटा प्रविष्टि	
15.	निपटाई गई शिकायतों का प्रतिशत	प्रदर्शित	14 x 100/13
16.	अंतिम शेष	प्रदर्शित	अगले महीने के प्रारंभिक शेष के रूप में आगे जाएगा
17.	लंबित शिकायतों का प्रतिशत	प्रदर्शित	16 x 100/13

भाग एफ-वार्षिक सूचना (होलडिंग) (केवल मूल न्यास द्वारा वार्षिक भाग)

क्र.सं.	क्षेत्र का नाम	क्षेत्र का प्रकार	समीक्षा
खातों का संपरीक्षा			
क.	वित्तीय वर्ष जिस तक खातों का ऑडिट किया गया	चयन	वित्तीय वर्ष
ख	अंतिम छह वर्षों के लिए ऑडिटर का नाम और पता	वर्ष	डाटा प्रविष्टि पिछले 6 वर्षों की प्रविष्टि
		नाम	
		पता	
		सीए पंजीकरण संख्या	
		पैन	
ग	क्या नवीनतम संपरीक्षा रिपोर्ट की प्रति क्षेत्रनिआ को भेजी गई है	चयन	हाँ/नहीं
घ	यदि हाँ	वर्ष	डाटा प्रविष्टि
		पत्र संख्या के साथ भेजा गया	
		तारीख	
		क्षेत्रीय कार्यालय द्वारा प्राप्ति की तिथि	
II खाते के वार्षिक विवरण का ब्यौरा			
ङ	खाते का वार्षिक विवरण इस तिथि तक जारी किया गया	डाटा प्रविष्टि	

च	अंशदाता सदस्यों की संख्या	डाटा प्रविष्टि	
	अंशदाता सदस्यों की अंतिम शेष राशि		
छ	गैर अंशदाता सदस्यों की संख्या	डाटा प्रविष्टि	
	गैर अंशदाता सदस्यों की अंतिम शेष राशि		
ज	ब्याज के वितरण के लिए उपलब्ध राशि	डाटा प्रविष्टि	
झ	घोषित और जमा की ब्याज दर	डाटा प्रविष्टि	
ञ	क्या ब्याज में कमी को नियोक्ता द्वारा पूरा किया गया था	चयन	
ट	क्या ब्याज शेष राशि के मासिक संचय पर है	चयन	
ठ	क्या खाते इलेक्ट्रॉनिक रूप से रखे जा रहे हैं	चयन	
ड	क्या सदस्य अपने खाते का शेष ऑनलाइन देख पा रहे हैं	चयन	
ढ	क्या निधि के नियम नोटिस बोर्ड पर प्रदर्शित किए जाते हैं या इलेक्ट्रॉनिक रूप से उपलब्ध कराए जाते हैं	चयन	
III धृतियों का वित्तीय स्वास्थ्य			
ण	वित्तीय वर्ष के अंत में न्यास की कुल धृतियां	डाटा प्रविष्टि	
त	वित्तीय वर्ष के अंत में न्यास की होल्डिंग का बाजार मूल्य	डाटा प्रविष्टि	
IV न्यास का परिशोधन खाता			
थ	प्रारंभिक शेष		
	वर्ष के दौरान वृद्धि या कमी		
	अंतिम शेष		
#	(-)चिह्न में दर्ज की जाने वाली कमी		
V परिपक्वता व्यतिक्रम में			
द	प्रतिभूति का व्यतिक्रम	डाटा प्रविष्टि	
ध	आईएसआईएन	डाटा प्रविष्टि	
न	अंकित मूल्य	डाटा प्रविष्टि	
प	खरीद के समय सौदा मूल्य	डाटा प्रविष्टि	
फ	प्राप्य राशि	डाटा प्रविष्टि	
ब	प्राप्त राशि	डाटा प्रविष्टि	
भ	व्यतिक्रम राशि	डाटा प्रविष्टि	
	कुल	बराबर ड ऋण च	
VI व्यतिक्रम में ब्याज			
म	प्रतिभूति का व्यतिक्रम	डाटा प्रविष्टि	
य	आईएसआईएन	डाटा प्रविष्टि	
र	प्राप्य ब्याज	डाटा प्रविष्टि	
ल	प्राप्त ब्याज	डाटा प्रविष्टि	
व	व्यतिक्रम में ब्याज	डाटा प्रविष्टि	
	कुल	= ग-घ	

नियोक्ता या प्राधिकृत हस्ताक्षरकर्ता द्वारा डिजिटल रूप से हस्ताक्षरित किया जाएगा

प्रपत्र 3
[पैराग्राफ 13(3) देखें]
न्यासियों के बोर्ड की बैठक का कार्यवृत्त

1(क) स्थापन का नाम और
कोड संख्या

(ख) स्थापन का पता :

(ग) ई-मेल पता

2 न्यासी बोर्ड के बैठक के विवरण

(i) बैठक की तिथि

(ii) बैठक का स्थान :

(iii) बैठक के अध्यक्ष नामित किये गए थे

☐ हाँ ☐ नहीं

(iv) बैठक में भाग लेने वाले सदस्यों की संख्या

(v) क्या कोरम पूरा था

☐ हाँ ☐ नहीं

(vi) बैठक में क्या कारवाई की गई और क्या परिणाम निकले

(vii) बैठक के स्थगित होने या स्थान बदलने के संबंध में विवरण

(viii) बैठक मुलतवी होने या स्थान बदलने के संबंध में विवरण

(ix) कोई अन्य सुसंगत बिंदु जो शामिल किया जाना है

बैठक की कार्यवाही का सही सार

4.पुष्टि की जाती है कि बैठक अधिनियम, नियमों और उसके तहत बनाए गए सचिवीय मानकों के प्रावधानों के अनुसार बुलाई गई, आयोजित की गई और संचालित की गई।

घोषणा

मेरे सर्वोत्तम ज्ञान और विश्वास के अनुसार इस प्रपत्र और इसके संलग्नकों में दी गई जानकारी सही और पूर्ण है।

अध्यक्ष द्वारा डिजिटल रूप से हस्ताक्षरित

अथवा

डिजिटल रूप से हस्ताक्षरित

पदनाम

निदेशक का डीआईएन या प्रबंधक या
सीईओ या सीएफओ का डीआईएन या पैन
या आधार अथवा कंपनी सचिव की सदस्यता संख्या

प्रपत्र 4

[पैराग्राफ 13(27) देखें]

वचनबद्धता का प्रमाण पत्र

सेवा में

क्षेत्रीय भविष्य निधि आयुक्त

महोदय

हम, नियोक्ता और न्यासी बोर्ड, सामाजिक सुरक्षा संहिता 2020 की धारा 143(1) के अधीन छूट प्रदान करने की शर्तों का पालन करने के लिए वचनबद्ध हैं।

यह (स्थापन का नाम, पैन और ईपीएफ कोड संख्या), (और पीएफ न्यास का नाम) के न्यासी बोर्ड पर विधिक रूप से बाध्यकारी होगा, जिसमें उनके उत्तराधिकारी और समनुदेशिती या ऐसी शर्तें शामिल हैं जो छूट जारी रखने के लिए बाद में विनिर्दिष्ट की जा सकती हैं।

हम छूट रद्द होने की स्थिति में समय-समय पर विहित समय सीमा के भीतर और क्षेत्रीय भविष्य निधि आयुक्त के निर्देशानुसार तुरंत धन स्थानांतरित करने का भी वचन देते हैं।

हम, नियोक्ता और न्यासी बोर्ड छूट रद्द होने की स्थिति में संबंधित क्षेत्रनिआ द्वारा विहित समय सीमा के भीतर तुरंत धन स्थानांतरित करने का वचन देते हैं, ऐसा न करने पर संहिता की धारा 127 और 128 के प्रावधान लागू होंगे।

(हस्ताक्षर)

(नाम.....)

आधार संख्या- _____

पैन _____

यूएएन _____

नियोक्ता या न्यास के अध्यक्ष

(हस्ताक्षर)

(नाम)

आधार संख्या- _____

पैन _____

यूएएन _____

न्यासी बोर्ड के सभी सदस्य

प्रपत्र 5

[कर्मचारी भविष्य निधि स्कीम 2026 का पैराग्राफ 24(1) देखें]

[कर्मचारी पेंशन स्कीम 2026 का पैराग्राफ 18(1) देखें]

[कर्मचारी निक्षेप सहबद्ध बीमा स्कीम 2026 का पैराग्राफ 11(1) देखें]

(निधियों के सदस्य बनने के लिए आवश्यक या पात्र कर्मचारियों के विवरण और ऐसे प्रत्येक कर्मचारी को भुगतान किए गए वेतन की विवरणी)

स्थापन का नाम और पता.....

स्थापन की ईपीएफ कोड संख्या.....

संहिता के लागू होने की तिथि.....

क्र. सं.	सदस्य आईडी या ईपीएफ खाता संख्या	कर्मचारी का नाम	जन्म तिथि	आधार संख्या	पैन	यूएएन	लिंग	निधि में शामिल होने की तिथि	पिछली सेवा की कुल अवधि	सकल वेतन	ईपीएफ वेतन	ईपीएस वेतन	ईडीएलआई वेतन

नियोक्ता का हस्ताक्षर या
स्थापन के प्राधिकृत हस्ताक्षरकर्ता
स्थापन की मुहर

प्रपत्र 6

[पैराग्राफ 24(2)(vi) देखें]

स्वामित्व विवरणी

स्थापन प्रोफ़ाइल

क्र.सं.	स्थापन प्रोफ़ाइल क्षेत्र	विवरण प्रकार
1	स्थापन का नाम	स्वतः भरा जायेगा
2	स्थापन की ईपीएफ कोड संख्या	स्वतः भरा जायेगा
3	धारा के अधीन कवरेज	स्वतः भरा जायेगा
4	एलआईएन	स्वतः भरा जायेगा
5	सीआईएन	स्वतः भरा जायेगा
6	स्थापन का पैन	स्वतः भरा जायेगा
7	स्थापन का टैन	
8	जीएसटी संख्या	
9	संहिता के अधीन पंजीकरण की तिथि	स्वतः भरा जायेगा
10	व्यवसाय शुरू होने की तिथि	
11	पता	स्वतः भरा जायेगा
12	फ़ोन नंबर	स्वतः भरा जायेगा या डाटा प्रविष्टि
13	फ़ैक्स नंबर	स्वतः भरा जायेगा या डाटा प्रविष्टि
14	ईमेल आईडी	स्वतः भरा जायेगा या डाटा प्रविष्टि
15	वेब पता, यदि कोई हो	स्वतः भरा जायेगा या डाटा प्रविष्टि
16	स्थापन वर्गीकरण	स्वतः भरा जायेगा निजी या सार्वजनिक क्षेत्र या सरकार
17	एनआईसी कोड	स्वतः भरा जायेगा या डाटा प्रविष्टि

भाग-क:

स्वामित्व विवरणी

क्र. सं.	नाम	जन्म तिथि	लिंग	पिता का नाम	आधार संख्या	डीआईएन	पैन	पता	मोबाइल, ईमेल	स्थापन में स्थिति या पदनाम	वह तिथि जब से पद संभाला है	बैंक खाते का ब्यौरा

- आधार या डीआईएन या पैन

उत्तरदायी व्यक्ति के पहचान प्रमाण के रूप में चुना गया दस्तावेज़ :

भाग-ख
पट्टा का विवरण

क्र. सं.	नाम	आधार संख्या	लिंग	डीआईएन	पैन	जन्म तिथि	बैंक खाता संख्या और आईएफएस कोड	पता	मोबाइल, ईमेल	पट्टा की तिथि

लीज के पहचान प्रमाण के रूप में चुना गया दस्तावेज़
:

- पट्टे के प्रमाण के लिए दस्तावेज़

भाग-ग

भाग-क में विनिर्दिष्ट स्थापन के सभी बैंक ब्यौरा

क्र.सं.	स्थापन का नाम	बैंक का नाम	शाखा का पता	आईएफएससी कोड	खाता संख्या	खाते का प्रकार

घोषणा

- मैं, घोषणा करता हूँ या करती हूँ कि यहाँ प्रस्तुत की गई जानकारी मेरे सर्वोत्तम ज्ञान और विश्वास के अनुसार सत्य है।
- मैं, कर्मचारी भविष्य निधि संगठन को उपर्युक्त दर्शाए गए उद्देश्य के लिए मेरी आधार जानकारी का उपयोग करने की सहमति देता हूँ या देती हूँ।

नियोक्ता का हस्ताक्षर : _____

नियोक्ता का नाम : _____

नियोक्ता का पदनाम : _____

प्रपत्र 7

(ईपीएफ स्कीम के पैराग्राफ 24(2)(ix) के अधीन

इलेक्ट्रॉनिक चालान सह विवरणी

क्र.सं.	स्तंभ का नाम
1	स्थापन की ईपीएफ कोड संख्या
2	यूएएन
3	यूएएन के अनुसार सदस्य का नाम
4	सकल मजदूरी
5	ईपीएफ मजदूरी
6	ईपीएस मजदूरी
7	ईडीएलआई मजदूरी
8	कर्मचारी पीएफ अंशदान
9	नियोक्ता ईपीएस अंशदान
10	नियोक्ता पीएफ अंशदान
11	एनसीपी दिन यानी गैर अंशदायी अवधि
12	मुख्य नियोक्ता की ईपीएफ कोड संख्या (जहाँ कहीं भी लागू हो)
13	मुख्य नियोक्ता के साथ अनुबंधीय कर्मचारी के जुड़ाव की अवधि तारीख से जहाँ भी लागू हो

14	मुख्य नियोक्ता के साथ अनुबंधीय कर्मचारी के जुड़ाव की अवधि तारीख तक जहाँ भी लागू हो

नियोक्ता द्वारा डिजिटल रूप से हस्ताक्षरित किया जायेगा

प्रपत्र 8

[पैराग्राफ 26(1)(i) देखें]

स्थापन की शाखाओं के ब्यौरा और शाखा के लिए जिम्मेदार व्यक्ति का विवरण

स्थापन प्रोफ़ाइल		
1	स्थापन का नाम	स्वतः भरा जाएगा
2	स्थापन की ईपीएफ कोड संख्या	स्वतः भरा जाएगा
3	धारा के अधीन कवरेज	स्वतः भरा जाएगा
4	एलआईएन	स्वतः भरा जाएगा
5	सीआईएन	स्वतः भरा जाएगा
6	स्थापन का पैन	स्वतः भरा जाएगा
7	स्थापन का टैन	
8	जीएसटी संख्या	
9	संहिता के अधीन पंजीकरण की तिथि	स्वतः भरा जाएगा
10	व्यवसाय शुरू होने की तिथि	
11	पता	स्वतः भरा जाएगा
12	फ़ोन नंबर	स्वतः भरा जाएगा या डाटा प्रविष्टि
13	फ़ैक्स नंबर	स्वतः भरा जाएगा या डाटा प्रविष्टि
14	ईमेल आईडी	स्वतः भरा जाएगा या डाटा प्रविष्टि
15	वेब पता यदि कोई हो	स्वतः भरा जाएगा या डाटा प्रविष्टि
16	स्थापन वर्गीकरण	स्वतः भरा जाएगा - निजी या सार्वजनिक क्षेत्र या सरकार
17	एनआईसी कोड	स्वतः भरा जाएगा या डाटा प्रविष्टि

शाखा का विवरण

प्रत्येक शाखा के लिए अलग प्रविष्टि

क्र. सं.	शाखा का नाम	शाखा की ईपीएफ कोड संख्या	पता	शाखा का प्रकार)कारखाना या क्षेत्र कार्यालय आदि(	शाखा के समर्थन में दस्तावेज़	वह तिथि जब से शाखा कार्यात्मक है	शाखा का बैंक विवरण		
					किसी भी सरकारी प्राधिकरण द्वारा जारी कोई अनुज्ञप्ति या प्रमाण पत्र या संख्या		बैंक खाता संख्या	आईएफएस कोड	बैंक शाखा का नाम

उस व्यक्ति का विवरण जिसका शाखा के मामलों पर अंतिम नियंत्रण है

प्रत्येक शाखा के लिए अलग प्रविष्टि

क्र. सं.	शाखा का नाम	शाखा की ईपीएफ कोड संख्या	जिम्मेदार व्यक्ति का नाम	लिंग	जन्म तिथि	पिता का नाम	आधार संख्या	डीआईएन	पैन	पता *	मोबाइल	ईमेल	जिम्मेदार व्यक्ति का पदनाम	जिम्मेदार व्यक्ति के कार्यभार धारण करने की तिथि

*जिम्मेदार व्यक्ति के पते वाला कोई भी एक दस्तावेज़: आधार या डीआईएन या बिजली बिल या गैस बिल या किराया या पट्टा करार

पट्टा धारक का विवरण

[प्रत्येक शाखा के लिए अलग प्रविष्टि]

क्र. सं.	शाखा का नाम	शाखा की ईपीएफ कोड संख्या	नाम	लिंग	जन्म तिथि	पिता का नाम	आधार संख्या	डीआईएन	पैन	पता*	मोबाइल	ईमेल	पट्टे के प्रारंभ होने की तिथि

*: जिम्मेदार व्यक्ति के पते वाला कोई भी एक दस्तावेज़: आधार या डीआईएन या बिजली बिल या बिल या किराया या पट्टा करार

घोषणा

मैं, घोषणा करता हूँ या करती हूँ कि ऊपर प्रस्तुत की गई जानकारी मेरे सर्वोत्तम ज्ञान और विश्वास के अनुसार सत्य है।

नियोक्ता का हस्ताक्षर

नियोक्ता का नाम

नियोक्ता का पदनाम

प्रपत्र 9

[पैराग्राफ 26(1)(ii) देखें]

प्राधिकृत हस्ताक्षरकर्ताओं के ब्यौरे

निम्नलिखित अधिकारी/अधिकारियों को स्थापना) नाम _____ (और ईपीएफ कोड संख्या _____ के लिए ईपीएफओ को प्रस्तुत करने हेतु नियोक्ता की ओर से सभी दस्तावेजों पर हस्ताक्षर करने और विवरणी जमा करने के लिए अधिकृत किया जाता है।

प्राधिकृत हस्ताक्षरकर्ता के ब्यौरे नीचे दिये गये हैं:

क्र.सं.	प्राधिकृत हस्ताक्षरकर्ता का नाम	पदनाम	यूएएन	आधार संख्या	पैन	मोबाइल नंबर	नमूना हस्ताक्षर
1							
2							
3							
4							
5							

प्राधिकृत हस्ताक्षरकर्ता के पहचान प्रमाण के रूप में चुना गया दस्तावेज

- यू ए एन और आधार/पैन

:

घोषणा

1. मैं, घोषणा करता हूँ /करती हूँ कि प्राधिकृत हस्ताक्षरकर्ताओं के ब्यौरे वाले इस प्रपत्र में मेरे द्वारा प्रस्तुत की गई जानकारी मेरे सर्वोत्तम ज्ञान और विश्वास के अनुसार सत्य है।
2. मैं, कर्मचारी भविष्य निधि संगठन को मेरी पहचान के सत्यापन के लिए मेरी आधार जानकारी का उपयोग करने की सहमति देता हूँ / देती हूँ।

तारीख: _____ नियोक्ता का हस्ताक्षर _____

स्थान: _____ नियोक्ता का नाम _____

_____ नियोक्ता का पदनाम _____

_____ स्थापन की मुहर _____

प्रपत्र 10

[पैराग्राफ 27(1) देखें]

(मुख्य नियोक्ता की स्थापन का पंजीकरण और ठेकेदारों की घोषणा)

भाग क — स्थापन विवरण स्वतः भरा जायेगा

1	स्थापन का नाम		2. ईपीएफ कोड संख्या	
3	स्थापन का पैना	10 अंकीय पैना	4. जीएसटीआईएन	
5	पिन सहित पता			
6	गठन प्रकार	स्वत्वाधिकार / भागीदारी / कंपनी / एलएलपी / न्यास / सोसाइटी / सरकार / पीएसयू	7. एनआईसी कोड	
8	व्यवसाय/ उद्योग की प्रकृति		9. कवरेज की तारीख	तारीख/मास/वर्ष

भाग-ख : कर्मचारियों की संख्या की घोषणा

1	सीधे कर्मचारियों की संख्या		2. संविदा श्रमिकों की संख्या	

भाग ग — लगाए गए ठेकेदारों की घोषणा

क्र. सं.	ठेकेदार का नाम	पैना	ठेकेदार ईपीएफ कोड यदि कोई हो	कार्य की प्रकृति	संविदा की अवधि (से-तक)	श्रमिकों की संख्या	संविदा रकम	प्रपत्र 10 प्राप्त हुआ (हाँ/नहीं)
1								
2								
3								

घोषणा

मैं).....नियोक्ता/ प्राधिकृत हस्ताक्षरकर्ता का नाम और पदनाम(घोषणा करता हूँ/करती हूँ कि ऊपर प्रस्तुत की गई जानकारी सत्य और सही है। मैं नए ठेकेदारों को सम्मिलित करने सहित उपरोक्त जानकारी में किसी भी बदलाव के 15 दिनों के भीतर इस प्रपत्र को अपडेट करने का वचन देता हूँ/ देती हूँ।

स्थान : _____ नाम _____

तारीख : _____ पदनाम _____

मुख्य नियोक्ता के
हस्ताक्षर और मुहर

प्रपत्र 11

[पैराग्राफ 27(3) देखें]

संविदा कर्मकारों से वसूलियों पर ठेकेदार का विवरण

ठेकेदार का नाम		ठेकेदार का ईपीएफ कोड संख्या	

ठेकेदार का पैन		वेतन मास	मास/वर्ष
ठेकेदार का जीएसटी		मुख्य नियोक्ता ईपीएफ कोड	
मुख्य नियोक्ता का नाम		कार्य आदेश संदर्भ संख्या	
संविदा का मूल्य		संविदा की अवधि (से-तक)	
लगाए गए कुल कर्मचारियों की संख्या		अपवर्जित कर्मचारियों की संख्या	

क्र. सं.	संविदा कर्मकार का नाम	यूएएन	मजदूरी	मजदूरी से काटा गया ईपीएफ का कर्मचारी हिस्सा (रुपये) *	नियोक्ता ईपीएफ+ईपीएस+ईडीएलआई अंशदान रुपये	प्रशासनिक प्रभार रुपये	कुल शोध भुगतान रुपये
1							
2							
3							
4							
कुल							

घोषणा

मैं..... ठेकेदार, घोषणा करता हूँ कि (1)ऊपर दिखाया गया कर्मचारी का ईपीएफ अंशदान मजदूरी से काटा गया है और ईपीएफओ को प्रेषित किया गया है।

(2)सभी जानकारी मेरे सर्वोत्तम ज्ञान के अनुसार सत्य और सही है।

स्थान : नाम _____

तारीख : पदनाम _____

ठेकेदार के
हस्ताक्षर और मुहर

प्रपत्र 12

[पैराग्राफ 27(4) देखें]

मुख्य नियोक्ता द्वारा मासिक सार

(संविदा कर्मकार और नियोक्ता के अंशदान से कुल वसूलियाँ)

स्थापन का नाम		ईपीएफ कोड संख्या	
पता		मास मास/वर्ष	
लगाए गए कुल ठेकेदार		कुल अनुबंध श्रमिक	

ठेकेदार-वार सार:

क्र. सं.	ठेकेदार का नाम	कर्मकारों की संख्या	कर्मचारी से कुल वसूली	ठेकेदार द्वारा देय कुल रकम (रुपये)	ठेकेदार द्वारा भुगतान का ब्यौरा टीआरआरएन		मुख्य नियोक्ता द्वारा भुगतान का विवरण शेष देय राशि के संबंध में यदि कोई हो टीआरआरएन	
1			प्रपत्र 11-का उद्धरण		टी आर आर एन	राशि	टी आर आर एन	रकम
2								
कुल योग								

घोषणा

1 मैं..... मुख्य नियोक्ता, घोषणा करता हूँ कि ऊपर दिखाए गए कुल अंक सही हैं और प्रत्येक ठेकेदार से प्राप्त प्रपत्र 11 के विवरणों से संकलित किए गए हैं।

2 मैं आगे घोषणा करता हूँ कि उपरोक्त जानकारी मेरे सर्वोत्तम ज्ञान के अनुसार सही और सत्य है।

स्थान : _____ नाम _____

तारीख : _____ पदनाम _____

मुख्य नियोक्ता के हस्ताक्षर
और मुहर

[फा.सं. एस-35025/04/2026-एसएस-II]

तेजस्वी एस. नायक, संयुक्त सचिव

MINISTRY OF LABOUR AND EMPLOYMENT

NOTIFICATION

New Delhi, the 29th June, 2026

G.S.R. 525(E).— In exercise of the powers conferred by clause (a) of sub-section (1) of section 15 of the Code on Social Security (36 of 2020) and in supersession of the Employees' Provident Funds Scheme, 1952, except as respects things done or omitted to be done before such supersession, the Central Government, hereby makes the following Scheme, namely.

CHAPTER I

Preliminary

1. Short title, commencement and application.— (1) This Scheme may be called the Employees' Provident Funds Scheme, 2026.

(2) It shall come into force on the date of its publication in the Official Gazette.

(3) Subject to the provisions of sections 20, 21 and 143 of the Code, this Scheme shall apply –

- (i) to every establishment, to which the Chapter III of the Code applies; and
- (ii) to every establishment belonging to or under the control of the Central Government or State Government or set up under any Central Act or State Act or any other law for the time being in force, employing such number of employees as specified in the First Schedule to the Code and whose employees are not entitled to the benefits of contributory provident fund or old age pension in accordance with any scheme or rules framed under that law.

2. Definitions.— (1) In this Scheme, unless the context otherwise requires: —

- (a) “authorised signatory” means an employee of the establishment concerned legally empowered by the employer of an establishment to sign any return or document on behalf of the employer or the establishment, as the case may be and such actions shall be legally binding on the employer as well as the establishment;
- (b) “board of trustee” means the legal entity consisting of the Chairperson and members of the trust constituted under sub- section (5) of section 143 of the Code;
- (c) "child" means the legitimate child and includes adopted child, if the Commissioner is satisfied that adoption of a child is legally recognized under the personal law of the member;
- (d) “Code” means the Code on Social Security, 2020;
- (e) "Commissioner " means a Commissioner for Employees' Provident Fund appointed under section 14 of the Code;
- (f) "Excluded employee" means,-
 - (i) an employee whose wage at the time he is otherwise entitled to become a member of the Fund, exceeds wage ceiling as prescribed under the Code;
 - (ii) in case of an International Worker who, as a citizen or resident of their country of origin, contributes to a social security programme of that country with which India has entered—
 - (A) into a social security agreement on a reciprocity basis, and who enjoys the status of a detached worker for the period and terms specified in such agreement; or

(B) into a bilateral comprehensive economic agreement containing a clause on social security prior to the 1st day of October, 2008, which specifically exempts natural persons of either country from contributing to the social security fund of the host country;

- (g) “exempted establishment” means an establishment exempted under section 143 of the Code;
- (h) “financial year” means the year commencing on the first day of April;
- (i) “Fund” means the Provident Fund established under this Scheme;
- (j) “International Worker” means—
 - (i) an employee other than an Indian employee, holding other than an Indian Passport, working for an establishment in India, to which the Code applies;
 - (ii) an Indian employee having worked or going to work in a foreign country with which India has entered into a social security agreement and being eligible to avail the benefits under a social security programme of that country, by virtue of the eligibility gained or going to gain, under the said agreement;

Provided that the worker, who is a Nepalese national on account of Treaty of Peace and Friendship of 1950 and the worker, who is a Bhutanese national on account of India-Bhutan Friendship Treaty of 2007, shall be deemed to be an Indian worker;

- (k) “member” means a member of the Fund;
- (l) “principal employer” means an employer with whom employees are engaged by or through a contractor and shall include.—
 - (i) in relation to any office or Department of the Government or a local authority, the head of that office or Department or such other officer as the Government or the local authority, may specify in this behalf;
 - (ii) in a factory, the owner or occupier of the factory and where a person has been named as the manager of the factory, the person so named;
 - (iii) in a mine, the owner or agent of the mine;
 - (iv) in relation to any other establishment, any person who has the ultimate control over affairs of the establishment.
- (m) “Repealed Act” means the Employees’ Provident & Miscellaneous Provisions Act, 1952 (19 of 1952);
- (n) “Scheme” means the Employees Provident Funds Scheme framed under section 15 of the Code;
- (o) “SEBI” means the Securities and Exchange Board of India established under section 3 of the Securities and Exchange Board of India Act, 1992 (15 of 1992)
- (p) “trustee” means a member of the “board of trustees; and
- (q) “Universal Account Number” (UAN) means an identity number allotted to an employee on a permanent basis in the form and manner specified by the Central Provident Fund Commissioner.

- (2) All the other words and expressions used and not defined in this Scheme, but defined in the Code, shall have the same meanings respectively as assigned to them in the Code and rules framed thereunder.

CHAPTER II

OFFICERS OF CENTRAL BOARD

- 3. Central Provident Fund Commissioner and Financial Adviser and Chief Accounts Officer.**—The Central Provident Fund Commissioner and the Financial Adviser and Chief Accounts Officer shall not undertake any work unconnected with their office without the previous sanction of the Central Government.
- 4. Regional and local offices.**—The Central Board may, establish such regional and local offices as it may consider necessary for the implementation of the Scheme and may specify the functions and duties of such offices.
- 5. Appointment of officers and employees of the Central Board.**—The Central Board shall appoint officers and employees up to the level of posts equivalent to Joint Secretary of the Government of India.
- 6. Information of appointment to Central Board.**—Appointment of officers of the level of the Regional Provident Fund Commissioners and above made by the Chairperson, Central Board shall be placed before the next meeting of the Central Board for information.
- 7. Administrative and financial powers of Commissioner.**— (1) Subject to the budget allocation and limits authorised by the Central Board, the Commissioner shall, sanction expenditure on contingencies, supplies and services and purchases essential for administering the Fund.
- (2) The Commissioner may exercise such administrative and financial powers other than those specified in sub-paragraph (1), as may be delegated to him from time to time by the Central Board.
- 8. Staff Provident Fund and other benefits.** The Staff Provident Fund established under the Provident Fund Act, 1925 in respect of officers and employees of the Central Board and Pension-cum-Gratuity Fund and any other fund constituted for the benefit of the employees of the Central Board under the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952) shall be deemed to be constituted under sub section (4) of section 120 of the Code.

CHAPTER III

MEMBERSHIP

9. Membership of the fund.—

Subject to clause (f) of paragraph 2 of this Scheme,—

- (1) Every employee, who was a member or was required to be a member of the EPF Scheme, 1952 till the date of cessation of the said Scheme, shall be a member of this Scheme.
- (2) Every employee, employed in or in connection with the work of an establishment, to which this Scheme applies, is entitled and required to become a member of the Fund from the day this Scheme comes into force in such establishment or from the date of joining the establishment, whichever is later.

- (3) Every excluded employee or an exempted employee shall become a member of this Fund forthwith on ceasing to be an excluded employee or an exempted employee.
- (4) Notwithstanding anything contained in this paragraph, any employee and his employer may jointly opt in writing, to enrol such employee as a member or allow him to contribute on such wages exceeding wage ceiling limit and thereupon such employee shall be entitled to the benefits and be subject to the conditions of the Fund:

Provided that the employer shall pay the administrative charges and comply with all statutory provisions in respect of such employee.

- (5) Every International Worker,—
- (i) who was a member of the Employees' Provident Fund Scheme, 1952 shall be a member of this Scheme;
 - (ii) employed in or in connection with the work of an establishment to which this Scheme applies shall be entitled and required to become a member of this Scheme in such establishment or from the date of joining the establishment, whichever is later;
 - (iii) excluded employee or exempted employee shall become a member of this Scheme forthwith on ceasing to be an excluded employee or an exempted employee.
- (6) In case of an International Worker, an employee carrying out an employed activity in a country listed in the Table below, having signed a bilateral agreement on social security contributions with India and being subject to the Code, shall, along with the employer, pay contributions on the total wages as defined in sub-section (88) of section 2 of the Code, if they are willing to take benefit of detachment under the said agreement.

Table

Sl. No.	Name of country
1.	The United Kingdom of Great Britain and Northern Ireland

10. Retention of membership.— (1) A member of this Scheme shall continue to be a member until he withdraws under paragraph 49, the amount standing to his credit in the Fund or is covered by a notification of exemption under section 143 of the Code or paragraph 12 of this Scheme;

(2) An International Worker shall continue to be a member of this Scheme, until,—

- (i) withdraw under paragraph 49, the amount standing to the credit in the Fund;
- (ii) covered by a notification of exemption under section 143 of the Code or an order of exemption under paragraph 12 of this Scheme; or
- (iii) settled the benefits in terms of the provisions under a social security agreement entered into between India and the country of origin.

11. Resolution of questions about membership.— (1) Where any question arises as to whether an employee is entitled or required to become or continue as a member, or to the date from which the member is entitled or required to become a member, the matter shall be referred to the Regional Provident Fund Commissioner, who shall decide the question after giving an opportunity of being heard to both the employer and the employee:

Provided that if such dispute also involves whether an employee working in or in connection with the work of an establishment covered or coverable under the Employees Provident Fund Scheme, 1952, was entitled or required to become a member of the Fund up to the date of cessation of the said Scheme, the same shall be resolved in accordance with the rules of membership of the ceased Scheme for such period.

(2) In case of International Worker, any question which arises whether an International Worker is entitled or required to become or continue as a member, or as regards the date from which the worker is so entitled or required to become a member, the same shall be referred to the Regional Provident Fund Commissioner, who shall decide the matter after giving opportunity of hearing to both the employer and the International Worker and such hearing, if any, shall be held in India:

Provided that if such dispute involves the question whether an International Worker, working in or in connection with the work of an establishment covered or coverable under the Employees' Provident Fund Scheme, 1952, was entitled or required to become a member of the Fund up to the date of cessation of the said Scheme, the same shall be resolved in accordance with the provisions of the ceased Scheme and shall be treated as membership for benefits under this Scheme.

(3) No proceeding under sub-paragraph (1) and (2) shall be initiated after the expiry of the period of five years on which the dispute is alleged to have arisen:

Provided that all existing inquiries or hearing under paragraph 26B of the EPF Scheme, 1952 at the time of commencement of this Scheme shall be concluded within two years from the date of coming into force of the Code.

CHAPTER-IV

EXEMPTION

12. Exemption of employee or class of employees. — (1) Upon receipt of an application in **Form-I** from the employee, the appropriate Government may, by notification and subject to such conditions as may be specified in the order, exempt from the operation of all or any of the provisions of this Scheme:

Provided that such exemption shall be granted where the employee is entitled to benefits under the rules of the establishment which separately or jointly are substantially similar or superior to the benefits provided under the Code and this Scheme.

Provided further that an employee exempted under sub-paragraph (1) may, by an application to the Commissioner, make a declaration that he shall become a member of the Fund;

Provided further that no employee shall be granted exemption or permitted to opt out of such exemption more than once on the same account.

(2) Where exemption is granted, the employer shall—

- (i) maintain accounts;
- (ii) submit returns in electronic format in **Form-II**;
- (iii) provide facilities for inspection;
- (iv) pay inspection charges; and
- (v) invest provident fund collections in the manner directed by the Central Government.

(3) No exemption for a class of employees shall be granted unless consent of the majority of such employees is submitted by the establishment.

13. Terms and conditions after exemption.— (1) The employer shall establish a board of trustees under his Chairmanship for the management of the Provident Fund.

(2) The board of trustees shall be responsible and accountable to the Employees' Provident Fund Organisation for accounting of the receipts and payments and the balances.

(3) The board of trustees shall meet at least once every three months and shall function in accordance with the guidelines issued by the Central Government or the Central Provident Fund Commissioner and the minutes of the meeting of the board of trustees shall be submitted to the Regional Provident Fund Commissioner in **Form-III**.

(4) The employer of an exempted establishment shall comply with sections 16, 125, 128 and 129 of the Code, in addition to conditions specified in the notification granting exemption and any contravention shall attract penalties provided under section 133 of the Code.

(5) The employer shall pay inspection charges at the rate notified by the Central Government.

(6) The employees who would have been eligible to become members of the Provident Fund, had the establishment not been granted exemption, shall be enrolled as members.

(7) The employer shall transfer contributions payable by the employer and employees to the board of trustees by the 15th of each month following the month for which contributions are due, failing which the employer shall be liable for interest and damages under sections 127 and 128 of the Code.

(8) The employer shall bear the expenses of administration of the Provident Fund and make good any loss caused to the Trust Fund.

(9) The board of trustees shall declare the rate of interest annually, commensurate with the income earned for the said year, and the same shall not exceed 200 basis points above the rate of interest declared by the Central Government.

(10) The interest shall be credited to the account of each member on the monthly running balance of the member and any deficiency shall be made good by the employer.

(11) The employer shall circulate the rules of the Fund to the employees electronically, along with a translation thereof in the language of the majority of the employees.

(12) The trustees shall maintain accounts electronically, issue annual statements within two months of the close of the financial year and provide facilities for employees to access their balances online.

(13) Any amendment in the rules made by the employer which is more beneficial than the existing rules of the establishment shall automatically apply to the employee and shall be informed to the Regional Provident Fund Commissioner.

(14) The employer shall inform the Regional Provident Fund Commissioner of any rule that does not appear to be more beneficial than the existing rules of the establishment and thereupon, a reasoned order shall be passed by the Regional Provident Fund Commissioner after issuing a notice to both the employer and the employee.

(15) All claims for withdrawals, advances and transfers shall be filed electronically in the manner specified by the Central Provident Fund Commissioner.

(16) The establishment shall provide facilities for online claim settlement which shall be settled within the time limit specified in this Scheme.

(17) The board of trustees shall maintain detailed electronic account showing contributions credited, withdrawals made and interest accrued and the establishment shall periodically transmit the same to the account of the member electronically.

(18) The board of trustees and the employer shall file electronically the monthly and annual returns as specified by the Central Provident Fund Commissioner, failing which the employer and the board of trustees shall be issued a notice for improvement in the first instance, after which in case of subsequent contravention, a fee of two hundred rupees per day and in case of further contraventions, a fee of five hundred rupees per day shall be levied, subject to a maximum of the inspection charges payable for the month to which such return relates to.

(19) The board of trustees shall invest the Fund as per the directions of the Central Government and failure to comply shall render the employer and the board of trustees jointly and severally liable to surcharge as may be fixed by the Central Provident Fund Commissioner.

(20) The securities shall be obtained in the name of the trust and shall be in the dematerialised form.

(21) A scrip-wise register shall be maintained to ensure timely realisation of interest.

(22) A dematerialised account shall be opened through depository participants approved by the Securities Exchange Board of India.

(23) The costs of maintaining the dematerialised account and other investment costs shall be treated as incidental costs of investment by the trust.

(24) All investments, including securities and bonds shall be lodged with depository participants approved by the Securities and Exchange Board of India who shall act as custodian and on closure or liquidation of the establishment or cancellation of exemption from this Scheme, employer shall transfer the investments standing in the name of the trust to the concerned Regional Provident Fund Commissioner in cash.

(25) The exempted establishment shall intimate to the concerned Regional Provident Fund Commissioner, the details of the depository participants with whom investments are lodged and the board of trustees may raise sums required for obligatory expenses, such as settlement of claims, grant of advances, transfer of accumulations or cancellation of exemption, subject to online intimation to the Regional Provident Fund Commissioner.

(26) Any commission, incentive, bonus or other pecuniary rewards received from financial institutions for investments made by the trust shall be credited to the trust account.

(27) At the time of grant of exemption, the employer and the board of trustees shall furnish a written undertaking to the Regional Provident Fund Commissioner in **Form-IV**, to abide by the conditions and such undertaking shall be legally binding on the employer, the board of trustees and their successors and assignees.

(28) The employer and the board of trustees shall undertake to transfer funds promptly within the time limit specified by the Regional Provident Fund Commissioner.

(29) In event of retrospective cancellation or withdrawal of relaxation orders, no damages or interest shall be levied provided there is no delay in transfer of funds from the establishment to the board of trustees or transfer of accumulations to the credit of each employee, surplus or reserves to the Employees' Provident Fund Organisation.

(30) The employer and the board of trustees shall transfer the cumulative balance in any Inoperative Account and non-KYC (Know Your Customer) account along with interest to the Employees' Provident Fund Organisation within a month.

(31) The accounts of the Provident Fund shall be audited annually by a chartered accountant and the Regional Provident Fund Commissioner may order a re-audit where necessary and the same auditor shall not be appointed for two consecutive years and not for more than two years in a block of six years.

(32) The report of the auditor and audited balance sheet shall be submitted electronically within six months from the close of the financial year.

(33) The accounting format shall be determined by the Central Provident Fund Commissioner in consultation with the Institute of Chartered Accountants of India.

(34) The exemption shall be cancelled as a last measure in case of violation of conditions, including where the rate of contribution or interest declared is inferior to that under the Code or claims are not settled within the specified time, but shall not be cancelled where deficiencies are rectified within the time given in the improvement notice and may also be cancelled in the event of closure or liquidation of the establishment.

(35) Any loss to the trust due to fraud, defalcation, or wrong investment decisions shall be made good by the employer and principal or interest losses shall be recouped within two months from the date of loss or the end of the financial year, whichever is earlier.

(36) On cancellation or surrender of exemption, all accumulations, surplus, reserves and employee balance shall be transferred to the Employees' Provident Fund Organisation.

(37) Where a merger, demerger, acquisition, sale, amalgamation, or formation of a subsidiary occurs, exemption status shall be governed by the order of the competent legal forum and the employer of the new establishment shall be at liberty to continue exemption or surrender exemption by following the procedure specified by the Central Provident Fund Commissioner.

(38) Where more than one unit participates in a common provident fund trust granted exemption, the employers and all trustees shall be jointly and severally liable for any default.

(39) The order of exemption shall be initially for a period of three years and renewal of exemption shall be based on application by the employer and the trust and shall normally be automatic, if conditions continue to be satisfied, provided the net worth of the establishment is positive during each of the last three years.

(40) The establishments with exemption under the repealed Act shall apply for continuation within two years from the date of notification of the Social Security (Central) Rules, 2026 specifying eligibility conditions for grant of exemption.

14. Composition of board of trustees. —(1) The board of trustees of an establishment granted exemption shall consist of not less than two and not more than six representatives, each of the employers and the employees:

Provided that in case of a common provident fund for a group of two or more establishments, there shall be at least one representative from each participating establishment.

(2) The employer shall nominate representatives on the board of trustees from among the officers employed in managerial capacity.

(3) The representatives of employees on the board of trustees shall be nominated or elected in the following manner namely: —

- (a) where a union is recognised by the employer under the Code of Discipline in industry or under any other Act, such union shall nominate the representatives of employees;
- (b) where more than one trade union is recognised by the employer, the representatives of employees shall be elected by members of the unions in an election held for the purpose on a working day;
- (c) where no union is recognised but more than one registered union functions in the establishment, the union having the largest membership, subject to a minimum of fifteen per cent, shall have the right to nominate representatives; and
- (d) where there is only one registered union, it shall have the right to nominate representatives provided it has a minimum of fifteen per cent membership.

(4) The employer shall be the Chairperson of the board of trustees and in the event of equality of votes, the Chairperson shall exercise a casting vote.

(5) The term of office of a trustee shall be five years from the date of election or nomination.

(6) An outgoing trustee shall be eligible for re-election or re-nomination and a trustee elected or nominated to fill a casual vacancy shall hold office for the remainder of the term of the trustee in whose place the election or nomination was made.

(7) A person shall be disqualified from being a trustee, if such person—

- (i) is declared to be of unsound mind by a competent court;
- (ii) has been convicted of an offence involving moral turpitude;
- (iii) is an undischarged insolvent; or
- (iv) is an employer of an exempted or un-exempted establishment that has defaulted in payment of any dues under the Code.

(8) A person shall cease to be a trustee, if such person—

- (i) ceases to be an employee of the establishment;
- (ii) ceases to be a member of the provident fund of the establishment;
- (iii) represents a union which ceases to be recognised by the employer; or
- (iv) fails to attend three consecutive meetings of the board without obtaining leave of absence from the Chairperson, unless the Chairperson is satisfied that reasonable grounds existed for such absence.

(9) The procedure for election or nomination of trustee, quorum at meetings, records of business transactions and other matters not specifically provided for in this Scheme shall be regulated by the approved provident fund rules of the establishment and by guidelines for the functioning of board of trustees of exempted establishments as may be specified by the Commissioner.

(10) Where any dispute or doubt arises, the matter shall be referred to the Regional Provident Fund Commissioner having jurisdiction over the head office of the establishment, whose decision shall be final and binding.

15. Extension of exemption. — (1) The order of exemption together with its conditions shall initially operate for a period of three years from the date of publication of such notification.

(2) An application for extension of exemption under section 143 of the Code shall be made on the specified portal at least six months before expiry of the exemption.

(3) The exemption shall stand renewed, provided that the condition for the grant of the exemption continues to be satisfied by the establishment and the Trust.

(4) The renewal shall remain in operation so long as the condition for the grant of exemption continues to be satisfied and the net worth of the establishment does not remain negative for three or more consecutive years.

(5) The renewal shall remain in operation until the establishment applies for cancellation or surrender of exemption and such application is accepted or until the Central Government issues a reasoned order specifying a date beyond which the renewal shall cease to operate and be void:

Provided that no such order shall be made by the Central Government without affording the establishment an opportunity of being heard.

16. Cessation and surrender of exemption. —(1) Notwithstanding anything contained in this Scheme, the employer of an exempted establishment, whether exempted for all employees, a class of employees or any employee under Chapter III of the Code, as the case may be, may make an application to the appropriate Government for the surrender of exemption granted, irrespective of whether condition of exemption has been violated or not:

Provided that before making an application, the establishment and the concerned Regional Provident Fund Commissioner shall issue a public notice to this effect for the information of the employees.

(2) The appropriate Government may, on receipt of such application, allow the employer to remit contributions into the Fund from the date specified in the application and process the application for cancellation of exemption:

Provided that the Regional Provident Fund Commissioner may permit the employer and the board of trustees to transfer accumulation of each employee, together with past accumulations, surplus and reserves from the fund referred to in sub-section (5) of section 143 of the Code, to the Fund.

(3) The employer and the board of trustees shall transfer the accumulations of each employee, together with surplus and reserves, from the exempted fund to the statutory fund under this Scheme, pending issuance of the cancellation order by the appropriate Government and thereupon such exempted employee shall become member of the Fund.

(4) No employee or class of employees shall be granted exemption or permitted to opt out of exemption more than once on the same account.

(5) No establishment shall be granted exemption or permitted to apply for exemption more than once on same account within a period of ten years.

(6) At the time of a subsequent request for exemption, the establishment shall demonstrate compliance with the condition for grant of exemption for a continuous period of three years preceding the date of such request.

17. Transfer of accumulation from existing provident fund. —

(1) Every authority in charge of, or entrusted with, the management of, any provident fund whose accumulations are to be transferred to the Fund under this Scheme shall—

(i) send to the Commissioner, within twenty-five days of the application of this Scheme or cancellation of exemption, a statement showing the amount standing to the credit of each subscriber on the date of the transfer, the total accumulations to the credit of subscribers generally on that date and the advances, if any, taken by the subscribers;

(ii) transfer to the Fund, in the manner specified in sub-paragraph (2), the total accumulations standing to the credit of the subscribers in relation to each establishment within ten days of the application of this Scheme or cancellation of exemption, in case of liquid cash in bank and within thirty days in case of securities; and

(iii) transfer to the Central Board all pass books, books of account and other documents relating to the said accumulations.

(2) All accumulations standing to the credit of the subscribers, howsoever invested, shall be transferred to the Fund in cash :

Provided that if the whole or any part of such accumulations is invested in National Savings Certificates or National Plan Savings Certificates, the appreciated value of such certificates at the time of the transfer shall be taken into account in determining the amount of the accumulations to be transferred, provided that the difference between the face value of such certificate and their appreciated value at the time of the transfer has already been credited to the accounts of the subscribers:

Provided further that where the whole or any part of such accumulations consists of investments in securities, the Central Government may, in exceptional cases, allow acceptance of the transfer of such securities at the price for which they were actually purchased.

Explanation: For the removal of doubts, the total amount of provident fund accumulation includes interest thereon and the authority in charge of the Fund shall transfer in cash any balance of interest on investments which remains undistributed on the date of the transfer or realised or realisable for the period prior to the registration of the securities in the name of the Central Board.

- (3) Any cash transferred under sub-paragraph (2) shall be deposited in the bank account of the Central Board.
- (4) The accumulations transferred to the Fund in accordance with this paragraph shall be credited to the account of each of the members of the Fund to the extent to which he may be entitled, having regard to the statement furnished by the authority.

CHAPTER V

CONTRIBUTIONS AND CHARGES

18. Contributions. — (1) The contribution payable under this paragraph in respect of a member shall comprise of contribution payable by the employer (hereinafter referred to as the employer's contribution) and contribution payable by the employee (hereinafter referred to as the employee's contribution).

- (2) The employer's contribution, under this Scheme shall be at the rate of twelve per cent of the wages payable to the employee, to whom this Scheme applies and the employees' contribution shall be equal to the employer's contribution in respect of such employee:

Provided that the rate of contribution shall be ten per cent in respect of the class of establishments notified by the Central Government in this regard:

Provided further that the Central Government, after making such inquiry as it deems fit, may, by notification, specify rates of employees' contributions and the period for which such rates shall apply for any class of employee:

Provided also that the Central Government may by order, defer or reduce the employer's contribution, or employee's contribution, or both, for a period up to three months at a time, for whole of India or part thereof in the event of pandemic, endemic or national disaster.

(3) The contribution payable in respect of a member shall be subject to the wage ceiling limit, notified by the Central Government from time to time:

Provided that subject to the provisions contained in sub-paragraph (4) of paragraph 9, where the monthly wage of such a member exceeds the wage ceiling, the employer and employee's contribution shall be limited to the contribution payable on the wage ceiling:

Provided further that an employer may make such contribution for wages beyond the wage ceiling to the Pension Fund in respect of such cases, which have been permitted for contribution on higher wages under the Employee's Pension Scheme, 1995.

(4) The contributions shall be calculated on the basis of wages actually drawn or payable during the month whether paid on a daily, weekly, fortnightly or monthly basis.

(5) Each contribution shall be calculated to the nearest rupee, with fifty paise or more to be counted as the next higher rupee and fraction of a rupee less than fifty paise to be ignored.

Explanation: - For the removal of doubts, in case, wages are paid in a currency other than the Indian Rupee, the rate of conversion of that currency shall be the telegraphic transfer buying rate offered by the State Bank of India established under the State Bank of India Act, 1955 (23 of 1955) for buying such currency on the last working day of the month for which the wages are due.

19. Additional voluntary contributions. — (1) Notwithstanding anything contained in this scheme, an employee may opt to contribute on a voluntary basis, an additional contribution on wages exceeding the statutory wage ceiling at statutory rate or at any rate in excess of statutory rate and the employer shall accordingly transfer such voluntary contributions to the Commissioner through the Electronic Challan-cum>Returns:

Provided that the additional voluntary contributions shall not exceed wages after such deductions as permitted under sub-section 2 of section 18 of the Code.

(2) The employer may if he so desires, make a matching contribution on such employees' voluntary contribution; however the employer shall be under no obligation to match the additional voluntary contributions made by employee under this paragraph.

(3) The employer shall be liable to pay additional administrative charges on such wages, on which voluntary contributions are paid under this paragraph.

(4) The employee or employer may at any time, opt to reduce or stop making such additional voluntary contributions.

(5) Any voluntary contribution by the employer shall be credited to the Provident Fund.

20. Responsibility for payment of contribution. — (1) The employer shall, in the first instance, pay both the employer's contribution and the employee's contribution, together with administrative charges or other fees or charges

payable under this Scheme in respect of an employee directly employed by him or through a contractor [in respect of such establishment, which is not registered independently], within fifteen days of the close of every month in the manner specified by the Central Board.

- (2) In respect of an employee employed by or through a contractor, [in respect of such establishment, which is not registered independently], the contractor shall recover the contribution payable by such employee and pay to the principal employer, the amount of member's contribution so deducted together with an equal amount of contribution.
- (3) It shall be the responsibility of the principal employer to pay both the contributions, together with administrative charges, payable in respect of the employees directly employed as specified in sub-paragraph (1) and those employed by or through a contractor, as specified in sub-paragraph (2).
- (4) Notwithstanding anything contained herein, the principal employer shall remain responsible to pay contributions and administrative charges or other fee in respect of an employee directly employed by him or through a contractor.

21. Employer's share not to be deducted from members. — Notwithstanding any contract to the contrary, the employer shall not be entitled to deduct the employer's contribution from the wages of a member or otherwise to recover it from him.

22. Recovery of member's share of Contributions. — (1) The amount of a member's contribution paid by the employer or a contractor shall, notwithstanding the provisions in this Scheme or any law for the time being in force or any contract to the contrary, be recoverable by means of deduction from the wages of the member and not otherwise:

Provided that no such deduction shall be made from any wages other than which is paid in respect of the period or part of the period in respect of which the contribution is payable:

Provided further that the employer or a contractor may recover the share of employee from wages other than those paid in respect of the period for which the contribution has been paid or is payable, in writing, given a false declaration at the time of joining service that the employee was not already a member of the Fund:

Provided also that where no such deduction has been made on account of an accidental mistake or a clerical error, such deduction may with the consent in writing of the Inspector-cum-Facilitator, be made from the subsequent wages.

- (2) Deductions made from the wages of a member paid on a daily, weekly or fortnightly basis shall be totalled to indicate the monthly deductions.
- (3) Any sum deducted by an employer or a contractor from the wages of an employee under this Scheme shall be deemed to have been entrusted to the employer or contractor for the purpose of paying the contribution in respect of which it was deducted.

23. Levy and Recovery of damages for default. — (1) Where any employer makes default—

- (a) in the payment of any contribution to the Fund, which they are liable to pay in accordance with the provisions of Chapter III of the Code; or
- (b) in the transfer of accumulations required to be transferred under sub-sections (8) and (9) of section 143 of the Code; or

(c) in the payment of any charges payable under the provisions of this scheme or under any of the conditions specified in section 143 of the Code,

the Central Provident Fund Commissioner or such other officer as may be authorised by the Central Government may levy an amount and recover from the employer, by way of damages at the rates specified in the Table below, not exceeding the amount of arrears.

Sl. No.	Period of default	Rate of Damages (Percentage of arrears per month)
1	Less than two months	0.25%
2	More than two months and less than four months	0.50%
3	More than four months	1%

(2) The damages specified under sub-paragraph (1) shall also apply in case of any default specified under paragraph 32-A of the Employees' Provident Funds Scheme, 1952 with effect from the 14th June, 2024.

CHAPTER VI

RESPONSIBILITIES, FORMS & RETURNS

24. Duties of employers. — (1) Every employer shall, within fifteen days of the application of this Scheme to the establishment, send to the Commissioner a consolidated return in **FORM V**:

Provided that if there is no employee, who is required or entitled to become a member of the Fund, the employer shall file a 'Nil' return.

(2) Every employer shall, within fifteen days of the close of each month, upload electronically on the designated portal,-

- (i) details of the employees qualifying to become members of the Fund for the first time during the preceding month
- (ii) details of the employees enrolled as members of the Fund upon joining employment in his establishment consequent upon transfer from another establishment during the preceding month by way of linkage of UANs in respect of such employees with the establishment.
- (iii) The employer shall facilitate generation of UAN by any employee, in case the employee fails to do so on the portal, to which the member account shall be linked.
- (iv) Every employer shall, upon an employee becoming a member of the Fund provide digital facility and technical support as may be required, to every such member to download the e-Passbook made available electronically by the Central Board.

- (v) Every employer shall, within fifteen days of the close of each month, upload electronically on the designated portal details of the employees leaving the service of the employer during the preceding month.
 - (vi) Every employer in relation to an establishment to which the Code applies shall file an ownership return after registration of the establishment in **FORM VI** containing details of occupiers, directors, partners, manager or any other person, who has the ultimate control over the administration of the establishment along with documentary proof for authenticating identity on the portal specified for the purpose.
 - (vii) Every employer in relation to an establishment to which the Code applies shall file such particulars relating to ownership in sub-paragraph (6), within fifteen days of such change on the portal specified for the purpose;
 - (viii) The employer shall display the extract of the ownership return at the entrance of the establishment and on the website;
 - (ix) The employer shall upload within fifteen days of close of the month details relating to contributions payable in respect of each employee on the designated portal through Electronic challan-cum-Return in **Form-VII** and thereafter pay the dues as specified under sub-paragraph 3 of paragraph 28 of this Scheme.
 - (x) An employer of an establishment shall maintain records and registers in the form prescribed by the appropriate Government, electronically or otherwise, containing such particulars and details concerning persons employed, muster roll, wages and other particulars including those listed in clause (a) of section 123 of the Code.
 - (xi) The employer shall make all registers and books of accounts, relating to the details of employees or workers and payments made to them maintained under any other law for the time being in force, available electronically under due authentication or shall provide physical record for verification to Inspector-cum-Facilitator appointed under the Code at the time of inspection of the establishment.
 - (xii) Every employer shall, whenever the Commissioner or any other officer authorised by him on his behalf or an Inspector-cum-Facilitator so requires, produce the records of any employee employed by him and if so required, he shall deliver such records to the Commissioner or officer so authorised or Inspector-cum-facilitator, as the case may be, in accordance with the procedure envisaged under the inspection scheme, who may, if he deems necessary, retain the records with due acknowledgement.
- (3) In the case of an international worker,—
- (i) every employer shall, within fifteen days of the application of this Scheme to the establishment, send to the Commissioner a consolidated return in the form specified by the Commissioner, containing details of International Workers indicating the nationality of each International Worker distinctly, required or entitled to become members of the Fund, showing the wages paid to each such International Worker:
Provided that if there is no International Worker required or entitled to become a member of the Fund, the employer shall file a 'Nil' return;
 - (ii) every employer shall, within fifteen days of the close of each month, upload in electronic mode on the portal specified for the purpose,—
 - (a) details of International Workers qualifying to become members of the Fund for the first time during the preceding month;
 - (b) details of International Workers enrolled as members of the Fund upon joining employment in the establishment, consequent upon transfer from another establishment during the preceding month;

- (c) details of International Workers leaving the service of the employer during the preceding month.

(4) Notwithstanding anything hereinbefore contained in this paragraph, the Central Board may issue such directions to employers generally as it may consider necessary or proper for the purpose of implementation of this Scheme, and it shall be the duty of every employer to carry out such directions.

25. Duties of employee. — (1) Every person who is required or entitled to become a member of the Fund shall furnish to the employer or the Employees' Provident Fund Organisation, as the case may be, particulars concerning himself including Aadhaar Number as defined in clause (a) of section 2 of the Aadhaar (The Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act 2016, an Aadhaar seeded Bank account number of any scheduled Bank in India, or Co-operative Bank, the Permanent account Number issued under the Income Tax Act, 2025 (30 of 2025) and the Universal Account Number.

(2) Every person who is required or entitled to become a member of the Fund shall furnish to the Commissioner, particulars concerning his family members including Aadhaar Number, for purpose of nomination on the portal specified for the purpose.

(3) Every person who is required or entitled to become a member of the Fund shall furnish particulars of his past employment or membership under the Code or the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 or any other recognised provident Fund on the portal specified for the purpose.

26. Employer to furnish particulars of ownership and authorised signatories. — (1) Every employer of a registered establishment shall, —

(i) submit **FORM VIII** containing details of the branches and departments, and the person/persons having ultimate control over the administration of the branch along with documentary proof for authenticating the identity of such person/persons, who has/have ultimate control over the administration of the establishment;

(ii) authorise not more than five persons from amongst the employees of the establishment, to sign documents and submit returns on behalf of the employer and details of such authorisation shall be submitted in **FORM -IX**:

Provided that in case of closure, liquidation or similar circumstances, where another person discharges the duties and responsibilities of the employer, such person may authorise any person, including a person not being an employee of the establishment, as an authorised signatory;

(iii) notwithstanding such authorisation, the employer or any other person discharging the duties and responsibilities of the employer, as the case may be, shall remain responsible under the provisions of the Code and this Scheme.

(iv) furnish change in particulars of ownership and authorised signatories every financial year or as and when there is any change or in advance, as the case may be, within thirty days of such change:

Provided that in the case of any employer of an establishment to which the pension scheme or insurance scheme framed under the Code or the Employees Provident Funds and Miscellaneous Provisions Act, 1952 applies, the aforesaid Form may be deemed to satisfy the requirements.

27. Duties of principal employer and contractor. — (1) The principal employer shall ensure registration of the establishment and declare all contractors engaged on the portal specified for the purpose in the **FORM X**.

(2) The contractor shall be responsible, jointly and severally with the principal employer, for payment of contributions and charges payable under this Scheme in respect of the contractual employee engaged and such contributions and charges shall be remitted before the expiry of the period specified under this Scheme.

(3) Every contractor shall within ten days of the close of each month, inform the principal employer electronically in **FORM-XI**, the name, Universal Account Number, wages and contributions payable in respect of such contractual employee.

(4) The principal employer shall furnish to the Commissioner, within twenty days of the close of the month, a monthly abstract in **FORM XII** showing the aggregate amount of recoveries made from the wages of the contractual employee and the aggregate amount contributed by the employer in respect of such members.

(5) In the event information as specified in Form- (X), (XI) and (XII) under sub-Paragraph (1),(3) and (4) is made available through a dedicated portal provided by the EPFO, the compliance in this regard shall be deemed to have been made.

28. Payment of contributions etc. — (1) The employer shall, before paying wages to a member in respect of any period or part of a period for which contributions are payable, deduct the employee's contribution from such wages.

(2) The employer shall together with the employee's contribution, pay the employer's contribution and administrative charge of such percentage of wages.

(3) The employer shall, within fifteen days of the close of every month, remit the contributions to the Fund through electronic mode of payment authorised for such collection on account of contributions and administrative charges:

Provided that the Central Provident Fund Commissioner may for reasons to be recorded in writing, allow any employer or class of employer to deposit the contributions by any other mode:

Provided further that in exceptional circumstances, the Central Provident Fund Commissioner, may extend the prescribed time available to the employer to file Returns and deposit contribution and charges through Electronic Challan-cum-Return.

29. Fixation of administrative charges or other fee:

(1)The Central Government may, in consultation with the Central Board and having regard to the resources of the Fund available for meeting its normal administrative expenses, fix the percentage of administrative charges payable under sub-paragraph (2) of paragraph 28.

- (2) The employer shall be liable to pay a late fee of five hundred rupees per day for delay in filing any return required to be filed under this Scheme:

Provided that the total late fee payable shall not exceed the amount of administrative charges payable by the employer for the month, which such return relates to.

30. Annual statement of member's account and e-Pass Book. — (1) As soon as possible, after the close of each financial year, the Commissioner shall make available a statement of member's account in the Fund in electronic format on the portal specified for the purpose showing the opening balance at the beginning of the period, amount contributed during the year, the total amount of interest credited at the end of the period or debited during the period and the closing balance at the end of the period.

(2) Members shall satisfy themselves as to the correctness of the annual statement and any error shall be brought to the notice of the Commissioner within three months of the date of publication of the statement on the portal.

Chapter-VII

MAINTENANCE OF ACCOUNTS

31. Current Account. — The Commissioner shall deposit the contributions received from the employers electronically through internet banking or any other mode other than internet banking in the Reserve Bank or the State Bank of India or any other nationalised bank or through PayGov platform or through the scheduled banks in India including private sector banks in the Current Account of the Fund.

32. Administration Account. — A separate account to be called the Central Administration Account shall be established for recording all administration expenses of the Fund including such administrative charges as the Fund may be authorised to levy.

33. Provident Fund Account. — (1) A Provident Fund Account shall be established for the purposes of this Scheme into which shall be credited all amounts received as contributions or charges and from which shall be debited all benefits to be paid to the subscribers.

(2) All the assets and liabilities of the Provident Fund under the Employees Provident Funds and Miscellaneous Provisions Act, 1952, shall be transferred to the Fund constituted under sub-paragraph (1).

34. Interest Account. — All interest, rent and other income realised, and net profits or losses, if any, from the sale or investments not including therein the transactions of the Administration Account, shall be credited or debited, as the case may be, to the account called the "Interest Account" and the brokerage and commission of the purchase and sale of securities and other investments, shall be included in the purchase or sale price, as the case may be, and not separately charged to the "Interest Account".

35. Investment of moneys belonging to Employees' Provident Fund. — (1) All moneys belonging to the Fund shall be deposited in the Reserve Bank or the State Bank of India or in such other scheduled banks as may be

approved by the Central Government from time to time or shall be invested, subject to such directions as the Central Government may from time to time give, in the securities mentioned or referred to in section 20 of the Indian Trusts Act, 1882 (11 of 1882), provided that such securities are payable both in respect of capital and in respect of interest in India.

(2) All expenses incurred in respect of, and loss, if any, arising from any investment shall be charged to the Fund.

36. Disposal of the fund. — (1) Subject to the provisions of the Code and this Scheme, the Fund, not including therein the Administration Account, shall not, except with the previous sanction of the Central Government, be expended for any purpose other than the payment of the sums standing to the credit of individual members of the Fund or to their nominees or heirs or legal representatives in accordance with the provisions of this Scheme.

(2) The Fund shall be operated upon by such officers as may be authorised in this behalf by the Central Board.

37. Expenses of administration. — (1) All expenses relating to the administration of the Fund shall be met from the Fund.

(2) All expenses of the Fund, including the fees and allowances, of the trustees of the Central Board and salaries, leave and joining time allowances, travelling and compensatory allowances, gratuity and compassionate allowances, pensions, contributions to provident fund and other benefit fund instituted for the officers and employees of the Central Board, the cost of audit of the accounts, legal expenses and cost of all stationery and forms incurred in respect of the Central Board, cost and all expenses incurred in connection with the construction of office buildings and staff quarters shall be met from the Administration Account of the Fund.

38. Form and manner of maintenance of accounts. — The accounts of the Fund and Administration Account shall be maintained by the Central Provident Fund Commissioner in the form and manner specified by the Central Board with the approval of the Central Government.

39. Audit. — (1) The accounts of the Fund, including the Administration Account shall be audited in accordance with the instructions issued by the Central Government in consultation with the Comptroller and Auditor-General of India.

(2) The charges on account of audit shall be paid out of the Administration Account.

40. Budget. — (1) The Central Provident Fund Commissioner shall, each year before the first fortnight of February, place before the Central Board, a budget showing separately, —

- (i) the probable receipts from the contributions and from the levy of administrative charges; and
- (ii) the expenditure proposed to be incurred during the following financial year.

(2) The budget as approved by the Central Board, shall be submitted for sanction to the Central Government within a month of its being placed before the Central Board.

(3) The Central Government may make modifications in the budget as it considers necessary before sanctioning the budget.

(4) The Central Provident Fund Commissioner may, at any time during the year, make budgetary re-appropriation of funds sanctioned in the budget by the Central Government:

Provided that—

(a) the total amount sanctioned in the budget is not exceeded;

(b) such re-appropriation shall be made only for meeting expenses of administration to be met from the Administration Account; and

(c) every re-appropriation so made shall be reported to the Central Board at its next meeting.

(5) The Central Provident Fund Commissioner shall place before the Central Board, a supplementary budget for a financial year, giving detailed estimates and reasons of inescapable expenditure likely to be incurred during the year, for which no provision has been made in the sanctioned budget and which cannot be covered under sub-paragraph (4).

(6) The supplementary budget, as approved by the Central Board, shall be submitted for the sanction of the Central Government within one month of its being placed before the Central Board.

(7) Any expenditure incurred by the Central Provident Fund Commissioner over and above the sanctioned budget in a financial year and not covered under sub-paragraphs (4) and (5) shall be reported to the Central Board without delay after the excess is established for its consideration and obtaining sanction of the Central Government.

41. Accounts of members. — (1) An account shall be opened in the Fund in the name of each member to which shall be credited, —

(i) the contributions made by the member;

(ii) the contributions made by the employer in respect of the member; and

(iii) the interest as specified in paragraph 42.

(2) All items of account shall be calculated to the nearest rupee, (fifty paise or more to be counted as the next higher rupee and fraction of a rupee less than fifty paise to be ignored).

42. Interest. — (1) The Commissioner shall credit to the account of each member interest at such rate as may be determined by the Central Government in consultation with the Central Board in the following manner namely:-

(a). interest shall be credited to the member's account on monthly running balance basis with effect from the last day in each year in the following manner: —

(i) on the amount at the credit of a member on the last day of the preceding year, less any sums withdrawn during the current year -- interest for twelve months;

(ii) on sums withdrawn during the current year— interest from the beginning of the current year up to the last day of the month preceding the month of withdrawal;

(iii) on all the sums credited to the member's account after the last day of the preceding year—interest from the 1st day of the month succeeding the month of credit to the end of the current year;

(iv) the total amount of interest shall be rounded to the nearest rupee (fifty paise or more to be counted as the next higher rupee).

(b) In the case of a claim for the withdrawal under paragraph 49 or paragraph 50 of the Scheme, interest shall be payable up to the date on which the final payment is authorised, irrespective of the date of receipt of the claim from the claimant concerned:

Provided that the rate of interest to be allowed on claims for withdrawal of the current year shall be the rate fixed for the financial year in which the withdrawal is authorised.

Provided further that the rate of interest to be allowed on claims for withdrawal for the current year shall be the last declared rate on the Employees' Provident Fund and if the rate declared for any current year happens to be less than the previous year's declared rate, then it shall accrue as bonus to the outgoing members and shall be incorporated into calculation for deriving the current year's rate of interest at the end of the year and the claims settled under this proviso shall be final.

Explanation. — (a) if an establishment is covered for the first time under the Code during the course of the current year, the interest shall be allowed on all the sums credited to the member's account on and from the first day of the month succeeding the month of credit to the end of the current year;

(b) in case of transfer of past accumulations consequent upon cancellation or surrender of exemption and the establishment is covered for the first time under the Scheme during the course of the current year, the interest shall be allowed on all the sums credited to the member's account on and from the first day of the month succeeding the month of credit to the end of the current year.

(2) The aggregate amount of interest credited to the accounts of the members shall be debited to "Interest Account".

(3) In determining the rate of interest, the Central Government shall satisfy itself that there is no overdrawal on the Interest Suspense Account as a result of the debit thereto of the interest credited to the accounts of members.

(4) Interest shall not be credited to the account of a member if he informs the Commissioner in writing that he does not wish to receive it. If, however, the member subsequently asks for interest, it shall be credited to his account with effect from the first day of the period of currency in which he makes a request therefor.

(5) Interest shall not be credited to the account of a member from the date on which it has become inoperative account under the provisions of paragraph 54.

Chapter-VIII

Transfers, Nominations, Payments and Withdrawals

43. Transfer of membership. — (1) Where a member of the Fund relinquishes employment in an establishment and secures employment in—

(i) another establishment to which this Scheme applies;

- (ii) an exempted establishment; or
- (iii) an establishment not covered under Chapter-III of the Code, but has a provident fund scheme of its own, the member may apply on the designated portal, for the purpose for transfer of balance of the provident fund from the existing account to the new account.

(2) Where an employee relinquishes employment in—

- (i) an establishment to which Chapter III of the Code does not apply; or
- (ii) an exempted establishment,

and thereafter obtains employment in an establishment to which Chapter III of the Code or this Scheme applies, as the case may be, the employee may apply in the form and manner as the Central Provident Fund Commissioner may specify, for transfer of the balance of the provident fund from the existing account to the Fund.

(3) The Commissioner may provide for facilities for the transfer of funds in an automated manner, subject to the condition that the identity of the member and ownership of the provident fund accounts are confirmed in accordance with the procedure specified for the purpose:

Provided that in case of non-confirmation of the identity of the member of the provident fund account through online mode, the employer shall forward the application for transfer after confirming the identity of the member to the Commissioner.

44. Nomination. — (1) Each member shall make a declaration on the designated portal, a nomination conferring the right to receive the amount that may stand to the credit, in the event of death before the amount standing to credit has become payable, or where the amount has become payable, before payment has been made.

(2) A member may in the nomination, distribute the amount standing to the credit in the Fund amongst nominees at the discretion of the member.

(3) Where a member has a family at the time of making a nomination, the nomination shall be in favour of one or more persons belonging to the family and any nomination made by such member in favour of a person not belonging to his family shall be invalid:

Provided that any nomination made by a member under the Employees' Provident Fund Scheme, 1952, shall be void to the extent, it is inconsistent with the provisions of this Scheme and the member shall be required to file a nomination in accordance with this Scheme:

Provided further that a fresh nomination shall be made by the member upon marriage and any nomination made before such marriage shall be deemed to be invalid.

(4) Where a member has no family at the time of making a nomination, the nomination may be in favour of any person, but if the member subsequently acquires a family, such nomination shall forthwith be deemed to be invalid and the member shall make a fresh nomination in favour of family members.

(5) Where the nomination is wholly or partly in favour of a minor, the member may appoint a person major of the family to be the guardian of the minor nominee in the event of the member predeceasing the nominee and the guardian so appointed:

Provided that where there is no major person in the family, the member may appoint any other person to be the guardian of the minor nominee.

(6) A nomination made under sub-paragraph (1) may at any time be modified by a member on the e-nomination portal.

(7) If a nominee predeceases the member, the interest of the nominee shall revert to the member, who may make a fresh nomination in respect of such interest.

(8) A nomination or its modification shall take effect to the extent that it is valid on the date on which it is received by the Commissioner.

45. Financing of existing members' Life Insurance Policy. — (1) Notwithstanding anything contained in this Scheme, any active life insurance policy that was being financed at the time of commencement of the Scheme under the provisions of paragraph 62 to 67 of the Employees' Provident Fund Scheme, 1952, shall continue to be financed according to the terms and conditions specified therein.

(2) The Employees' Provident Fund Organisation shall continue to process and facilitate the payment of premia for such active policy, and all benefits under these policies shall remain payable as per the policy's terms until the maturity or termination:

Provided that any inactive life insurance policy that was being financed at the time of commencement of this scheme under the provisions of paragraphs 62 to 67 of the Employees' Provident Fund Scheme, 1952, , shall be re-assigned to the member forthwith:

Provided further that, in case, the member dies before the policy has been re-assigned in accordance with the first proviso, the Commissioner shall re-assign by the endorsement thereon, the policy to the nominee of the member, if a valid nomination subsists, and if there is no such nominee, to such person, as may be legally entitled to receive it, together with a signed notice of re-assignment addressed to the Life Insurance Corporation.

46. Partial withdrawals from Fund. —(1) The Commissioner may, on an application from a member on the designated portal sanction from the amount standing to the credit of the member in the Fund, a partial withdrawal not less than rupees one thousand for the purposes and subject to the eligibility and frequency specified in sub-paragraphs (2), (3) and (4) and subject to the requirement of maintaining in the member's account, the Minimum Balance.

Explanation: For the purposes of this paragraph, (a)“minimum balance” means an amount equivalent to twenty-five per cent of the aggregate of the total contributions made to the Fund to the credit of the member (inclusive of both the employee's and the employer's share and interest thereon) up to the date of such withdrawal, which shall remain to the credit of the member after giving effect to any partial withdrawal under this paragraph; and

(2) A member may be allowed withdrawal from the Fund for the following purposes and to the extent specified—

- (a) in case of illness of self and family members, an amount up to one hundred per cent of the Eligible Member Balance, after completion of twelve months' total membership of the Fund;
- (b) for the education of self and family members, an amount up to one hundred per cent of the Eligible Member Balance, after completion of twelve months' total membership of the Fund and partial withdrawal on this account shall not exceed ten times during the membership;
- (c) for the marriage of self and family members an amount up to one hundred per cent of the Eligible Member Balance, after completion of twelve months' total membership of the Fund and partial withdrawal on this account shall not exceed five times during the membership of the Fund.

(3) For housing-related requirements, a member may be allowed partial withdrawal from the Fund for the following purposes and to the extent specified—

- (i) purchase of a flat, house;
- (ii) site for construction of a house;
- (iii) construction of a house;
- (iv) repayment of a home loan obtained for purchase, construction of a flat or house or for acquisition of a site; and
- (v) additions, alterations, renovations or improvements to an existing house or flat:

Provided that the amount of such withdrawal shall not exceed one hundred per cent of the Eligible Member Balance after completion of twelve months of total membership in the Fund and partial withdrawal on this account shall not exceed five times during the membership.

(4) A member may, in special circumstances be allowed partial withdrawal from the Fund, up to one hundred per cent of the Eligible Member Balance after completion of twelve months of total membership of the Fund and partial withdrawals from this account shall not exceed two times in a financial year.

(5) A member exiting employment before completing twelve months membership shall be eligible to avail the partial withdrawal under this paragraph, subject to the condition that the amount of such withdrawal shall not exceed the Eligible Member Balance on the date of such withdrawal.

(6) The permissible number of times for availing partial withdrawal under sub-paragraphs (2), (3) and (4) shall be calculated afresh in respect of each member on and from the date of commencement of this Scheme.

Explanation.— For the purpose of this paragraph, “Eligible Member Balance” means the amount standing to the credit of the member in the Fund after deducting the Minimum Balance required to be maintained.

47. Computation of period of membership. — In computing the period of membership of the Fund for partial withdrawal, there shall be included—

- (i) the total service, exclusive of periods of breaks, under the same employer of a factory or establishment before this Scheme applied to them;
- (ii) the periods of membership of the Fund;
- (iii) the periods of membership of a private provident fund of exempted factories or establishments; and
- (iv) the periods of membership as an employee exempted under section 143 of the Code, immediately preceding the current membership of the Fund:

Provided that the member has not severed membership by withdrawal of his provident fund during such period.

48. Payment of partial withdrawal, — The payment of any partial withdrawal sanctioned under paragraph 46 of this Scheme may be made, at the option of the member by deposit in the payee's bank account in any Scheduled Bank or in a Co-operative Bank (including an Urban Co-operative Bank) or in any post office.

49. Circumstances in which accumulations in Fund are payable to member. — (1) A member may withdraw the full amount standing to his credit in the Fund —

- (i) on retirement from service after attaining of the age of fifty-five years:

Provided that a member, who has not attained the age of fifty-five years at the time of termination of his service, shall also be entitled to withdraw the full amount standing in the Fund if he attains the age of fifty-five years before the payment is authorised;

- (ii) on retirement on account of permanent and total incapacity for work due to bodily or mental infirmity duly certified by the medical officer of the establishment or where an establishment has no regular medical officer, by a registered medical practitioner designated by the establishment;
- (iii) immediately before migration from India for permanent settlement abroad or for taking employment abroad;
- (iv) on termination of service in the case of mass or individual retrenchment;
- (v) on termination of service under a voluntary scheme of retirement framed by the employer and the employee under a mutual agreement;
- (vi) in any of the following contingencies, provided the actual payment shall be made only after completing a continuous period of not less than two months immediately preceding the date on which a member makes the application for withdrawal, —

- (a) where a factory or other establishment is closed but certain employees who are not retrenched, are transferred by the employer to other factory or establishment, not covered under the Code;
- (b) where a member is transferred from a covered factory or other establishment to another factory or other establishment not covered under the Code, but is under the same employer; and
- (c) where a member is discharged and is given retrenchment compensation under the Code on Industrial Relations, 2020 (35 of 2020);

Explanation.—For the purpose of clause (ii) of sub-paragraph (1):

- (a) where an establishment has been closed, the certificate of any registered medical practitioner may be accepted;
- (b) where there is no medical officer in the establishment, the employer shall designate a registered medical practitioner stationed in the vicinity of the establishment; or
- (c) where the establishment is covered by the Employees' State Insurance Scheme, a medical certificate from a medical officer of the Employees' State Insurance Dispensary with which, or from the Insurance Medical Practitioner with whom, the employee is registered under that Scheme, shall be produced:

Provided that where by mutual agreement of employers and employees, a Medical Board exists for any establishment or a group of establishments, a certificate issued by such Medical Board may be accepted for this paragraph:

Provided further that it shall be open to the Regional Provident Fund Commissioner to demand from the member, a fresh certificate from a civil surgeon or any doctor acting on his behalf where the original certificate produced gives rise to suspicion regarding its genuineness:

Provided also that the fee of the civil surgeon or doctor acting on his behalf shall be paid from the Fund, in case the findings are in agreement with the original certificate and that where such findings do not agree with the original certificate, only half of the fee shall be paid from the Fund and the remaining half shall be debited from the account of the member;

- (d) a member suffering from tuberculosis or leprosy or cancer, even if contracted after leaving the service of an establishment on grounds of illness but before payment has been authorised, shall be deemed to have been permanently and totally incapacitated for work.

(2) In cases other than those specified in sub-paragraph (1), the Central Provident Fund Commissioner or any officer, so authorised by him, may permit a member to withdraw the full amount standing to the credit in the Fund on ceasing to be an employee in any establishment to which the Code applies:

Provided that a member shall not be eligible to withdraw unless the member has not been employed in any factory or other establishment to which the Code applies for a continuous period of not less than twelve months immediately preceding the date of application for withdrawal:

Provided further that the requirement of waiting period shall not, however, apply in cases of female members resigning from the services of the establishment for the purpose of getting married.

(3) Any member who withdraws the amount due to him under subparagraph (2) shall, upon obtaining re-employment in another establishment to which this Scheme applies, be required to qualify again for the membership of the Fund and on qualifying for membership shall be treated as a fresh member thereof.

50. Accumulations of deceased member to whom payable. —On the death of a member before the amount standing to his credit has become payable or where the amount has become payable before payment has been made-

- (i) if a nomination made by the member in accordance with paragraph 44 of the Scheme subsists, the amount standing to his credit in the Fund or that part thereof to which the nomination relates, shall become payable to the nominee in accordance with such nomination; or
- (ii) if no nomination subsists or if the nomination relates only to a part of the amount standing to his credit in the Fund, the whole amount or the part thereof to which the nomination does not relate, as the case may be, shall become payable to the members of his family in equal shares in the following manner namely: —
 - (a) a spouse;
 - (b) a minor legitimate or adopted son dependent upon the employee;
 - (c) an unmarried daughter who is wholly dependent on the earning of the employee;
 - (d) a child who is infirm by reason of any physical or mental abnormality or injury and is wholly dependent on the earnings of the employee so long as the infirmity continues;
 - (e) dependent parents including father-in-law and mother-in-law of a woman employee;
 - (f) in case the employee is unmarried and his parents are not alive, a minor brother or sister wholly dependent upon the earning of the member;
- (iii) in any other case to which the provisions of clauses (i) and (ii) do not apply, the whole amount standing to the credit of the deceased member shall be payable to the person legally entitled to it.

Explanation. — For the purpose of this paragraph, a posthumous child, if born alive, shall be treated in the same manner as a surviving child born before the death.

51. Payment of Accumulations of funds of International Workers.— (1) An International Worker may withdraw the full amount standing to the credit in the Fund,—

- (a) on retirement from service in the establishment at any time after attainment of fifty-eight years;
- (b) on retirement on account of permanent and total incapacity for work due to bodily or mental infirmity duly certified by the medical officer of the establishment, or, where the establishment has no regular medical officer, by a registered medical practitioner designated by the establishment:

Provided that—

- (i) where an establishment has been closed, the certificate of any registered medical practitioner may be accepted;
 - (ii) where the establishment is covered by the Employees' State Insurance Scheme, a medical certificate from a medical officer of the Employees' State Insurance Dispensary or from the Insurance Medical Practitioner with whom the employee is registered under the Scheme shall be produced;
 - (iii) where, by mutual agreement of employers and employees, a Medical Board exists for any establishment or group of establishments, a certificate issued by such Medical Board may also be accepted.
- (2) The Regional Commissioner may demand from the member, a fresh certificate from a Civil Surgeon or any doctor acting on his behalf where the original certificate produced under clause (b) of sub-paragraph (1) gives rise to suspicion regarding its genuineness:

Provided that the fee of the Civil Surgeon or such doctor shall be paid from the Fund, if the findings agree with the original certificate and where such findings do not agree, half of the fee shall be paid from the Fund and the remaining half shall be debited to the account of member.

(3) A member suffering from tuberculosis or leprosy or cancer, even if contracted after leaving the service of an establishment on grounds of illness but before payment has been authorised, shall be deemed to have been permanently and totally incapacitated for work.

(4) In respect of a member covered under a social security agreement entered into between the Government of India and any other country, accumulations shall be payable on ceasing to be an employee in an establishment covered under the Code.

52. Payment to person charged with offence of murder. — (1) Where a person, who in the event of the death of a member of the fund is eligible to receive provident fund accumulations of the deceased member, is charged with the offence of murdering the member or abetting in the commission of such an offence, the claim of such person to receive the share of provident fund shall remain suspended until the conclusion of the criminal proceedings initiated against him for such offence.

(2) Upon the conclusion of the criminal proceedings referred to in sub-paragraph (1), if the person, –

- (i) is convicted of murdering or abetting the murder of the member, the person shall be debarred from receiving the share of provident fund accumulations, which shall be payable to other eligible members, if any, of the deceased member; or
- (ii) is acquitted of the charge, the share of the provident fund shall be payable to the person.

53. Payment of Provident Fund. — (1) When the amount standing to the credit of a member becomes payable, it shall be the duty of the Commissioner to make prompt payment under this Scheme.

(2) Where there is no nominee in accordance with this Scheme or there is no person entitled to receive such amount, the Commissioner may, if the amount to the credit of the Fund does not exceed ten thousand rupees and if satisfied after enquiry about the title of the claimant, pay such amount to the claimant.

(3) Where any portion of the amount standing to the credit of a member has become payable and is in dispute or doubt, the Commissioner shall make prompt payment of that portion of the amount in respect of which there is no dispute or doubt and the balance shall be adjusted.

(4) Where the person to whom any amount is to be paid under this Scheme is a minor for whose estate, a guardian under the Guardians and Wards Act, 1890 (8 of 1890), has been appointed, the payment shall be made to such guardian.

(5) Where no guardian under the Guardians and Wards Act, 1890, has been appointed, the payment shall be made to the guardian, if any, appointed under sub-paragraph (5) of paragraph 44 of this Scheme.

(6) Where no guardian under the Guardians and Wards Act, 1890 or under sub-paragraph (5) of paragraph 44 of the Scheme has been appointed, the payment shall be made to the natural guardian and in the absence of a natural guardian, to such person, as the Commissioner, where the amount does not exceed twenty thousand rupees or the Chairperson of the Central Board, if the amount exceeds twenty thousand rupees, considers to be the proper person representing the minor and the receipt of such person for the amount paid shall be a sufficient discharge thereof.

(7) Where the person to whom any amount is to be paid under this Scheme is a lunatic for whose estate a manager under the Indian Lunacy Act, 1912 (4 of 1912), has been appointed, the payment shall be made to such manager.

(8) Where no such manager has been appointed under sub-paragraph (7), the payment shall be made to the natural guardian of the lunatic and in the absence of any such natural guardian, to such person as the Commissioner, where the amount does not exceed twenty thousand rupees or the Chairperson of the Central Board, if the amount exceeds twenty thousand rupees considers to be the proper person representing the lunatic and the receipt of such person for the amount paid shall be a sufficient discharge thereof.

(9) Where it is brought to the notice of the Commissioner that a posthumous child is to be born to the deceased member, the Commissioner shall retain the amount which shall be due to the child in the event of its being born alive and distribute the balance.

(10) Where subsequently, no child is born or the child is stillborn, the amount retained shall be distributed in accordance with the provisions of this Scheme.

(11) In case of an International Worker, when the amount standing to the credit of a member becomes payable,-

(i) It shall be the duty of the Commissioner to make prompt payment as provided in the Scheme.

(ii) The due amount in respect of the member and the beneficiary covered under a social security agreement between India and another country, shall be payable in the payees' bank account.

(iii) In all the other cases, the amount due shall be payable to the credit of the payee's bank account in India.

54. Filing of claims. — (1) Every member may, at the time of leaving service, subject to provisions contained in this Scheme, file a claim application on the designated portal created for the purpose.

(2) In case of non-filing of e-nomination by the member, the employer shall on the death of the member, obtain the claim application from eligible beneficiaries and forward it within five days of the receipt of the application

(3) In case the claimant is unable to file claim through the designated portal in online mode due to any technical reasons, the claimant may, forward claim in physical form to the employer, who shall in turn, forward it after due verification and attestation to the Commissioner within five days of its receipt.

(4) forward it to the Commissioner or any other officer authorised by him in this behalf, and the Commissioner is satisfied of the reasons for non-filing of claim through online mode, the Commissioner or any other officer authorised by him in this behalf may forward such application to the employer and the employer shall be required, to return it within five days of its receipt after due verification and attestation.

(5) The payment may be made to the person to whom payment is to be made, through electronic or digital fund transfer system of any Scheduled bank or Co-operative bank or post office.

(6) Notwithstanding anything contained in sub-paras (1) to (5), the Central Board may authorise, subject to monetary ceiling as it may deem fit, the Central Provident Fund Commissioner or any other officer to make payment from a Provident Fund account to the member or the eligible beneficiary, as the case may be, without receipt of a claim.

(7) The claims, complete in all respects and submitted along with the requisite documents, shall be settled and the benefit amount paid to the beneficiaries within twenty days from the date of receipt by the Commissioner.

(8) Where any deficiency is found in the claim, the same shall be communicated to the claimant within twenty days from the date of receipt of such application.

(9) Where the Commissioner fails without sufficient cause to settle a claim complete in all respects within twenty days, the Commissioner shall be liable for the delay beyond the said period and penal interest at the rate of twelve per cent per annum may be charged on the benefit amount, which shall be deducted from the salary of the Commissioner.

55. Inoperative Account. — Any amount becoming due to a member as a result of the following shall be transferred to an account to be called the Inoperative Account:

(i) supplementary contribution from the employer in respect of leave wages or arrears of pay, instalment of arrear contribution received in respect of a member whose claim has been settled, but which could not be remitted for want of the latest address; or

(ii) accumulation in respect of any member, who has retired from service after attaining the age of fifty-five years, or migrated abroad permanently, or died, but in respect of whom no application for withdrawal under this Scheme has been preferred within thirty-six months from the date it becomes payable; or

(iii) any amount remitted to a person which is received back undelivered and not claimed within thirty-six months from the date it becomes payable,

Provided that in the case of payment of the said balance, the amount shall be paid by debiting the Inoperative Account;

Provided further that if any amount becomes due to a member, as a result of supplementary contributions on account of litigation or default by the establishment or a claim which has been settled but is received back undelivered not attributable to the member, shall not be transferred to the Inoperative Account.

Chapter-IX ANNUAL REPORT

56. Annual report of Board. — (1) The annual report on the pursuits of the Central Board, together with audited accounts and the report of the Comptroller and Auditor General of India, shall be considered by the Executive Committee and placed for adoption at a meeting of the Central Board to be held before the tenth day of December following the close of the financial year concerned:

Provided that if the report of the Comptroller and Auditor General is not received by the first day or week of December following the close of the financial year to which it pertains, the audited accounts together with report of the Comptroller and Auditor General may be placed before the Executive Committee of the Board separately from the annual report.

(2) The annual report and the audited accounts of the Central Board, together with the report of the Comptroller and Auditor General of India, as adopted by it, shall be authenticated by affixing the common seal of the Central Board.

(3) Four copies of the annual report with the comments of the Central Board on the report of the Comptroller and Auditor General shall be submitted to the Central Government not later than the twentieth day of December following the close of the financial year concerned for being placed before Parliament:

Provided that if the report of the Comptroller and Auditor General is not received by the first day of December following the close of the financial year to which it pertains, the audited accounts together with the report of the Comptroller and Auditor General and the comments of the Central Board thereon shall be submitted to the Central Government separately from the annual report.

57. Conduct of business of Central Board. — (1) All orders and other instruments shall be made and executed in the name of the Central Board and shall be authenticated by the person in the manner as the Central Board may specify.

(2) All contracts and assurances of property shall be expressed to be made by the Central Board and shall be executed on behalf of the Central Board by the Commissioner.

58. Misuse of benefits. — (1) The Central Provident Fund Commissioner shall specify the manner of ascertaining any misuse of benefits provided to any establishment or any person under this Scheme.

(2) Where any officer authorised by the appropriate Government is satisfied that any establishment or any person has misused benefit specified under this Scheme, then such officer may deprive such establishment or such person, as the case may be, of such benefit for such time as deemed fit:

Provided that no such order shall be passed unless an opportunity of being heard is given to such establishment or such person, as the case may be.

59. Writing off losses. — Where the Central Board is satisfied that any amount of contribution, cess, interest or damages due to it under this Scheme is irrecoverable, it may, having due regard to the facts and circumstances of each case and the overall financial condition of the Fund, write off such contribution, cess, interest, or damages, as the case may be.

ANNEXURE

[See paragraph 60]

(SPECIAL PROVISIONS)

A. Employees' Enrolment Campaign, 2026. — (1) The Employees' Enrolment Campaign, 2026 shall come into force on the date of publication of this Scheme and shall cease to operate on the 31st day of October, 2026.

(2) Any employer, whether previously covered or not under the Code, shall be permitted to-

(a) apply for coverage; and

(b) enrol such employees who joined the establishment between 1st day of April, 2009 and 31st day of March, 2026, who are employed as on date of declaration, but who, for any reason, were not enrolled under the Scheme earlier.

(3) The compliance in respect of such declared employees shall commence from the month of such declaration by the employer under this Campaign provided that the employees' share of contribution, has not been previously deducted and kept with the employer.

(4) In cases wherein inquiries under section 7A of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 or under section 125 of the Code, Para-11 of the Employees' Provident Funds Scheme, 2026 or paragraph 26-B of Employees' Provident Funds Scheme, 1952, paragraph-8 of the Employees' Pension Scheme, 2026 or paragraph-8 of Employees' Pension Scheme, 1995, as the case may be, are pending and the employer opts for this Campaign, both the employee and the employer contribution shall be payable as per provisions of the Code and Schemes made thereunder.

(5) The employer intending to avail benefit of this Campaign, shall, at the first instance, ensure to create Universal Account Number authenticated with Face Authentication Technology through UMANG Application for each of the eligible employees being declared and make payment of their contribution through an Electronic Challan-cum-Return.

(6) The employer shall thereafter make the declaration under this Campaign through an online facility provided by Employees Provident Fund Organisation, where employer shall indicate the details of the employees enrolled and link it to the Electronic Challan-cum-Return (Temporary Return Reference Number) through which, payment of contributions has been made and pay damages of one hundred rupees;

Provided that the membership under Employees' Pension Scheme shall be restricted to the wage ceiling as notified by the Central Government:

Provided further that any new employee after 1st day of September, 2014 shall not be a member of this Scheme in case the salary exceeds the wage ceiling.

(7) The declaration by employer shall be accepted only through the designated portal of the Employees Provident Fund Organisation.

(8) The submission of multiple undertaking or declaration shall be allowed.

(9) On and from the date of declaration under this Campaign, the employer shall make regular compliance of the provisions of the Code.

(10) All establishments are eligible to participate in the Employees' Enrolment Campaign, 2026, irrespective of the fact whether any establishment is facing inquiries under section 125 of the Code or under section 7A of the Repealed Act, paragraph-11 of this Scheme or paragraph 26-B of Employees' Provident Funds Scheme, 1952, paragraph-8 of the Employees' Pension Scheme, 2026 or paragraph 8 of Employees' Pension Scheme, 1995, as the case may be, are pending.

(11) The inquiry officer shall take into consideration the declaration made under this Campaign while deciding the matter.

(12) In case declaration is given by the employer pertaining to the stipulated period of inquiry, the benefits under this Campaign shall be confined to limiting the damages to the extent of notional damages as provided for under this Campaign in respect of all existing employees, their wages or amount of contributions and duration of their employment so declared.

(13) The employer shall deposit contributions in respect of declared employees for past periods from their respective date of joining, that-

(a) the employer shall only be required to pay their share, provided the employees' share has not been deducted and kept with the employer;

(b) the employees' share shall be waived, if not deducted by employer earlier;

(c) the employer shall pay interest for the past period under section 127 of the Code, along with administrative charges, as applicable.

(14) The cases of assessments already concluded under section 125 of the Code or under Section 7A of the Repealed Act, paragraph-11 of this Scheme or paragraph 26-B of Employees' Provident Funds Scheme, 1952, paragraph-8 of the Employees' Pension Scheme, 2026 or paragraph 8 of Employees' Pension Scheme, 1995, as the case may be, are pending and the employer opts for this Campaign shall not be considered.

(15) No action shall be initiated by the Employees' Provident Fund Organisation against the employers who avail the benefits of this Campaign, in respect of such employees who have already left the establishment as on the date of declaration, subject to submission of an undertaking by the establishment declaring that-

(a) all the existing and eligible employees have been declared; and

- (b) no amount pertaining to the existing or earlier employees' share of contribution which was deducted therefrom along with applicable amount of employers' contributions in respect thereof, is pending for depositing in the fund.

(16) Where a declaration under this Campaign has been made by misrepresentation or suppression of facts relating to declaration of eligible employees, employment and terms of employment of such declared employee, such declaration shall be void ab-initio and shall be deemed to have not been made under this Scheme and the employer making such declaration shall be liable to action in accordance with the provisions of the Code and the Schemes made thereunder.

(17) For the purpose of increasing coverage and extension of benefits under the Scheme, the member's contribution shall stand waived under this Campaign for the period beginning the 1st day of April, 2009 and ending the 31st day of March, 2026:

Provided further that such waiver under this Campaign, shall be applicable, only if the member's contribution has not been recovered.

(18) The Central Provident Fund Commissioner or such other officer authorised, may levy an amount and recover from the employer by way of damages at the rates specified in the Table under Employees' Enrolment Campaign, 2026:

TABLE

Period of Default	Rate of damages
Between the 1 st day of July 2009 to the 31 st day of March 2026	One hundred rupees under the Employees' Enrolment Campaign-2026 .

B. VISHWAS, 2026.— (1) The special provisions relating to damages shall be called “VISHWAS, 2026”.

- (2) It shall remain valid for a period of six months from the date of notification of this Scheme.
- (3) The duration may be further extended for a period not exceeding six months by Central Provident Fund Commissioner for reasons to be recorded in writing and shall be placed before the Central Board for information.
- (4) VISHWAS, 2026 shall be applicable for damages for default in payment of contribution for the period prior to 14th June, 2024.
- (5) VISHWAS, 2026 shall be applicable to following categories of cases under section 14B of the

Repealed Act read with paragraph 32A of the Employees' Provident Fund Scheme, 1952 and section 128 of the Code read with paragraph 23 of this Scheme: -

- (a) where order under section 14B of the Repealed Act or under section 128 of the Code, as the case may be, has been issued and is under dispute before any judicial forum by either party to the dispute;
 - (b) where any order under section 14B of the Repealed Act or under section 128 of the Code, as the case may be, has been issued and amount to be levied is yet to be recovered;
 - (c) where notice under section 14B of the Repealed Act or under section 128 of the Code, as the case may be, has been issued and final order is yet to be issued; or,
 - (d) where notice under section 14B of the Repealed Act or under section 128 of the Code, as the case may be, is yet to be issued.
- (6) The VISHWAS 2026 shall not be applicable to such cases, where entire amount under section 14B of the Repealed Act or under section 128 of the Code, as the case may be, has already been deposited.
- (7) Notwithstanding the rate of damages otherwise applicable at the relevant point of time, the rate of damages under the VISHWAS, 2026 shall be as specified in sub-paragraph (1) of paragraph 23 of the Scheme.
- (8) An appeal filed or an order passed under section 7-I of the Repealed Act or before any judicial forum, against a notice or an order referred in sub-paragraph (5), shall stand abated, on the remittance of such amount of damages as specified in sub-paragraph (7).
- (9) The VISHWAS, 2026 shall be applicable subject to following conditions: -
- (a) the interest under section 7Q of the Repealed Act or section 127 of the Code for the specific period or delayed months of remittances corresponding to the period under section 14B of the Repealed Act, is fully remitted or recovered;
 - (b) the employer shall submit an undertaking that no further appeal before any forum shall be filed consequent upon such abatement of dispute under this Scheme.
- (10) The recovery of dues, paid or recovered in part shall be as under,-
- (a) any unpaid amount under section 14B of the Repealed Act shall be regulated as under: -
 - (i) where the amount paid in part is greater than the damages calculated as per sub-paragraph (7), there shall be no refund to the establishment nor shall it be adjusted against any other order or a notice issued under section 14B of the Repealed Act for the said period of delay of remittances;
 - (ii) where the amount paid in part is lesser than the damages calculated as per sub-paragraph (7), the establishment shall remit the differential amount of the damages calculated as per sub-paragraph (7);
 - (b) pre-deposit under section 7-O of the Repealed Act or section 23 of the Code:-

any amount deposited under section 7-O of the Repealed Act or under sub-section (3) of section 23 of the Code for preferring an appeal under section 7-I of the Repealed Act or section 23 of the Code, as the case may be, and deposited with the Employees' Provident Fund Organisation shall be considered as valid deposit by the establishment under the Repealed Act and shall be regulated as under:

- (i) the differential amount between the amount calculated as damages payable under sub-paragraph (7) and the deposited amount under section 7-O of the Repealed Act or under sub-section (3) of section 23 of the Code shall be paid by the establishment;
 - (ii) where the differential amount deposited under section 7-O of the Repealed Act or under sub-section (3) of section 23 of the Code exceeds the amount calculated as damages payable under sub-paragraph (7) is more, the differential excess of amount shall be adjusted first against any other order issued under section 14 B of the Repealed Act or any notice to be issued under section 128 of the Code for any subsequent period of delay in remittances towards the contributions payable by the establishment.
- (11) The Central Provident Fund Commissioner shall issue operational guidelines.

C. AMNESTY, 2026.— (1) The provisions relating to exempted establishments shall be called “AMNESTY, 2026”.

- (2) It shall remain valid for a period of six months from the date of notification of this Scheme.
- (3) The duration may further be extended for a period not exceeding six months on the recommendations of the Central Board.
- (4) The exempted establishments which have applied for the Amnesty, 2026, amnesty shall be granted retrospectively under section 17 of the Repealed Act read with paragraphs 27 and 27A of the Employees' Provident Funds Scheme, 1952 and section 143 of the Code.

Explanation: For the purpose of this paragraph, this provision shall apply to establishments that have been operating a Provident Fund Trust on the basis of recognition under the Income Tax Act, 1961 (43 of 1961) but do not have a formal notification of grant of exemption by the appropriate Government under the Code or the Repealed Act.

- (5) The following categories of establishments are eligible for Amnesty, 2026:
 - (i) **Category-I:** The establishments seeking exemption regularisation retrospectively for their Provident Fund Trusts and have already started compliance as an un-exempted establishment or are opting for prospective compliance as an un-exempted establishment and are further sub-categorised as under:
 - (a) Trusts maintained for excluded employees; or
 - (b) Trusts maintained for non-excluded employees,

under the Employees' Provident Funds Scheme, 1952;

- (ii) **Category—II:** The establishments seeking exemption regularisation retrospectively for their Provident Fund Trusts and opting for continuance as an exempted establishment under the Code.

(6) Provisions of Amnesty, 2026 for Category- I establishment: -

- (i) retrospective exemption of the establishment and recognition of the Trust from inception to the cut-off date i.e. the date from which complying as un-exempted or such future date (not beyond the validity period) from which it is proposed by the establishment to comply as an un-exempted establishment;
- (ii) the period for which the Trust has been operating shall be deemed to satisfy the three-year compliance as un-exempted that is required under the rules pertaining to grant of exemption issued by the Government under the Code;
- (iii) the minimum requirement for the number of employees and / or corpus required under the rules pertaining to grant of exemption issued by the Government under the Code shall be waived;
- (iv) transfer from Provident Fund balances to the Employees' Pension Scheme, 1995 and /or the Employees' Pension Scheme, 2026 shall be allowed in respect of non-excluded employees who are in service as on the cut-off date and who were mandatorily required to become members of Employees' Pension Scheme, 1995, but had not been made a member earlier;
- (v) the establishment shall not be treated in default merely on the grounds that exemption of the establishment and the Trust did not have a formal approval and notification and there shall be no proceedings for assessment of dues provided that the rate of contributions and interest credited to member accounts are at par or better than the statutory rates:

Provided that in case any such proceeding has been pending shall be withdrawn and stand abated;

- (vi) the establishment shall not be treated in default merely on the grounds that exemption of the establishment and the Trust did not have a formal approval and notification and there shall be no proceedings for assessment of damages and interest carried out provided the rate of contributions and interest credited to member accounts are at par or better than the statutory rates:

Provided that in case any such proceeding has been commenced (but not completed) they will be withdrawn and stand abated;

- (vii) the assessment of dues and related damages and interest shall be applicable in respect of any left-out employees and apply in case of delay in transfer of Funds from the establishment to the Trust or in transfer of Funds under paragraph 28 of the Employees' Provident Funds Scheme, 1952;
- (viii) in case, any proceeding for assessment of dues, damages, interest has been completed and orders issued, such orders shall be held void *ab-initio* and any amount that has been recovered shall be allowed to be adjusted against future dues of the establishment, subject to appeal under section 23 of the Code;
- (ix) the establishment shall be liable for such surcharge as may be specified in the Employees' Provident Funds Scheme, 1952 for any violation or deviation from the pattern of investment specified by the

Government from time to time in respect of exempted establishments from the inception of the Trust till the date of compliance as un-exempted establishment;

(7) Responsibility of establishments availing Amnesty, 2026:

- (i) the establishments shall make an application to the Central Government specified by the Central Provident Fund Commissioner for availing the benefits of the Amnesty, 2026;
- (ii) the establishment shall provide the list of employees who are contributing or are in service as on the cut-off date as well as those employees, who have left service but whose accounts are not yet settled along with the accumulations in their credit as on that date and any liability arising out of any dispute related to services and benefits by employees for the period prior to the cut-off date, shall be borne by the employer;
- (iii) the establishment shall ensure that the accounts of the Trust including the ledger account of individual members have been audited by a Chartered Accountant as on the cut-off date;
- (iv) any disputes of membership, contributions and benefits paid in respect of employees who left service in the past and whose accounts were settled by the Trust or claims of service in the past will continue to be handled by the establishment and any liability arising out of any dispute related to services and benefits by employees for the period prior to the cut-off date shall be borne by the employer;
- (v) the establishment shall provide the details of investments made and further transaction, if any, from date of inception of the trust till the cut-off date to Commissioner for verification by such experts or expert agencies, as may be specified by Commissioner;
- (vi) the establishment shall make good any losses that had arisen in the sale and purchase of securities by the trust and to pay any surcharge or penalty for deviation from the pattern of investment;
- (vii) any liability arising out of any short comings and / or irregularities noticed in the management of accounts and handling of funds and investments in the course of Audits and Compliance Audit of the trust shall be borne by the employer;
- (viii) the establishment shall ensure that transfer of corpus from Trust to the Fund is carried out in the manner and in the time frame communicated to them by the Commissioner, if not already done;
- (ix) the establishment shall render full co-operation and assistance by production of records of the Trust and Establishment on demand by the EPF authorities;
- (x) the establishment shall ensure that any Compliance Audit and Special Audit directed by the EPF authorities are completed within three months from the date of application for the Amnesty;
- (xi) the charges for the Special Audit as intimated by the EPF authorities shall be borne by the establishment;

(8) Procedure to be followed by Employees' Provident Fund Organisation.- The Employees' Provident Fund Organisation (the EPFO) shall follow the procedure specified as under:

- (i) the EPFO shall accept the application from the establishments and provide guidance and support in completing the formalities;

- (ii) the EPFO shall take parallel actions and complete the Compliance Audit and assignment of Special Audit agency and completion of special audit within six months of the establishment submitting the audited accounts of the Trust and submitting all the documents sought by the EPFO offices;
- (iii) the EPFO shall communicate shortcomings and dues, surcharges and penalties that would be payable by the establishment in a time bound manner and also address any objections and grievances raised by the establishment;
- (iv) the EPFO shall ensure the issuance of public notice of the intention of the establishment to comply as an un-exempted establishment and regularization of the exemption status and address any objection or grievance raised by affected persons;
- (v) in the case of establishments, which apply for a prospective cut-off date, after orders of the Government allowing compliance as un-exempted establishment from a particular cut-off date, the EPFO shall ensure smooth transfer of funds from Trust to Fund and crediting of balances to individual accounts;
- (vi) a time frame of six months shall be allowed to the establishment to complete audits and updating of accounts from the date of their applications;

(9) Provisions of Amnesty, 2026 for Category- II establishment .-

The establishments classified as Category-II, in addition to the conditions specified in sub-paragraph 8, shall also comply with the provisions of the Code, the rules framed thereunder and this Scheme.

(10) **Additional conditions.-** The additional conditions for grant of Amnesty are specified as under:

- (i) the rate of contributions and interest thereon shall not be less favourable than the Provident Fund benefits extended to employees of un-exempted establishments and the deficiency in interest or the contributions shall be borne by the employer;
- (ii) the provisions of paragraph shall apply in cases of levy of damages by way of penalty under section 14B of the Repealed Act and the Employees' Provident Funds Scheme, 1952;
- (iii) the provisions of paragraph shall be applicable on such establishments in cases of evasion in membership;
- (iv) the membership to the Employees' Pension Scheme, 1995 from a retrospective date shall not be permissible under this scheme except in eligible cases under the Employees' Pension Scheme, 1995:

Provided that diversion of funds from the employer's Provident Fund share to the Employees' Pension Fund, 1995 and / or the Employees' Pension Scheme, 2026 shall be allowed in such cases;

- (v) the establishment shall update KYC requirements of the employees of the establishments participating in the Trust.

(11) **Issuance of order:** The appropriate Government shall issue final orders regarding admissibility of the Amnesty, 2026 within six months of receipt of application in complete form.

FORM-I
[See paragraph 12(1)]

To,
The Appropriate Government

Subject: Application for exemption from operation of all or the following provisions of the Employees Provident Fund Scheme, 2026:

Sir,

I, _____ (Name) hereby apply for exemption from the operation of all or the following provisions of the Employees Provident Fund Scheme, 2026:

- a) _____
b) _____

My details are as follows: -

1. Name:
(in block letters)
2. Date of birth
3. Gender:
4. Aadhaar number:
5. UAN:
6. Member ID/EPF Account no.: -
7. Address:
8. Name of the establishment:
9. EPF Code No. of the establishment:

1. I declare that all the particulars stated above are true to the best of my knowledge and belief.

2. I hereby give my consent to Employees' Provident Fund Organisation to use my Aadhaar information for the purpose indicated above.

Date:

Place:

(Name and signature of the applicant)

It is certified that the details furnished above are correct as per record of the establishment.

Date:

Place:

Name & signature of the employer/
Authorised signatory of the establishment

Form II
[See Paragraph 12(2) (ii)]

(Online Returns for any exempted establishment or class of establishment or employee or class of employee)

FIELD WISE INSTRUCTIONS

PART A: ESTABLISHMENT DETAILS

Sl. No.	Field Name	Field Type	Remarks
A.	Establishment ID	Will be auto populated based on log in by the employer	For any change in the data against B and/or C the employer may send an email to the concerned RPFC along with documents.
B.	Name of the establishment		
C.	Address		
D.	PAN of the establishment	Data entry	The PAN and the name as per PAN will be verified from the Income Tax Database.
E.	Name of establishment as per PAN	Data entry	
F.	Ownership type	Selection from a drop down list	Please see Annexure A to view the list.
G.	Primary activity	Selection from a drop down list	Please see Annexure B to view the list.
H.	Exemption under section/para	Selection from a drop down list	Please see Annexure C to view the list.
	a. Relaxation order number	Data entry	Fields for I (i) to (viii) will be displayed.
	ii. Relaxation order date	Data entry	
	iii. issued by	Selection from a drop down list	
	iv. Relaxation with effect from	Data entry	
	v. Notification number	Data entry	Mandatory field.
	vi. Notification date	Data entry	Mandatory fields.
	vii. Issued By	Selection from a drop down list	
	viii. Notification with effect from	Data entry	
I.	In case of exemption under paragraph 27, Order number		These fields will appear if the section under SL H is paragraph 27. The employer is required to enter the first order granting exemption to a member.
	i. Order date	Data entry	These fields will appear if the section under SL H is paragraph 27. The employer is required to enter the first order granting exemption to a member.
	ii. With effect from	Data entry	
	iii. Issued by		
			Link shows the list of separate code/sub code which is updated in Form 5A.
J.	Branches having separate/sub-	Click here link	The employer is also required

	code		to list out all its branches located at places other than the establishment and not having any separate or sub code number (employees working where are also complying under the trust. Employer can add new branch in form 5A.
K.	Branches having separate/sub-number	Click here link	Default value will be 12%
L.	Contribution rate	Selection from 10 or 12% as applicable.	

Note: Parts C, D and E will allow entry only when the Part A and B are filled in, Part E and F will allow entry only if the establishment filing the return is also the parent trust in case of common PF Trust (refer Part B).

EDITING OF DATA IN PART A

Once the data is saved, it can be edited later when there is any change in the data by click of the EDIT Button.

However, the following data cannot be edited:

1. Name and address of the establishment. If any change is there the employer is required to request the concerned PF Office with supporting documents so that the data is first changed in the EPFO application and it will be updated on the unified portal at the level of APFC.
2. The PAN and name as per PAN of the establishment if the data is verified and the status is shown as verified.
3. Selection of the section/paragraph regarding the relaxation order/notification and the details of such order, as the start month of the return is based on the 'with effect from' - date of exemption.

PART B: TRUST DETAILS

Sl. No.	Field Name	Field Type	Remarks
A.	PAN of the trust	Data entry	The PAN and the name as per PAN will be verified from the Income Tax Database.
B.	Name of the trust as per PAN	Data entry	
C.	Name of the Trust as per records	Display	The name will be displayed from the records of EPFO.
D.	Address Line 1	Data entry	
E.	Line 2	Data entry	
F.	City	Data entry	
G.	District	Selection	
H.	State	Selection	
I.	PIN	Data entry	
J.	Income tax order number recognizing the trust	Data entry	Please inform if the trust has been recognized by the IT Department.
K.	Date of income tax trust	Data entry	- Do -
L.	Date of income tax order	Selection	Please select single if the trust is handling the PF Contributions of single establishment (including the branches, not having been granted any separate exemption). Select CPF Trust if the Trust is handling contributions from other participating units also.
M.	Details of establishment having the	The fields will	In case the establishment that is filling

	parent trust (In case L is common PF Trust)	be as follows:	the return enters own code number as the Establishment handling the Trust, it will be able to enter the details in Part E and F. In case the Trust is handled by another code and the establishment filing the unit, he will be able to view the data in Part E and F if entered by the Parent Trust.
			A link to view the compliance by the Branch post March 2012 will also appear. There will be facility to add row for more branches.
N.	Details of Chairman	Following fields will be there	
	Name	Data entry	
	Aadhaar/PAN/UAN of Chairman	Data entry	
	Designation	Data entry	
O.	Details of representatives	Following fields will be there	The details of the representatives from the establishment which is filling the return may be entered.
	Name	Data entry	
	Aadhaar/PAN/UAN of the representative	Data entry	
	Designation	Data entry	
	Whether employee or employer representative	Selection	
	Whether elected or nominated member	Selection	
P.	DEMAT Account details	There will be facility to add fields.	There will be facility to add rows for more accounts.
	Account Number	Data entry	
	Depository participant	Data entry	
	Depository type	Selection	
Q.	CSGL/SGL Account details	There will be facility to add fields.	There will be facility to add rows for more accounts.
	Account number	Data entry	
	Depository participant	Data entry	
	Account type	Selection	
R.	Trust bank account	Following fields will be there	The details is being collected so that the EPFO offices and the other trusts may transfer the PF Amounts through-electronic mode. Only one account can be added, so that all payments are sent to it. This information will be made available to the EPFO Offices and the PF exempted trusts and will also be auto displayed in the online transfer claim form.
S.	Date of last constitution of the Board	Data entry	Please enter the data when the Boards of Trustees was last constituted.

Note: The parts C, D and E will allow entry only when the Part A and B are filled in.

Parts E and F will allow entry only if the establishment filing the return is also the parent trust in case of common PF trust.

EDITING OF DATA IN PART B

Once the data is saved, it can be edited later at level of APFC when there is any change in the data by click of the EDIT Button.

However, the following data cannot be edited:

1. The PAN and name as per PAN of the trust if the data is verified and the status is shown as verified.
2. The selection and subsequent entry regarding the single and common PF trust since it will affect the data in the Parts E and F.

PARTS C, D and E (MONTHLY PARTS)

Parts C and D are to be filled in by all establishments each month.

Part E will have to be filled in by the parent trust only each month and the participating units having exemption granted will have the view rights.

Part C: (i) Employees Details (Monthly Parts)

Sl. No.	Field Name	Field Type	Remarks	
A.	Number of employees as on close of previous month	Data entry	One-time data entry (only in the first return). On the next month the number of employees as on close of previous month is automatically displayed.	
B.	Number of employees who joined in the current month	Data entry		
C.	Number of employees who left during the current month	Data entry	Sum of (A+B+C) All types of employees are included.	
D.	Number of employees as at the end of current month	Display		
E.	Number of excluded employees out of D above	Data entry		
F.	Number of employees for whom establishment has to comply	Display	F=A+B-E	
G.	Contract employee details	Complying under trust	Data entry	
		Complying as unexempted under another code of establishment		
		Complying through respective code of contractor		
H.	Employees on direct payroll of establishment	As exempted employee	Data entry	The sum of G and H should be equal to F.
		As unexempted employee		
I.	Number of International Workers		Data entry	
J.	Number of disabled workers		Data entry	
K.	Number of inoperative accounts			
L.	Total amount of PF balance in			

	inoperative accounts			
M.	Amount of interest on PF balance in inoperative account			
N.	Number of non-KYC accounts			
O.	Amount of PF balance in non-KYC accounts			
P.	Amount of interest on PF balance in non-KYC Accounts			

Part C: (ii) Employees' Details: Contributions, Interest, Settlement & Part-withdrawals (Monthly)

Sl. No.	Name of member	UAN	Opening balance		Contributions		Settlement /part-withdrawals		Interest credited		Closing balance	
			EE#	ER*	EE	ER	EE	ER	EE	ER	EE	ER

#EE-Employee Share

*ER-Employer Share

PART D: Contribution Details (Monthly)

Sl. No.	Field Name		Field Type	Remarks
A.	OB of PF contribution still due from employer		Data entry	Only one-time data entry with first return. On subsequent months it will be automatically displayed.
B.	PF wages liable for contribution		Data entry	
C.	EE share	Data entry	Data entry	
D.		Data entry	Data entry	
E.	ER share	Data entry	Data entry	
F.		Data entry	Data entry	
G.	Refunds	Due in the month	Data entry	
H.		Transferred	Data entry	
I.	Total due		Auto display	It will display the amount by adding total due amounts i.e. (A+B+E+G)
J.	Details of transfer of contribution	Amount	Data entry	Click on add row button and fill the amount in case the funds were transferred in parts.
		Date	Selection	
K.	Total amount transferred to BoT		Auto display	
L.	Interest paid		Data entry	Interest paid to trust by the employer for any belated transfer to Trust

Damages (Rs.) upto the month.....

Interest (Rs.) upto the month.....

PART E: INVESTMENT DETAILS (MONTHLY PART by PARENT TRUST ONLY)

Sl. No.	Field name	Field type	Remarks
A.	Securities	Auto display	Display the face value of opening balance after data entry in the first return through link (securities). In subsequent month, auto display

	Details of securities	Data entry	Unique attributes of Securities including ISIN etc.	
B.	Cash	Data entry	One time data entry	
C.	Total	Auto display	It will display the amount by adding securities and cash i.e.(A+B)	
RECEIPTS				
D.	PF Contribution	Data entry		
E.	Refunds (loans and advances)	Data entry		
F.	Transfer in	Data entry		
G.	Other receipts	Data entry		
H.	Recoup by employer in	For capital loss on investment	Data entry	
I.	Case of loss by trust	For revenue loss on account of interest shortfall	Data entry	
Return from Investments:				
J.	Interest	Previous due	Data entry	One-time data entry. On next month it will be automatically displayed.
K.		Receivable in the current month	Data entry	
L.		Receivable in the current month	Data entry	
M.		Balance	Auto display	It will display the amount by using the formula (J+K-L).
N.	Maturity	Previous due	Data entry	One-time data entry. On next month it will be automatically displayed.
O.		Receivable in the current month	Auto display	The amount will appear from the details entered through the link " Matured During the Month". The sum of face value of all securities matured will be displayed.
P.		Received in the current month	Data entry	
Q.		Balance	Auto display	It will display the amount by using the formula (N+O-P).
R.	Others	Received due	Data entry	One-time data entry. On next month it will be automatically displayed.
S.		Receivable in the current month due	Data entry	
T.		Received in the current month	Data entry	
U.		Balance	Auto display	It will display the amount by using the formula(R+S-T).
V.	Total Receipts		Auto display	It will display the amount by adding the following fields. (D+E+F+G+H+I+L+P+T)
Payments				
W.	Claim including transfer out	Data entry		
X.	Loans and advances	Data entry		
Y.	Other payments	Data entry		

Z.		Auto display	It will display the amount by adding the claims including transfer out, loans and advances and other payments (W+X+Y).
ZA.	Amount available for Investment (B+V-Z)	Auto display	It will display the amount by using the formula (B+V-Z).
ZB.	Total amount invested by BoT	Auto display	The amount will appear from the details entered through the link "Investment Details During the Month" It will automatically display the sum of amount from securities screen by using the formula (F+G-H). The deal value will be taken.
ZC.	Cash balance	Auto display	It will display the amount by using the formula (AA-AB).
ZD.	% of cash balance against available	Auto display	It will display the amount by using the formula (AC*100/AA).
ZE.	Reason for uninvested amount	Data entry	

Screen opened through Hyperlink Securities/Matured Amount/Invested Amount
INVESTMENT DETAILS SECURITIES:

	Type of securities including ISIN etc.	Opening balance as on first return	Matured during The month	Invested during the month closing balance				Closing Balance	%age of types of securities	Deviation %age of investments	Remarks
Sl. No.	Data Entry	Face value	Face value	Face value	Deal value	Accrued Interest Paid	Accrued Interest Received	Face value			
a	b	c	d	e	f	g	h	i			The face value of closing balance is auto display the amount by using the formula face value of opening balance-face value of mature + face value of investment i.e. (CD+E)
1.	Central Government security item (i) of the notification	One time data	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
2.	State Government securities/SOL item (II) (a) of the notification	One time data	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
3.	Central/State Government guaranteed securities Item (ii) (b) of the notification	One time data	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
4.	Bonds/ Securities of Public Financial Institution item (iii) (a) of the notification	One time data	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
5.	Bonds/securities of Central public sector undertaking item (iii) (a) of the notification	One time data	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
6.	Bonds/securities of public bank item (iii) (a) of the notification	One time data	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
7.	Bonds/securities	One	Data	Data	Data	Data	Data	Auto			

	of State public sector undertakings item (iii) (a) of the notification	time data	entry	entry	entry	entry	entry	display			
8.	TDR (less than a year) of PSB item (iii) (b) of the notification	One time data	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
9.	Collateral Borrowing & Lending Obligation (CBLO) item (iii) (c) of the notification	One time data	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
10.	Bonds/securities of Private Sector item (v) of the notification	One time data	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
11.	SDS	One time data	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
12.	Others	One time data	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
categories for Investment as per New Pattern w.e.f. 29.05.2015											
13.	Category (i) (a)Government securities	One time data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			Will open only from May 2015
14.	Category (i)(b)Other securities	One time data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
15.	Category (i)(c)Gilt Mutual Funds	One time data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
16.	Category (ii)(a)Listed Debt securities	One time data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
17.	Category (11)(b)Baselll Tier 1 Bonds	One time data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
18.	Category (ii)(c)Rupee Bonds of IBRD, IFC and ADB	One time data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
19.	Category (ii)(d)Term Deposit Receipts (TDRs)not less than one year duration.	One time data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
20.	Category (ii) (e)Debt Mutual Funds	One time data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
21.	Category (ii) (f) Infrastructure debt. Instruments	One time data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
22.	Category (iii) (b) Category (iii) (b) Liquid Mutual Fund	Data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
23.	Category (iii) (	Data	Data	Data	Data	Data	Data	Auto			

	b) Liquid Mutual Fund	entry	entry	entry	entry	entry	entry	display			
24.	Category (iii) (c) Term Deposit Receipts (TDRs) of up to one year duration.	Data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
25.	Category (iv) (a) Shares of Body Corporates list on BSE/NSE.	Data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
26.	Category (iv) (b) Mutual Funds regulated by SEBI.	Data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
27.	Category (iv) (C)ETF of either Sensex index or Nifty 50 index.	Data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
28.	Category (iv) (d)ETF's of Disinvestment by Govt. of India in body corporate	Data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
29.	Category (iv) (e)ETF for the purpose of hedging	Data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
30.	Category (V) (a) CMB5 or RMBS.	Data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
31.	Category (v)(b) Unite issued by REITs.	Data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
32.	Category (v)(c) ABS regulated by SEBI	Data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
33.	Category (v) (d)Units of Infrastructure Investment Trusts regulated by SEBI	Data entry	Data entry	Data entry	Data entry	Data entry	Data entry	Auto display			
34.		Sum	Sum	Sum	Sum	Sum	Sum	Sum			

Scrip Register:

Sl. No.	Transact ion ID	Transact ion date	Val ue date	T T	ISI N	Co de	Fac e Val ue	Purch ase Price	Accru ed intere st	YT M	Matur ity Date	Remark s- Descript ion of security	categ ory	Co st	Ref- Fund mana ger

Two more hyperlinks from Part E

- Regarding the claim settlements in the establishment and on the grievance redressal. The pop up screen will ask each month the following data.

Sl. No.	Data field		
CLAIMS			
1.	Opening Balance of Claims	One time data entry	
2.	Claims received in the month	Data entry	
3.	Total claims workload in the month	Display	1 plus 2
4.	Claims disposed within 20 days	Data entry	

5.	% of claims settled in the month within 20 days	Display	4 *100/3
6.	Claims disposed beyond 20 days	Data entry	
7.	% of claims settled in the month beyond 20 days	Display	6* 100/3
8.	No of claims pending	Display	3 - 4-6 Will carry as OB to next month
9.	% of claims pending		8*100/3
10.	Reasons for pending claims	Data entry	
GRIEVANCES			
11.	Opening balance	One time data entry	
12.	Grievances received in the month	Data entry	
13.	Net workload	Display	11 plus 12
14.	Grievances disposed	Data entry	
15.	% of grievances disposed	Display	14*100/13
16.	Closing balance	Display	Will carry as OB to next month
17.	% of Grievances pending	Display	16*100/13

Part F-ANNUAL INFORMATION (HOLDING) (YEARLY PART BY PARENT TRUST ONLY)

Sl. No.	Field Name	Field Type	Remarks
I AUDIT OF ACCOUNTS			
A.	Financial Year up to which accounts audited	Selection	Financial Year
B.	Name & Address of the Auditor for last Six Years	Data entry	Entry of previous 6 Years
	PAN		
C.	Whether copy of the latest Audit Report Sent to the RPFC	Selection	Yes/No
D.	If Yes	Data entry	
II. Details of annual statement of account			
E.	Annual Statement of account issued upto	Data entry	
F.	No. of contributing members	Data entry	
	Closing Balance Amount of Contributory members		
G.	No. of Non-contributory Members	Data entry	
	Closing Balance Amount of Non Contributory members		

H.	Amount available for Distribution of interest	Data entry	
I.	Rate of interest declared and credited	Data entry	
J.	Whether the deficiency in interest was made good by the employer.	Selection	
K.	Whether the interest is on monthly accrual of balance	Selection	
L.	Whether the accounts are being maintained electronically	Selection	
M.	Whether the members are able to see their Account Balance online.	Selection	
N.	Whether the rules of the fund are displayed on a notice board/made available electronically.	Selection	
III.	Financial Health of Holdings		
O.	Total Holding of the trust at the end of Financial Year	Data entry	
P.	Market value of the holding of trust at the end of financial Year	Data entry	
IV. Amortization Account of trust			
Q.	Opening Balance		
	Addition/Reduction during the year		
	Closing balance		
	#Reduction to be entered in(-)		
V. Maturity In Defaults			
R.	Default of Security	Data entry	
S.	ISIN	Data entry	
T.	Face Value	Data entry	
U.	Deal value at the time of purchase	Data entry	
V.	Amount Receivable	Data entry	
W.	Amount Received	Data entry	
X.	Amount in default	Data entry	
	Total	=(e-f)	
VI. Interest In Defaults			
Y.	Default of Security	Data entry	
Z.	ISIN	Data entry	
ZA.	Interest receivable	Data entry	
ZB.	Interest Received	Data entry	
ZC.	Interest in Default	Data entry	
	Total	=(c-d)	

To be signed digitally by employer/authorised signatory

Form -III
[See Paragraph 13(3)]
(Minutes of the meeting of board of trustees)

1. (a) Name & Code Number
of the establishment:

(b) Address of the establishment:

(c) E-mail id:

2. Details of the meeting of board of trustees:

(i) Date of the meeting:

(ii) Venue of the Meeting:

(iii) Whether chairman of the meeting appointed

☐ Yes ☐ No

(iv) Number of members attended the meeting

(v) Whether the requisite quorum is present

☐ Yes ☐ No

(vi) Business transacted at the meeting and result thereof

(vii) Particulars with respect to any adjournment of meeting and change in venue

(viii) Particulars with respect to postponement of meeting and change in venue

(ix) Any other points relevant for inclusion in the report

3. Fair summary of proceedings of the meeting

4. Confirmed that the meeting was called, convened, held and conducted as per the provisions of the Act, the rules and secretarial standards made thereunder.

Declaration

To the best of my knowledge and belief, the information given in this form and its attachments is correct and complete

To be digitally signed by the Chairman

OR

To be digitally signed by

Designation

DIN of the director; or DIN or PAN/ Aadhaar of the manager or CEO or CFO; or membership number of the company secretary

FORM IV
[See paragraph 13(27)]
CERTIFICATE OF UNDERTAKING

To
 The Regional Provident Fund
 Commissioner,

 Sir,

We, the employer, and the board of trustees, undertake to abide by the conditions for grant of exemption under section 143(1) of Code on Social Security, 2020.

This shall be legally binding on (Name, PAN & EPF Code no of the Establishment) (, and the board of trustees of (Name of the PF Trust) including their successors and assignees or such conditions as may be specified later for continuation of exemption.

We, also undertake to transfer the funds promptly within the time limit prescribed from time to time and as directed by the Regional Provident Fund Commissioner in the event of cancellation of exemption.

We, the employer and the board of trustees also undertake to transfer the funds promptly within the time limit prescribed by the concerned RPFC in the event of cancellation of exemption, failing which provisions of sections 127 and 128 of the Code shall apply.

(SIGNATURE)

(NAME.....)

Aadhaar No.- _____

PAN_____

UAN_____

(SIGNATURE)

(NAME.....)

Aadhaar No.- _____

PAN _____

UAN_____

EMPLOYER/CHAIRMAN OF THE TRUST

ALL MEMBERS OF BOARD OF TRUSTEES

FORM-V**[See paragraph 24(1) of THE EMPLOYEES' PROVIDENT FUNDS SCHEME, 2026]****[See paragraph 18(1) of THE EMPLOYEES' PENSION SCHEME, 2026]****[See paragraph 11(1) of THE EMPLOYEES DEPOSIT LINKED INSURANCE SCHEME, 2026]**(Return of details of Employees required or entitled to become members of funds and
Wages paid to each of such employee)

Name and address of the establishment.....

EPF Code No. of-establishment.....

Date of applicability of the

Code.....

Sl. No .	Memb er ID/ EPF Accou nt No.	Name of the employe e	Dat e of birt h	Aadha ar numbe r	PA N	UA N	Gende r	Date of joinin g the Fund	Total period of previou s service	Gros s wage s	EPF wage s	EPS wage s	EDL I wage s

Signature of the employer or
Authorised signatory of the establishment
Seal of the establishment

Form VI
[See paragraph 24(2)(vi)]
(Ownership Return)

Establishment Profile		
1	Name of the Establishment	Auto seeded
2	EPF Code Number of the Establishment	Auto seeded
3	Coverage Under Section	Auto seeded
4	LIN	Auto seeded
5	CIN	Auto Seeded
6	PAN of the Establishment	Auto Seeded
7	TAN of the establishment	
8	GST number	
9	Date of Registration under Code	Auto seeded
10	Date of Commencement of Business	
11	Address:	Auto Seeded
12	Phone Number	Auto Seeded/Data Entry
13	Fax number	Auto Seeded/Data Entry
14	Email Id	Auto Seeded/Data Entry
15	Web Address, if any	Auto Seeded/Data Entry
16	Establishment classification	Auto seeded- Private/Public Sector/Government
17	NIC Code	Auto Seeded/Data Entry

PART-A

PARTICULARS OF OWNERS

S. No.	Name	Date of Birth	Gender	Father's Name	Aadhaar number	DIN	PAN	Address	Mobile, email	Status/ Designation in establishment	The Date from which position held	Details of Bank Account/ ISFC

Document chosen as identity proof of Responsible Person
:

- Aadhaar/ DIN/ PAN

PART-B**PARTICULARS OF LESSEE**

S.No.	Name	Aadhaar number	Gender	DIN	PAN	Date of birth	Bank Account no & IFS Code	Address	Mobile, email	Date of lease

Document chosen as identity proof of lease

:

- Document for proof of lease.

PART-C**All BANK DETAILS OF ESTABLISHMENT SPECIFIED IN PART-A**

S. No.	Name of the establishment	Name of bank	Address of the branch	IFSC Code	Account number	Type of account

DECLARATION

1. I hereby declare that the information furnished herein is true to the best of my knowledge and belief.
2. I hereby give my consent to Employees' Provident Fund Organisation to use my Aadhaar information for the purpose indicated above.

Signature of employer: _____

Name of employer: _____

Designation of employer: _____

Form VII
(Under Para 24(2)(ix) of EPF Scheme)
Electronic Challan-Cum-Return

Sr No	Column Name
1	EPF Code number of the establishment
2	UAN
3	Member name as per UAN
4	Gross wages
5	EPF wages
6	EPS wages
7	EDLI wages
8	Employee PF contribution
9	Employer EPS contribution
10	Employer PF contribution
11	NCP Days (Non-contributory period)
12	EPF Code number of Principal Employer(Wherever applicable)
13	Period of engagement of Contractual employee with Principal Employer- From (date) (Wherever applicable)
14	Period of Engagement of contractual employee with Principal Employer- Upto (date) (Wherever applicable)

To be digitally Signed by the employer

[illegible]

**PARTICULARS OF PERSON WHO HAVE ULTIMATE CONTROL OVER AFFAIRS OF
BRANCH**

(Separate entry for each branch)

N o.	Bra nch nam e	EPF Cod e num ber of the bran ch	Name of respon sible person	Gen der	Da te of bir th	Fath er's nam e	Aadh aar num ber	DI N	PA N	Addr ess*	Mo bile	em ail	Design ation of the respon sible person	Date of incumb ency of the respon sible person

* Any one of the documents having address of the responsible person: Aadhaar/ DIN/Electricity bill/Gas bill/Rent or Lease agreement

PARTICULARS OF LESSEE
(Separate entry for each branch)

Sl. No.	Bra nch nam e	EPF Code numb er of the branc h	Na me	Gend er	Dat e of birt h	Fathe r's name	Aadh aar numb er	DI N	PA N	Addres s*	Mobi le	ema il	Date of commence ment of lease

* Any one of the documents having address of the responsible person: Aadhaar/ DIN/Electricity bill/Gas bill/Rent or Lease agreement

DECLARATION

I hereby declare that the information furnished above is true to the best of my knowledge and belief.

Signature of employer: _____

Name of employer: _____

Designation of employer: _____

Form IX
[See paragraph 26(1)(ii)]
(Details of authorised signatories)

The following official/officials is/are hereby authorized to sign all documents and submit returns on behalf of the employer for the establishment [Name _____] and EPF Code No _____ for submission to the EPFO.

The details of Authorized Signatory are given below:

Sl. No.	Name of authorized signatory	Designation	UAN	Aadhaar number	PAN	Mobile No.	Specimen signature
1							
2							
3							
4							
5							

Document chosen as identity proof of authorised signatory _____ :

- UAN & Aadhaar/ PAN

DECLARATION

1. I hereby declare that the information furnished by me in this form containing details of authorised signatories is true to the best of my knowledge and belief.
2. I hereby give my consent to Employees' Provident Fund Organisation to use my Aadhaar information for authentication of my identity.

Date: _____

Place: _____

Signature of employer: _____
Name of employer: _____
Designation of employer: _____
Seal of the establishment: _____

Form X
[See paragraph 27(1)]
(Registration of principal employer's establishment and declaration of contractors)

PART A — ESTABLISHMENT DETAILS (Auto Seeded)

1. Name of establishment		2. EPF Code No.	
3. PAN of establishment	<i>10-digit PAN</i>	4. GSTIN	
5. Address (with PIN)			
6. Constitution	<i>Proprietorship / Partnership / Company / LLP / Trust / Society / Govt. / PSU</i>	7. NIC Code	
8. Nature of business / industry		9. Date of Coverage	<i>DD/MM/YYYY</i>

PART-B: Declaration of number of employees

1. No. of direct employees		2. No. of Contract Workers	

PART C — DECLARATION OF CONTRACTORS ENGAGED

Sl. No.	Name of contractor	PAN	Contractor EPF Code (if any)	Nature of work	Contract period (From-To)	Number of workers	Contract amount	Form X received (Y/N)
1.								
2.								
3.								

DECLARATION:

I------(Name and designation of employer/authorised signatory) declare that the information furnished above is true and correct. I undertake to update this form within 15 days of any change in the above information including engagement of new contractors.

Place: _____

Date: _____

Name: _____

Designation: _____

Signature and seal of principal employer

Form XI
[See paragraph 27(3)]
(Contractor's statement on recoveries from contract workers)

Name of Contractor		Contractor's EPF Code No	
Contractor's PAN		Wage month	<i>MM/YYYY</i>
Contractor's GST		Principal employer EPF Code	
Name of principal employer		Work order reference No.	
Value of contract		Period of contract (From---to---)	
Total number of employees engaged.		Number of excluded employees	

Sl. No.	Name of contract worker	UAN	Wages	Employee share of EPF deducted from wages (Rs.) *	Employer EPF+EPS+EDLI Contribution (Rs.)	Admin charges (Rs.)	Total dues payable (Rs.)
1.							
2.							
3.							
4.							
Total							

DECLARATION:

I, _____ the contractor, declare that:

- (1) Employee's EPF contribution shown above has been deducted from wages and remitted to EPFO.
 (2) All information is true and correct to the best of my knowledge.

Place: _____

Date: _____

Name: _____

Designation: _____

Signature and seal of contractor

Form XII

[See paragraph 27(4)]

Monthly abstract by principal employer

(Aggregate recoveries from contract workers and employer's contributions)

Name of establishment		EPF Code No.	
Address		Month (MM/YYYY)	
Total contractors engaged		Total contract workers	

CONTRACTOR-WISE ABSTRACT:

Sl. No.	Name of contractor	Number of workers	Aggregate recovery from employee	Aggregate amount payable by the contractor (Rs.)	Details of payment by contractor		Details of payment by principal employer, in respect of balance dues, if any	
					TRRN	Amount	TRRN	Amount
	Extract of Form-XI							
1.								
2.								
GRAND TOTAL								

DECLARATION:

- I _____ the principal employer, declare that the aggregate figures shown above are correct and have been compiled from Form XI statements received from each contractor.
- I further declare that the above information is correct and true to the best of my knowledge.

Place: _____

Date: _____

Name: _____

Designation: _____

Signature and seal of principal employer

[F. No. S-35025/04/2026-SS-II]

TEJASWI S. NAIK, Joint Secy.



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-30062026-273951
CG-DL-E-30062026-273951

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 475]

नई दिल्ली, सोमवार, जून 29, 2026/ आषाढ 8, 1948

No. 475]

NEW DELHI, MONDAY, JUNE 29, 2026/ ASHADHA 8, 1948

श्रम और रोजगार मंत्रालय

अधिसूचना

नई दिल्ली, 29 जून, 2026

सा.का.नि. 527(अ).—केंद्रीय सरकार, सामाजिक सुरक्षा संहिता (2020 का 36) की धारा 15 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और कर्मचारी कुटुंब पेंशन स्कीम, 1971 और कर्मचारी पेंशन स्कीम, 1995 को, उन बातों के सिवाय अधिक्रांत करते हुए जिन्हें ऐसे अधिक्रमण से पूर्व किया गया है या करने का लोप किया गया है, निम्नलिखित स्कीम बनाती है, अर्थात्:—

- संक्षिप्त नाम, प्रारंभ और लागू होना.— (1) इस स्कीम का संक्षिप्त नाम कर्मचारी पेंशन स्कीम, 2026 है।
(2) यह राजपत्र में इसके प्रकाशन की तारीख से प्रवृत्त होगी।
(3) सामाजिक सुरक्षा संहिता, 2020 की धारा 20 के अधीन रहते हुए, यह स्कीम उन सभी स्थापनाओं के कर्मचारियों पर लागू होगी, जिन पर अध्याय 3 के उपबंध, सामाजिक सुरक्षा संहिता, 2020 की धारा 1 की उपधारा (4) के अधीन लागू होते हैं या उपधारा (5) या उपधारा (6) या उपधारा (8) के अधीन लागू किए गए हैं।

- परिभाषाएं.— (1) इस स्कीम में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो;

- (क) "वास्तविक सेवा" से 16 नवंबर, 1995 से या किसी भी स्थापना में सम्मिलित होने की तारीख से, जो भी बाद में हो, से लेकर संहिता के अधीन आवृत्त स्थापना से रोजगार छोड़ने की तारीख तक, की कुल सेवा अवधि अभिप्रेत है;
- (ख) "संहिता" से सामाजिक सुरक्षा संहिता, 2020 (2020 का 36) अभिप्रेत है;
- (ग) "आयुक्त" से कोड की धारा 14 के अधीन नियुक्त केंद्रीय भविष्य निधि आयुक्त, अपर केंद्रीय भविष्य निधि आयुक्त, उप भविष्य निधि आयुक्त, क्षेत्रीय भविष्य निधि आयुक्त और सहायक भविष्य निधि आयुक्त अभिप्रेत है;
- (घ) "अंशदायी सेवा" से किसी सदस्य द्वारा दी गई ऐसी अवधि से अभिप्रेत है, जिसके लिए निधि में अंशदान प्राप्त कर लिया गया है या प्राप्त किया जाना है;
- (ङ) "पात्र कुटुंब" से -
- पुरुष सदस्य के मामले में पत्नी;
 - महिला सदस्य के मामले में पति; और
 - सदस्य के पुत्र और पुत्रियां अभिप्रेत है;

स्पष्टीकरण - "पुत्र" और "पुत्रियों" पद में सदस्य द्वारा विधिक रूप से दत्तक लिए गए बच्चे भी सम्मिलित होंगे;

- (च) "विद्यमान सदस्य" से, विद्यमान कर्मचारी जो "कर्मचारी कुटुंब पेंशन स्कीम, 1971 का सदस्य" था अभिप्रेत है;
- (छ) "अंतर्राष्ट्रीय कर्मकार" से—
- भारतीय कर्मचारी से भिन्न कोई ऐसा कर्मचारी, जिसके पास भारतीय पासपोर्ट नहीं है, जो भारत में किसी ऐसी स्थापना में कार्यरत है जिस पर यह संहिता लागू होती है;
 - कोई ऐसा भारतीय कर्मचारी जिसने किसी ऐसे विदेशी देश में कार्य किया है या करने जा रहा है जिसके साथ भारत ने सुरक्षा समझौता किया है और जो उक्त समझौते के अधीन मिली या मिलने वाली पात्रता के कारण उस देश के सामाजिक सुरक्षा कार्यक्रम के लाभ पाने का पात्र है; परंतु 1950 की शांति और मैत्री संधि के कारण नेपाली नागरिक होने वाला कर्मकार और 2007 की भारत-भूटान मैत्री संधि के कारण भूटानी नागरिक होने वाला कर्मकार, भारतीय कर्मकार माना जाएगा अभिप्रेत है;
- (ज) सदस्य" से, वह कर्मचारी, जो पेंशन निधि का सदस्य बन जाता है अभिप्रेत है।
- स्पष्टीकरण** - कोई भी कर्मचारी अधिवर्षिता की तारीख से या स्कीम के अधीन अनुज्ञेय फायदे प्राप्त करने की तारीख से, जो भी पहले हो, पेंशन निधि का सदस्य नहीं रहेगा।
- (झ) "गैर-अंशदायी सेवा" से किसी सदस्य द्वारा दी गई वास्तविक सेवा की वह अवधि अभिप्रेत है, जिसके लिए पेंशन निधि में कोई अंशदान प्राप्त नहीं किया गया है या प्राप्त नहीं किया जाना है;
- (ञ) "अनाथ" से ऐसा व्यक्ति, जिसके माता-पिता जीवित नहीं अभिप्रेत है;
- (ट) "पिछली सेवा" से किसी विद्यमान सदस्य द्वारा कर्मचारी कुटुंब पेंशन निधि में सम्मिलित होने की तारीख से लेकर 15 नवम्बर, 1995 तक की गई सेवा की अवधि अभिप्रेत है;
- (ठ) "पेंशन" से 'कर्मचारी पेंशन स्कीम, 2026 के अधीन देय पेंशन और इसमें वह पेंशन सम्मिलित है जो इस स्कीम के शुरू होने से ठीक पहले की कर्मचारी पेंशन स्कीम, 1995 और कर्मचारी कुटुंब पेंशन स्कीम, 1971 के अधीन अनुज्ञेय तथा देय थी ;
- (ड) "स्कीम" से कर्मचारी पेंशन स्कीम, 2026 अभिप्रेत है;
- (ढ) "सारणी" से इस स्कीम के साथ संलग्न सारणी अभिप्रेत है;
- (ण) "मजदूरी की अधिकतम सीमा अवधि" से वह अवधि अभिप्रेत है जिसके दौरान कोई विशिष्ट मजदूरी की अधिकतम सीमा लागू थी।

(2) उन शब्दों और पदों के, जो इसमें प्रयुक्त हैं और इस स्कीम में परिभाषित नहीं हैं वही अर्थ होंगे जो संहिता और कर्मचारी भविष्य निधि स्कीम, 2026 में हैं।

3. पेंशन निधि लेखा.— कर्मचारी पेंशन स्कीम, 1995 के अधीन पूर्ववर्ती कर्मचारी पेंशन निधि लेखा का रखरखाव इस स्कीम के अधीन पेंशन निधि लेखा के रूप में किया जाएगा।

4. पेंशन निधि.— (1) नियोजक द्वारा संहिता की धारा 16 की उपधारा (1) के खंड (क) के अधीन, या संहिता की धारा 143 के अधीन छूट प्राप्त स्थापना की भविष्य निधि के नियमों के अधीन प्रत्येक मास देय अंशदान में से, कर्मचारी की वेतन का आठ दशमलव तैंतीस प्रतिशत हिस्सा, केंद्रीय सरकार द्वारा अधिसूचित वेतन सीमा तक, नियोजक द्वारा प्रत्येक मास की समाप्ति के पंद्रह दिन के भीतर पेंशन निधि में जमा की जाएगी केंद्रीय बोर्ड और प्रेषण की लागत, यदि कोई हो, तो नियोजक द्वारा वहन की जाएगी।

(2) केंद्रीय सरकार, कर्मचारी पेंशन स्कीम के सदस्यों के वेतन की एक दशमलव सोलह प्रतिशत की दर से इस स्कीम में अंशदान करेगी, लेकिन यह अंशदान ऐसी राशि तक ही सीमित होगा जो केंद्रीय सरकार द्वारा विनिर्दिष्ट की जाए:

परंतु जहां सदस्य की वेतन केंद्रीय सरकार द्वारा अधिसूचित वेतन की अधिकतम सीमा से अधिक हो, तो नियोजक और केंद्रीय सरकार द्वारा देय अंशदान केवल उसकी वेतन की अधिकतम सीमा तक की वेतन पर देय रकम तक ही सीमित होगा।

परंतु यह और कि 1 सितंबर 2014 से, उन सदस्यों के मामले में जिन्होंने पूर्ववर्ती कर्मचारी पेंशन स्कीम, 1995 के पैरा 11 के उपबंधों के अधीन अंशदान करने के लिए संयुक्त विकल्प चुना है और जो पात्र पाए गए हैं, नियोजक का अंशदान प्रत्येक सदस्य की वेतन का नौ दशमलव उनचास प्रतिशत होगा जो विद्यमान आठ दशमलव तैंतीस प्रतिशत में एक दशमलव सोलह प्रतिशत की बढ़ोतरी करके तय किया जाएगा; और यह बढ़ा हुआ अंशदान पंद्रह हजार रुपए प्रति मास से अधिक मजदूरी पर लागू होगा।

(3) उप पैरा (1) और उप पैरा(2) के अधीन देय प्रत्येक अंशदान की गणना निकटतम रूपए में की जाएगी, पचास पैसे या इससे अधिक को अगले उच्चतर रूपए के रूप में गिना जाएगा तथा पचास पैसे से कम रूपए के अंश को छोड़ दिया जाएगा।

(4) पूर्ववर्ती कर्मचारी पेंशन स्कीम, 1995 की कुल आस्तियां, पेंशन निधि में निहित होंगी और अंतरित मानी जाएंगी।

5. अंशदान का भुगतान.— (1) नियोजक, उस नियोजक द्वारा नियोजित प्रत्येक सदस्य चाहे वह सीधे तौर पर हो या किसी ठेकेदार के माध्यम से, के लिए पेंशन निधि में देय अंशदान का भुगतान करेगा।

(2) पेंशन निधि में देय अंशदान का भुगतान करना मुख्य नियोजक का उत्तरदायित्व होगा।

6. किसी भी अंशदान के भुगतान में चूक के लिए नुकसानी की वसूली.— जहां कोई नियोजक पेंशन निधि में अंशदान या संहिता या इस स्कीम के किसी उपबंध के अधीन देय किसी भी प्रकार के भुगतान में चूक करता है, तो केंद्रीय भविष्य निधि आयुक्त या प्राधिकृत ऐसा कोई अन्य अधिकारी, कर्मचारी भविष्य निधि स्कीम, 2026 में विनिर्दिष्ट दर से नियोजक पर नुकसानी लगा सकता है और शास्ति के रूप में वसूली कर सकेगा।

7. कर्मचारी पेंशन स्कीम की सदस्यता.— (1) यह स्कीम प्रत्येक उस कर्मचारी पर लागू होगी –

(i) जो इस स्कीम की अधिसूचना की तारीख को या उसके पश्चात, कर्मचारी भविष्य निधि स्कीम, 2026 या संहिता की धारा 143 के अधीन छूट प्राप्त स्थापना की भविष्य निधि का सदस्य बनता है, और जिसकी मजदूरी ऐसी तारीख को केंद्रीय सरकार द्वारा अधिसूचित मजदूरी की अधिकतम, जो उस तारीख को लागू है, से कम या उसके बराबर है;

(ii) जो पूर्ववर्ती कर्मचारी पेंशन स्कीम, 1995 का सदस्य रहा हो अथवा जो इस स्कीम के प्रारम्भ होने की तारीख से पूर्व, पूर्ववर्ती कर्मचारी पेंशन स्कीम, 1995 अथवा कर्मचारी कुटुंब पेंशन स्कीम, 1971 का सदस्य बनने का पात्र था।

स्पष्टीकरण- कोई भी कर्मचारी अधिवर्षिता की आयु प्राप्त करने की तारीख से, या स्कीम के अधीन अनुज्ञेय फ़ायदों के निहित होने की तारीख से, जो भी पहले हो, से पेंशन निधि का सदस्य नहीं रहेगा।

- (2) पेंशन निधि का कोई सदस्य निम्नलिखित घटनाओं में से जो भी पहले हो, तक सदस्य बना रहेगा -
- (क) अधिवर्षिता की आयु की प्राप्ति;
 - (ख) पैरा 13 के अधीन प्रत्याहरण फ़ायदा प्राप्त करना;
 - (ग) सदस्य की मृत्यु;
 - (घ) पैरा 12 के अधीन सदस्य में पेंशन का निहित होना।

8. शंकाओं का समाधान.— यदि कोई शंका उत्पन्न होती है कि क्या कोई कर्मचारी पेंशन निधि का सदस्य बनने का पात्र है या नहीं, तो उसे क्षेत्रीय भविष्य निधि आयुक्त को भेजा जाएगा, जो इसे विनिश्चित करेगा:

परंतु इस मामले में अंतिम आदेश पारित करने से पहले नियोजक और कर्मचारी दोनों को सुना जाएगा।

9. पात्र सेवा का अवधारण.— (1) विद्यमान सदस्य से भिन्न किसी अन्य सदस्य के मामले में, "अंशदायी सेवा" को पात्र सेवा माना जाएगा। कुल अंशदायी सेवा को निकटतम पूर्ण वर्ष में गिना जाएगा। छह मास या उससे अधिक की सेवा के भाग को एक वर्ष माना जाएगा और छह मास से कम की सेवा को अनदेखा किया जाएगा।

स्पष्टीकरण- किसी स्थापना में मौसमीय आधार पर नियोजित कर्मचारियों के मामले में किसी भी वर्ष में "अंशदायी सेवा" की अवधि को पूरा एक वर्ष माना जाएगा, ऐसी सेवा के होते हुए भी एक वर्ष से कम है।

(2) विद्यमान सदस्य के मामले में अंशदायी सेवा और पिछली सेवा के कुल जोड़ को पात्र सेवा माना जाएगा:

परंतु जहां पिछली सेवा की ऐसी कोई अवधि हो, जिसके लिए कुटुंब पेंशन स्कीम, 1971 के लिए अभिदाय प्राप्त नहीं हुआ हो, तो उस अवधि तक ही पात्र सेवा के रूप में गिनी जाएगी, जिस अवधि के लिए पेंशन निधि में उसका अभिदाय प्राप्त हो गया हो।

स्पष्टीकरण - इस उप पैरा के प्रयोजन के लिए, अंशदायी सेवा और पिछली सेवा का कुल समय अगर छह मास से कम है तो उसे छोड़ दिया जाएगा और छः मास या उससे अधिक की सेवा को एक वर्ष माना जाएगा।

10. पेंशनयोग्य सेवा का अवधारण.— (1) किसी सदस्य की पेंशनयोग्य सेवा का अवधारण पेंशन निधि में प्राप्त या प्राप्त किए जाने वाले अंशदानों के आधार पर किया जाएगा।

(2) जहां सदस्य अधिवर्षिता की आयु प्राप्त करने पर सेवानिवृत्त होता है, और जिसने बीस वर्ष या उससे अधिक की पेंशनयोग्य सेवा की है, तो उसकी पेंशनयोग्य सेवा दो वर्ष का लाभांश जोड़कर बढ़ा दी जाएगी।

11. पेंशनयोग्य मजदूरी का अवधारण.— (1) पेंशन योग्य मजदूरी, पेंशन निधि की सदस्यता छोड़ने की तारीख से ठीक पहले के साठ मास की सेवा अवधि के दौरान प्राप्त औसत मासिक मजदूरी, चाहे समय दर आधार पर हो या प्रति वस्तु दर पर मिलने वाली मजदूरी सहित, के आधार पर अवधारित की जाएगी। यह मजदूरी प्रत्येक मजदूरी अधिकतम सीमा अवधि के लिए आनुपातिक आधार पर अवधारित होगी।

परंतु ये उस अवधि के लिए लागू अधिकतम मजदूरी अधिकतम सीमा के अधीन होगा:

परंतु यह और कि सदस्य ने पेंशन निधि की सदस्यता की समाप्ति के दिन से पिछले साठ मास की अवधि के दौरान पूर्ण मजदूरी प्राप्त नहीं की है, तो पेंशन की गणना के लिए पेंशन योग्य मजदूरी के तौर पर उन पिछले साठ मास में मिले पूरी मजदूरी का औसत माना जाएगा, जिनके लिए पेंशन निधि में अभिदाय लिया गया था।

(2) औसत मासिक मजदूरी की गणना के लिए उक्त साठ मास की अवधि के दौरान जहां बिना अभिदाय के सेवा की अवधि हो ऐसे मामलों सहित जिनमें सदस्य ने ही मजदूरी ली हो, तो साठ मास की अवधि के कुल मजदूरी को उन वास्तविक दिनों की संख्या से विभाजित किया जाएगा, जिनके लिए मजदूरी लिया गया हो और इस प्रकार प्राप्त रकम को 30 से गुणा किया जाएगा।

(3) अधिकतम पेंशनयोग्य मजदूरी प्रति मास अधिसूचित मजदूरी अधिकतम सीमा तक सीमित रहेगी।

12. मासिक पेंशन.— (1) कोई सदस्य -

(i) यदि वह दस वर्ष या उससे अधिक की पात्र सेवा कर चुका हो और अधिवर्षिता की आयु प्राप्त करने पर सेवानिवृत्त होता है, तो अधिवर्षिता पेंशन का;

(ii) यदि वह 10 वर्ष या उससे अधिक की पात्र सेवा कर चुका हो और अधिवर्षिता की आयु प्राप्त करने से पहले सेवानिवृत्त होता है या अन्य कारण से नियोजन छोड़ देता है, तो समय पूर्व पेंशन का, पात्र होगा।

(2) विद्यमान सदस्य से भिन्न अन्य सदस्य के मामले में, यथास्थिति, मासिक अधिवर्षिता पेंशन या समय-पूर्व पेंशन, की रकम की गणना निम्नलिखित सूत्र के अनुसार की जाएगी :-

मासिक सदस्य पेंशन = (पेंशनयोग्य मजदूरी X पेंशनयोग्य सेवा) / 70

परंतु सदस्य की मासिक पेंशन का अवधारण प्रत्येक ऐसे मजदूरी अधिकतम सीमा अवधि के लिए आनुपातिक आधार पर अवधारित की जाएगी।

परंतु यह और भी कि पेंशनयोग्य मजदूरी ऐसी प्रत्येक अवधि के लिए लागू अधिकतम मजदूरी अधिकतम सीमा के अधीन होगी।

(3) किसी विद्यमान सदस्य, जिसकी पेंशन प्रारंभ होने की तारीख 16 नवंबर, 2005 के पश्चात् है, के मामले में अधिवर्षिता या समयपूर्व पेंशन निम्न के कुल जोड़ बराबर होगी -

(क) 16 नवंबर, 1995 से की गई पेंशनयोग्य सेवा की अवधि के लिए उप पैरा (2) के अधीन यथा अवधारित पेंशन या छह सौ पैंतीस रु. प्रति मास, जो भी अधिक हो ;

(ख) तारीख 16 नवंबर, 1995 को संहिता की धारा 2 की उप धारा (82) में यथा विनिर्दिष्ट अधिवर्षिता की समाप्ति पर देय पिछली सेवा पेंशन नीचे दी गई सारणी के अनुसार होगी,-

सारणी

क्रम संख्या	पिछली सेवा के वर्ष	मजदूरी रु. 2500/- प्रति मास तक	मजदूरी रु. 2500/- प्रति मास से अधिक
(1)	(2)	(3)	(4)
(i)	11 वर्ष तक	80	85
(ii)	11 वर्ष से अधिक किंतु 15 वर्ष तक	95	105
(iii)	15 वर्ष से अधिक किंतु 20 वर्ष से कम	120	135
(iv)	20 वर्ष से अधिक	150	170

टिप्पण :

- (i) देय पिछली सेवा पेंशन आंकने के लिए यथास्थिति, उपर्युक्त स्तंभ (3) या स्तंभ (4) के अधीन, देय फायदा को 16.11.1995 तथा नियोजन छोड़ने की तारीख के बीच की अवधि के लिए सारणी 2 में दिए गए गुणांक से गुणा किया जाएगा।
- (ii) इस उप पैरा के अधीन की गई गणना के अनुसार खंड (क) और खंड (ख) का कुल योग न्यूनतम आठ सौ रुपये प्रति मास के अधीन होगा।

परंतु पात्रता सेवा चौबीस वर्ष है :

परंतु यह और कि अवधि चौबीस वर्ष से कम है, तो उपर्युक्त नियमानुसार तय की गई पेंशन को उसी अनुपात में कम कर दिया जाएगा, किंतु यह पेंशन प्रत्येक मास कम से कम चार सौ पचास रुपये अवश्य होगी।

(4) किसी विद्यमान सदस्य के मामले में और जिसकी पेंशन प्रारंभ होने की तारीख 16 नवंबर, 2000 और 16 नवंबर, 2005 के बीच की है, -

(क) अधिवर्षिता या समयपूर्व पेंशन निम्नलिखित के योग के बराबर होगी,-

(i) 16 नवंबर, 1995 से की गई सेवा की अवधि के लिए उपपैरा (2) के अधीन यथावधारित पेंशन या चार सौ अड़तीस रुपए प्रति मास, जो भी अधिक हो;

(ii) उप-पैरा (3) में यथाउपबंधित पिछली सेवा पेंशन-

(ख) उप पैरा (3) के अधीन परिकलित खंड (क) और (ख) का कुल योग न्यूनतम छह सौ रुपए प्रतिमास के अधीन होगा:

परंतु पात्र सेवा चौबीस वर्ष हो:

परंतु यह और कि यदि यह चौबीस वर्ष से कम है, तो पेंशन आनुपातिक रूप से कम होगी, जो तीन सौ पच्चीस रुपए की न्यूनतम रकम के अधीन प्रतिमास होगी।

(5) किसी विद्यमान सदस्य के मामले में और, जिसकी पेंशन प्रारंभ होने की तारीख 16 नवंबर, 2000 से पूर्व की है,-

(क) अधिवर्षिता या समयपूर्व पेंशन की रकम निम्नलिखित के योग के बराबर होगी

(i) 16 नवंबर, 1995 से की गई सेवा की अवधि के लिए उप पैरा (2) के अधीन यथावधारित पेंशन या तीन सौ पैंतीस रुपए प्रतिमास, जो भी अधिक हो;

(ii) उप पैरा (3) में यथाउपबंधित अनुसार पिछली सेवा पेंशन

(ख) ऊपर की गई गणना के अनुसार उप खंड (i) और उपखंड (ii) का कुल योग पांच सौ रुपए प्रतिमास की न्यूनतम रकम के अधीन होगा:

परंतु सदस्य की पात्र सेवा चौबीस वर्ष की है:

परंतु यह और कि यदि यह चौबीस वर्ष से कम है, तो पेंशन आनुपातिक रूप से कम होगी किंतु दो सौ पैंसठ रुपए प्रतिमास की न्यूनतम रकम के अधीन होगी।

(6) किंतु इसमें इसके पश्चात् अभिव्यक्त रूप से अन्यथा उपबंधित के सिवाय, उप पैरा (2) से उप पैरा (5) के अधीन मासिक पेंशन, अधिवर्षिता आयु पूरी होने की तारीख के ठीक पश्चात् की तारीख से देय होगी, बावजूद इस तथ्य के कि सदस्य उस तारीख से पहले ही सेवानिवृत्त हो गया हो या नियोजन छोड़ दिया हो।

(7) किसी सदस्य को अधिवर्षिता की आयु से पहले की तारीख से, समयपूर्व पेंशन लेने की अनुज्ञा दी जा सकेगी, परंतु यह पचास वर्ष की आयु से पहले नहीं होगी और अधिवर्षिता की आयु से जितने वर्ष कम होंगे, उस प्रत्येक वर्ष के लिए चार प्रतिशत, की दर से कटौती की जाएगी।

(8) किसी भी विद्यमान या भविष्य के सदस्य को इस पैरा के अधीन देय किसी भी राहत सहित सदस्य की मासिक पेंशन एक हजार रुपए से कम नहीं होगी।

परंतु, 1 सितंबर, 2014 से, इस उप पैरा के अधीन देय एक हजार रुपए की न्यूनतम पेंशन निम्नलिखित शर्तों के अधीन होगी-

(i) तत्कालीन कर्मचारी पेंशन स्कीम, 1995 के उपबंधों के अधीन 26 सितंबर, 2008 से पूर्व के सदस्यों द्वारा लिए गए लघुकरण और पूंजी के प्रतिलाभ के फायदों के कारण कटौती; और

(ii) उप-पैरा (7) के अधीन समय-पूर्व पेंशन के कारण कटौती।

(9) (क) कोई सदस्य, जिसने अधिवर्षिता की आयु प्राप्त कर ली है और जो अन्यथा उप पैरा (1) के खंड (क) के अधीन पेंशन के लिए पात्र है, उसे अधिवर्षिता की आयु के पश्चात् पेंशन प्राप्त करने की आयु को विलंबित करने की अनुज्ञा दी जा सकेगी, परंतु साठ वर्ष की आयु से अधिक तक नहीं।

(ख) खंड (क) में निर्दिष्ट मामलों में- (i) अधिवर्षिता की आयु के पश्चात् पेंशन की रकम में प्रत्येक पूर्ण वर्ष के लिए चार प्रतिशत की दर से बढ़ोत्तरी की जाएगी, जो पैरा 4 के उप पैरा (2) के उपबंध के अधीन दी गई अधिकतम मजदूरी सीमा तक प्रतिबंधित होगी;

(ii) यदि कोई सदस्य अधिवर्षिता की आयु के पश्चात् भी नियोजन में बना रहता है; तो सदस्य को, उसके विकल्प पर, उस अवधि के लिए, जिसके लिए पेंशन की निकासी को आस्थगित किया गया है, पेंशन निधि में पैरा 4 के अधीन

अभिदाय जारी रखने हेतु अनुज्ञा दी जा सकती है, और उप पैरा (2) के अधीन पेंशन के अवधारण के प्रयोजन के लिए पेंशन योग्य सेवा और पेंशन योग्य मजदूरी में ऐसे अभिदाय सम्मिलित होंगे, किंतु यह साठ वर्ष की आयु से अधिक नहीं होगा;

(iii) जहां किसी सदस्य ने अधिवर्षिता की आयु प्राप्त करने के पश्चात् और स्थगित पेंशन के प्रारंभ होने से पहले पेंशन शोध के आहरण को आस्थगित करने का विकल्प चुना है, पात्र कुटुंब पैरा 15 के उप पैरा (1) के खंड (ग) के अधीन सदस्य की मृत्यु की तारीख से पेंशन का हकदार होगा, मानो सदस्य की मासिक पेंशन मृत्यु की तारीख से प्रारंभ हो गई हो।

(10) जहां कोई सदस्य अधिवर्षिता की आयु प्राप्त करने से पहले सेवानिवृत्ति या अन्यथा नियोजन से अलग हो जाता है,-

(i) सदस्य को विकल्प के अनुसार या तो

(क) पचास वर्ष की आयु पूरी करने के पश्चात् इस स्कीम के अधीन यथाअनुज्ञेय पेंशन दी जाए; या

(ख) आयुक्त द्वारा स्कीम प्रमाण पत्र जारी किया जाए, जिसमें नियोजन से अलग होने के समय की, की गई पेंशनयोग्य सेवा, पेंशनयोग्य मजदूरी और पेंशन की देय रकम का उल्लेख हो।

(11) जहां ऐसे सदस्य पश्चात्कर्ती रूप में इस स्कीम के अधीन आवृत्ति योग्य किसी स्थापना में नियोजित हो जाता है, तो स्कीम प्रमाणपत्र में अभिलिखित पहले की सेवा को पेंशनयोग्य सेवाओं के नए भाग के साथ पेंशन के लिए गिना जाएगा।

(12) इस पैरा के अधीन पेंशन के प्रारंभ किए जाने को स्थगित करने वाला सदस्य इस स्कीम के अधीन स्वीकृत अतिरिक्त राहत का पात्र होगा।

परंतु-

(क) जहां कोई सदस्य इस स्कीम के अधीन आवृत्ति नियोजन प्राप्त नहीं करता है और नियोजन छोड़ने की तारीख को उसकी पात्र सेवा दस वर्ष से कम रही हो, किंतु अधिवर्षिता की आयु प्राप्त करने से पहले तथा जिसके दौरान निरंतर छत्तीस मास की अवधि बीतने से पहले पेंशन निधि में सदस्य के संबंध में कोई अभिदाय प्राप्त नहीं हुआ है, उसकी मृत्यु हो जाती है, तो इस मामले में प्राप्त अभिदाय की रकम को मासिक विधवा पेंशन या बाल पेंशन में परिवर्तित कर दिया जाएगा और ऐसे मामलों में विधवा पेंशन की गणना सारणी-3 में अधिकथित सूत्र के अनुसार की जाएगी और उसके पच्चीस प्रतिशत की दर से प्रत्येक बच्चे के लिए बाल पेंशन की गणना की जाएगी।

(ख) जहां कोई विधवा नहीं हो, वहां पैरा-15 के उपबंधों के अधीन रहते हुए, विधवा पेंशन के रूप में दी जा सकने वाली रकम के पचहत्तर प्रतिशत की दर से अनाथ पेंशन देय होगी;

(ग) यदि सदस्य इस स्कीम के अधीन कवर कोई नियोजन नहीं करता है और नियोजन छोड़ने की तारीख तक उसने दस वर्ष से कम की पात्र सेवा की है, किंतु अधिवर्षिता की आयु प्राप्त करने से पहले उसकी मृत्यु हो जाती है और इस दौरान निरंतर छत्तीस मास की अवधि तक पेंशन निधि में कोई अभिदाय प्राप्त नहीं हुआ है तो पैरा 13 के अधीन पात्र कुटुंब फायदों का पात्र होगा।

13. पेंशन के लिए पात्र होने से पूर्व नौकरी छोड़ने पर फायदा.— (1) जहां यदि किसी सदस्य ने नियोजन छोड़ने की तारीख को या अधिवर्षिता आयु प्राप्त होने पर, जो भी पहले हो, पैरा 12(1) में विनिर्दिष्ट पात्र सेवा पूरी नहीं की है, तो ऐसे सदस्य सारणी '4' के अनुसार प्रत्याहरण फायदा पाने का हकदार होगा या योजना प्रमाण-पत्र लेने का विकल्प चुन सकता है, परंतु सदस्य ने अधिवर्षिता आयु प्राप्त न की हो।

परंतु, ऐसे प्रत्याहरण फायदे की गणना के प्रयोजन के लिए, नियोजन छोड़ने पर वेतन प्रत्येक वेतन की अधिकतम सीमा अवधि के अंत में प्राप्त वेतन का भारित औसत होगी;

परंतु यह और कि, मौजूदा सदस्य को कर्मचारी कुटुंब पेंशन योजना, 1971 के अधीन उसकी पूर्व सेवा के लिए अंशदान पर अतिरिक्त लाभ प्राप्त होगा, जिसकी गणना सारणी '1' के अनुसार प्रत्याहरण-सह-सेवानिवृत्ति फायदे को सारणी '2' में दिए गए गुणांक से गुणा करके की जाएगी।

परंतु यह भी कि, अधिवर्षिता आयु प्राप्त करने से पूर्व नियोजन छोड़ने की स्थिति में, सदस्य अंतिम अंशदान देय होने की तारीख से छत्तीस मास की अवधि बीत जाने अथवा अधिवर्षिता आयु प्राप्त करने के पश्चात् ही, जो भी पहले हो, से प्रत्याहरण फायदा प्राप्त करने के लिए पात्र होगा।

14. स्थाई और पूर्ण निःशक्तता पर फायदा.— (1) सदस्य जो सेवा के दौरान स्थाई और पूर्ण रूप से निःशक्त हो जाता है, पैरा 12 के अधीन न्यूनतम ₹250 प्रति मास पेंशन का पात्र होगा इस तथ्य के होते हुए भी कि पैरा 12 के अधीन पेंशन का पात्र बनने हेतु उसने पेंशन योग्य सेवा पूरी न की हो।

परंतु सदस्य द्वारा पेंशन निधि में कम से कम एक मास का अंशदान किया गया हो।

- (2) उप पैरा (1) के अधीन मासिक सदस्य पेंशन स्थाई और पूर्ण निःशक्तता की तारीख की अगली तारीख से देय होगी तथा वह सदस्य के जीवनपर्यन्त जारी रहेगी।
- (3) इस पैरा के अधीन फायदा प्राप्त करने के लिए आवेदन करने वाले सदस्य को केंद्रीय बोर्ड द्वारा विनिर्दिष्ट चिकित्सा परीक्षण करवाना होगा, जिससे यह अवधारित किया जा सके कि वह ऐसी निःशक्तता के समय जो कार्य कर रहा था, उसके लिए स्थाई और पूर्ण रूप से अयोग्य है या नहीं।

15. सदस्य की मृत्यु पर फायदा.— (1) पात्र कुटुंब को पेंशन सदस्य की मृत्यु की तारीख से अगली तारीख से देय होगी, यदि सदस्य की मृत्यु—

(क) सेवा में रहते हुए;

परंतु पेंशन निधि में कम से कम एक मास का अंशदान जमा किया गया हो; या

(ख) नौकरी छोड़ने की तारीख के उपरांत किंतु अधिवर्षिता आयु प्राप्त करने से पूर्व, और ऐसी सेवा प्रदान की हो जिससे सदस्य मासिक पेंशन का पात्र हो जाता, परंतु पेंशन का भुगतान प्रारंभ होने से पूर्व; या

(ग) मासिक पेंशन का भुगतान प्रारंभ होने के पश्चात्।

स्पष्टीकरण: इस उप पैरा के प्रयोजन के लिए, जहाँ किसी सदस्य ने नौकरी छोड़ने की तारीख को 10 वर्ष से कम की पात्र सेवा की हो, किंतु पेंशन निधि की सदस्यता बनाए रखी हो और अर्धवर्षिता आयु प्राप्त करने से पूर्व उसकी मृत्यु हो जाए, ऐसे मामलों का विनियमन पैरा 12 के उप पैरा (12) के खंड (क) के अधीन जाएगा। :

(2) (क) मासिक विधवा पेंशन निम्नानुसार होगी:—

- (i) उप पैरा (1) के खंड (क) में आने वाले मामलों में, मासिक सदस्य पेंशन के बराबर, जो कि सदस्य की मृत्यु की तारीख पर सेवानिवृत्त मानकर देय होती अथवा चार सौ पचास रुपए प्रतिमास अथवा सारणी '3' में दर्शाई गई राशि, जो भी अधिक हो।
- (ii) उप पैरा (1) के खंड (ख) में आने वाले मामलों में, मासिक सदस्य पेंशन के बराबर, जो सदस्य को सेवा से निकासी होने की तारीख पर सेवानिवृत्त मानकर देय होती या चार सौ पचास रुपए प्रति मास अथवा सारणी '3' में दर्शाई गई राशि, जो भी अधिक हो होगी
- (iii) उप पैरा (1) के खंड (ग) में आने वाले मामलों में, सदस्य की मृत्यु की तारीख पर देय मासिक सदस्य पेंशन के 50 प्रतिशत के बराबर, परंतु न्यूनतम चार सौ पचास रुपए प्रति मास।
- (iv) ऐसे मामलों में, जहां कुटुंब पेंशन योजना, 1971 के तहत स्वीकृत कुटुंब पेंशन की राशि, जो इस योजना के अधीन देय है, चार सौ पचास रुपए प्रति मास से कम है, ऐसी पेंशन की राशि बढ़ाकर चार सौ पचास रुपए प्रति मास कर दी जाएगी।
- (v) ऐसे मामलों में, जहां मासिक विधवा पेंशन राहत सहित, यदि कोई हो, एक हजार रुपए प्रति मास से कम है, ऐसी पेंशन की राशि बढ़ाकर एक हजार रुपए प्रति मास कर दी जाएगी।
- (ख) मासिक विधवा पेंशन विधवा की मृत्यु या पुनर्विवाह की तारीख तक, जो भी पहले हो, देय होगी।

स्पष्टीकरण:- इस उप पैरा के प्रयोजन के लिए, जाहं दो या अधिक विधवाएं हों, वहां पेंशन ज्येष्ठतम उत्तरजीवित विधवा को और उसकी मृत्यु के पश्चात्, अगली उत्तरजीवित विधवा यदि कोई हो, तो उसे पेंशन देय होगी। यहाँ "ज्येष्ठतम" से विवाह की तारीख के आधार पर ज्येष्ठता अभिप्रेत है।

(3) मासिक बाल पेंशन:—

- (क) मृतक सदस्य के कोई जीवित बच्चे हों, जो पात्र कुटुंब की परिभाषा के अधीन आते हों, तो विधवा/विधुर पेंशन के अतिरिक्त मासिक बाल पेंशन के पात्र होंगे।
- (ख) प्रत्येक बच्चे के लिए मासिक बाल पेंशन, उप पैरा (2) के खंड (क) के अधीन विधवा को देय राशि के 25 प्रतिशत के बराबर होगी:

परंतु न्यूनतम मासिक बाल पेंशन राहत सहित, यदि कोई हो, प्रति बालक दो सौ पचास रुपए से कम नहीं होगी।

- (i) बालक की आयु 25 वर्ष होने तक देय होगी।
- (ii) एक समय में अधिकतम दो बालकों को देय होगी और सबसे बड़े से सबसे छोटे बालक के क्रम में देय होगी।

(iii) जहां किसी मृतक सदस्य का ऐसा पुत्र या पुत्री है जो स्थाई और पूर्ण रूप से दिव्यांग हो, तो ऐसे, यथास्थिति, बालक आयु और कुटुंब में बालकों की संख्या पर ध्यान दिए बिना, खंड (ii) में दी गई पेंशन के अतिरिक्त, मासिक बाल पेंशन या अनाथ पेंशन, का हकदार होगा।

(4) (क) जहां मृतक सदस्य की कोई विधवा उत्तरजीवित न हो, परंतु हकदार कुटुंब की परिभाषा में आने वाले बालक उत्तरजीवित हैं, और जहां विधवा पेंशन देय नहीं है, तो बालक उप पैरा (2) के खंड (क) के अधीन देय मासिक विधवा पेंशन की रकम के पचहत्तर प्रतिशत के बराबर मासिक अनाथ पेंशन के हकदार होंगे:

परंतु न्यूनतम मासिक अनाथ पेंशन राहत सहित, यदि कोई हो, तो प्रति अनाथ सात सौ पचास रुपए से कम नहीं होगी।

(ख) अनाथ पेंशन प्रत्येक अनाथ को तब तक संदेय होगी जब तक फायदाग्राही पच्चीस वर्ष की आयु प्राप्त नहीं कर लेता:

परंतु यदि फायदाग्राही मानसिक विकार या शारीरिक विकलांगता से ग्रस्त हो, तो पेंशन पच्चीस वर्ष की आयु के पश्चात भी जारी रहेगी।

(ग) विधवा या विधुर पेंशन स्वीकृत होने के पश्चात उसकी मृत्यु या पुनर्विवाह की दशा में, बालक बाल पेंशन के स्थान पर, ऐसी मृत्यु या पुनर्विवाह की तारीख के अगले दिन से अनाथ पेंशन के हकदार होंगे।

(घ) अनाथ पेंशन एक समय में अधिकतम दो अनाथों को संदेय होगी, ज्येष्ठतम से कनिष्ठतम के क्रम में।

(5)(क) सदस्य जो अविवाहित हो या जिसके कोई पति/पत्नी या हकदार बच्चा न हो, फायदे प्राप्त करने के लिए किसी व्यक्ति को नामनिर्देशित कर सकता है:

परंतु तत्पश्चात हकदार कुटुंब बना लेने पर ऐसा नामनिर्देशन शून्य हो जाएगा।

परंतु सदस्य की मृत्यु पर ऐसा नामनिर्देशिनी उप-पैरा (2) के खंड (क) के उप-खंड (i) और (ii) के अधीन ग्राह्य विधवा पेंशन के बराबर मासिक पेंशन प्राप्त करने का हकदार होगा।

(ख) जहां किसी सदस्य की मृत्यु के पश्चात कोई पति/पत्नी या हकदार बालक नहीं है और कोई नामनिर्देशन भी नहीं किया है, तो उप-पैरा (2) के खंड (क) के उप-खंड (i) और (ii) के अधीन विधवा पेंशन यथास्थिति आश्रित पिता या आश्रित माता, को संदेय होगी और आश्रित पिता को पेंशन अनुदत्त होने पर और उनकी मृत्यु होने पर, पेंशन आजीवन जीवित माता को संदेय होगी।

(ग) जहां मृतक सदस्य ने नियोजन छोड़ने की तारीख पर ऐसी पेंशन योग्य सेवा पूरी नहीं की थी, जोकि उसे पैरा 12 के अधीन मासिक पेंशन का हकदार बनाती, लेकिन उसने पैरा 12 के उप-पैरा (8) के अधीन सदस्यता बनाए रखने का विकल्प चुना था, तो यथास्थिति नामनिर्देशिनी या आश्रित पिता या आश्रित माता, पैरा 12 के अधीन प्रत्याहरण फायदाप्राप्त करने के हकदार होंगे।

16. पेंशन फायदों की गारंटी.—इस स्कीम के अधीन किसी भी सदस्य या फायदाग्राही को, पैरा 4 के उप-पैरा (1) के अधीन नियोजक द्वारा अपेक्षाओं की अनुपालन न किए जाने के कारण, पेंशन फायदे से वंचित नहीं किया जाएगा:

परंतु इस पैरा में अंतर्विष्ट कोई भी बात, नियोजक को इस स्कीम के अधीन अधिरोपित दायित्वों से मुक्त नहीं करेगा।

17. पेंशन का संदाय.— (1) दावे, जो हर प्रकार से पूर्ण हो और आवश्यक दस्तावेजों, के साथ प्रस्तुत किए गए थे, आयुक्त द्वारा प्राप्त करने की तारीख से बीस दिन के भीतर निपटारा किया जाएगा और फायदाग्राहियों को फायदा की रकम का संदाय कर दिया जाएगा।

(2) जहां दावे में कोई कमी हो, तो उसे लिखित रूप में दर्ज किया जाएगा तथा आवेदन प्राप्त होने की तारीख से बीस दिन के भीतर आवेदक को सूचित किया जाएगा।

(3) जहां, आयुक्त, बिना पर्याप्त कारण के, पूर्ण रूप से प्रस्तुत किए गए दावे का निपटान बीस दिन के भीतर करने में विफल रहता है, तो उक्त अवधि से अधिक विलंब के लिए आयुक्त उत्तरदायी होगा तथा फायदे की रकम पर बारह प्रतिशत की दर से ब्याज लगाया जाएगा जिसे आयुक्त के वेतन से काटा जाएगा।

18. नियोजक के कर्तव्य.— (1) प्रत्येक नियोजक, इस स्कीम के स्थापन पर लागू होने की तारीख से पंद्रह दिन के भीतर, कर्मचारी भविष्य निधि स्कीम, 2026 में बताए गए अनुसार आयुक्त को एक समेकित विवरण प्रेषित करेगा, जिसमें पेंशन निधि के सदस्य बनने के लिए आवश्यक या हकदार कर्मचारी के विवरण सहित ऐसे कर्मचारी को दिया जाने वाला मजदूरी भी शामिल होगा।

परंतु जहां किसी कर्मचारी को पेंशन निधि का सदस्य बनने की आवश्यकता या हकदारता हो नियोजक 'शून्य' विवरणी दाखिल करेगा।

(2) प्रत्येक नियोजक स्थापन के निरीक्षण के दौरान संहिता की धारा 122 की उप-धारा (1) के अधीन नियुक्त निरीक्षक-सह-सुविधकर्ता द्वारा सत्यापन के लिए, कर्मचारियों के ब्यौरे तथा उनको किए गए संदाय से संबंधित सभी रजिस्ट्रों तथा लेखा-पुस्तको, जो किसी अन्य विधि के अधीन अनुरक्षित हैं, उचित प्रमाणीकरण के अधीन इलेक्ट्रॉनिक रूप से उपलब्ध कराएगा।

(3) इस पैरा में अंतर्विष्ट किसी भी बात के होते हुए भी, केंद्रीय बोर्ड इस स्कीम के कार्यान्वयन के प्रयोजन से नियोजकों को सामान्यतः ऐसे निदेश जारी कर सकता है जिन्हें वह आवश्यक या उचित समझे, और प्रत्येक नियोजक का यह कर्तव्य होगा कि वह उन निदेशों का पालन करे।

(4) किसी स्थापन का प्रत्येक नियोजक, इलेक्ट्रॉनिक रूप में या अन्यथा, अभिलेखों और रजिस्ट्रों का रखरखाव करेगा जिनमें नियोजित व्यक्तियों, मस्टर रोल, मजदूरी और संहिता की धारा 123 के खंड (क) के अधीन अपेक्षित अन्य विवरणों से संबंधित जानकारी भी सम्मिलित हो।

19. नियोजक द्वारा स्वामित्व की विशिष्टियाँ प्रस्तुत करना.— प्रत्येक नियोजक, ऐसे स्थापन के संबंध में जिस पर यह संहिता और यह स्कीम लागू होती है, आयुक्त को सभी शाखाओं और विभागों, मालिकों, अधिभोगियों, निदेशकों,

साझेदारों, प्रबंधकों या ऐसे किसी अन्य व्यक्ति या व्यक्तियों का विवरण प्रस्तुत करेगा जिनका ऐसे स्थापन के मामलों पर अंतिम नियंत्रण है।

20. पेंशन निधि का विनिर्दिष्ट.— (1) केंद्रीय सरकार के अभिदाय के सिवाय, पेंशन निधि लेखे में जमा होने वाली सभी धनरकम का विनिर्दिष्ट कर्मचारी भविष्य निधि स्कीम, 2026 के पैरा 35 के उपबंधों के अनुसार किया जाएगा।

(2) पेंशन निधि की वे आस्तियों जो पहले से भारत सरकार के लोक लेखे में विनिर्दिष्ट हैं, उसी खाते में विनिर्दिष्ट रहेंगी।

(3) 1 अप्रैल, 2026 से केंद्रीय सरकार द्वारा पेंशन निधि में जमा किया जाने वाला भविष्य का अभिदाय भारत सरकार के लोक लेखे में विनिर्दिष्ट किया जाएगा और केंद्रीय सरकार 8.5 प्रतिशत से कम की दर से ब्याज की अनुमति नहीं देगी।

21. निधि का व्यय.— (1) संहिता और इस स्कीम के उपबंधों के अधीन रहते हुए, केंद्रीय सरकार की पूर्व स्वीकृति के बिना, पेंशन निधि को निम्नलिखित के अलावा किसी अन्य प्रयोजन के लिए व्यय नहीं किया जाएगा।-

(i) इस स्कीम में परिकल्पित संदाय

(ii) इस स्कीम की अधिसूचना की तारीख से पहले पूर्ववर्ती कर्मचारी पेंशन स्कीम, 1995 के अधीन स्वीकृत फायदों का निरंतर संदाय या 1 अप्रैल, 2026 से पहले उत्पन्न होने वाले मामलों के संबंध में उसके बाद स्वीकृत; और

(iii) कर्मचारी कुटुंब पेंशन स्कीम, 1971 के अधीन 16 नवंबर, 1995 से पहले स्वीकृत कुटुंब पेंशन, जीवन बीमा फायदा और सेवानिवृत्ति-सह-प्रत्याहरण फायदों का निरंतर संदाय या उस तारीख से पहले उत्पन्न होने वाले मामलों के संबंध में उसके बाद स्वीकृत फायदों का निरंतर संदाय।

(2) सभी प्रशासनिक व्यय कर्मचारी भविष्य निधि स्कीम, 2026 के पैरा 32 में विनिर्दिष्ट केंद्रीय प्रशासन खाते से पूरे किए जाएंगे :

परंतु पेंशन प्रेषण की लागत पेंशन निधि पर प्रभारित की जाएगी।

22. लेखों का रखरखाव.— केंद्रीय बोर्ड, केंद्रीय सरकार द्वारा अनुमोदित वार्षिक लेखों के सामान्य रूपविधान में इस स्कीम के संबंध में एक समेकित आय और व्यय लेखा तथा एक समेकित तुलन पत्र बनाए रखेगा।

23. लेखापरीक्षा.— इस स्कीम के संचालन में किए गए प्रशासनिक व्यय सहित पेंशन निधि के लेखों, की लेखापरीक्षा केंद्रीय सरकार द्वारा भारत के नियंत्रक एवं महालेखा परीक्षक के परामर्श से जारी अनुदेशों के अनुसार की जाएगी।

24. फायदों का पूर्णांक निर्धारण.— सभी फायदा मदों की गणना निकटतम रुपये तक की जाएगी; पचास पैसे या उससे अधिक को अगले उच्चतर रुपये के रूप में गिना जाएगा और पचास पैसे से कम को अनदेखा किया जाएगा।

25. पेंशन निधि का मूल्यांकन.— (1) केंद्रीय सरकार अपने द्वारा नियुक्त मूल्यांकक से पेंशन निधि का वार्षिक मूल्यांकन करवाएगी।

(2) किसी भी समय, जब पेंशन निधि इसकी अनुमति दे, केंद्रीय सरकार-

(i) इस स्कीम के अधीन संदेय अभिदाय की दर में बदलाव कर सकती है

(ii) इस स्कीम के अधीन स्वीकार्य किसी भी फायदे की मात्रा में बदलाव कर सकती है; या

(iii) ऐसे फायदा दिए जाने की अवधि में परिवर्तन कर सकती है।

- 26. पेंशन और अन्य फायदों का वितरण.—** (1) आयुक्त, केंद्रीय बोर्ड की स्वीकृति से, डाकघर या राष्ट्रीयकृत बैंक या कोषागार या क्षेत्रीय ग्रामीण बैंक या सहकारी बैंक सहित अनुसूचित बैंक जैसी किसी भी वितरण अभिकरण के साथ इलेक्ट्रॉनिक या डिजिटल निधि हस्तांतरण प्रणाली के माध्यम से पेंशन और अन्य फायदों के वितरण की व्यवस्था करेगा।
- (2) वितरण अभिकरणों को संदेय कमीशन और उससे संबंधित अन्य प्रभार स्कीम के पैरा 21 के अनुसार संदत किए जाएंगे।
- 27. रजिस्टर, अभिलेख आदि.—** आयुक्त, केंद्रीय बोर्ड के अनुमोदन से निम्नलिखित विनिर्दिष्ट करेगा-
- कर्मचारियों के संबंध में रखे जाने वाले रजिस्टर और अभिलेख
 - किसी कर्मचारी या उसके नामनिर्देशिती व्यक्ति या पेंशन प्राप्त करने के पात्र कुटुंब सदस्य की पहचान के लिए पहचान पत्र, टोकन या डिस्क का प्रारूप या डिजाइन; तथा
 - पेंशन और अन्य फायदों के अनुदान या उनकी निरंतरता से संबंधित अन्य प्ररूप या औपचारिकताएँ अपेक्षित करेगा, जो समय-समय पर आवश्यक सत्यापन के अधीन होंगी।
- 28. वार्षिक रिपोर्ट.—** केंद्रीय बोर्ड कर्मचारी भविष्य निधि स्कीम, 2026 के संचालन की वार्षिक रिपोर्ट, पिछले वित्तीय वर्ष के दौरान इस स्कीम के संचालन पर एक रिपोर्ट सम्मिलित करेगा।
- 29. कर्मचारी भविष्य निधि स्कीम, 2026 का लागू होना.—** जिन मामलों के लिए इस स्कीम में कोई उपबंध नहीं हैं, उनके संबंध में कर्मचारी भविष्य निधि स्कीम, 2026 के संबंधित उपबंध लागू होंगे।
- 30. स्कीम के संचालन से छूट.—** समुचित सरकार संहिता की धारा 143 के अधीन किसी भी स्थापन या स्थापनों के वर्ग को इस स्कीम के संचालन से छूट दे सकती है, यदि उन स्थापनों के कर्मचारी-
- किसी अन्य पेंशन स्कीम के सदस्य हैं,
 - ऐसी पेंशन स्कीम के सदस्य बनने का प्रस्ताव रखते हैं, जो इस स्कीम के अधीन दिए गए फायदों के बराबर या उनसे अधिक अनुकूल पेंशन फायदा प्रदान करते हों।
- (2) जहां उप-पैरा (1) के अधीन छूट दी जाती है, वहाँ कुटुंब पेंशन स्कीम, 1971 या कर्मचारी पेंशन स्कीम, 1995 के अधीन ऐसी स्थापनों के कर्मचारियों के खाते में उपलब्ध प्रत्याहरण फायदा, कर्मचारियों की सहमति के अधीन, स्थापनों के पेंशन निधि में स्थानांतरित किए जाएंगे।
- (3) इस पैरा के अधीन छूट के लिए एक आवेदन, संबंधित अधिकारिता वाले क्षेत्रीय भविष्य निधि आयुक्त को, स्थापन की पेंशन स्कीम की एक प्रति और अन्य सुसंगत दस्तावेज भी संलग्न किए जाएंगे, जिनकी मांग की जाए।
- (4) क्षेत्रीय भविष्य निधि आयुक्त उसकी जांच करेगा, केंद्रीय भविष्य निधि आयुक्त की सिफारिशें प्राप्त करेगा, और निर्णय के लिए उन्हें समुचित सरकार को प्रस्तुत करेगा।
- (5) इस पैरा के अधीन छूट के आवेदन के निपटारे तक, पैरा 4 के उप-पैरा (1) में परिकल्पित नियोजक का अभिदाय पेंशन निधि में प्रेषित नहीं किया जाएगा।
- (6) छूट के आवेदन का निपटारा, उसकी प्राप्ति की तारीख से छह मास की अवधि के भीतर या ऐसे अतिरिक्त समय के भीतर किया जाएगा, जिसे अभिलिखित रूप में दर्ज कारणों के आधार पर बढ़ाया जा सकता है।
- (7) जहां छूट के आवेदन का निपटारा इस प्रकार विनिर्दिष्ट अवधि के भीतर नहीं किया जाता है, तो मांगी गई छूट को प्रदान किया गया मान लिया जाएगा।

स्पष्टीकरण - इस पैरा के प्रयोजन के लिए, छह मास की अवधि की गणना उस तारीख से की जाएगी, जिस तारीख को छूट का आवेदन, क्षेत्रीय भविष्य निधि आयुक्त के समाधान के अनुसार पूर्ण रूप में प्रस्तुत किया गया हो।

31. विवरणी प्रस्तुत करना .— छूट प्राप्त स्थापन या स्थापनों के वर्ग का नियोजक और ऐसे छूट प्राप्त स्थापन या स्थापनों के वर्ग का न्यासी बोर्ड, इस स्कीम के साथ संलग्न प्ररूप में आयुक्त को एक मासिक विवरणी प्रस्तुत करेगा।

32. अंतरण मूल्य.— (1) जहां किसी स्थापन को छूट प्रदान की जाती है या जहां किसी सदस्य को किसी छूट प्राप्त स्थापन की पेंशन निधि से अन्य छूट प्राप्त स्थापन या कानूनी पेंशन निधि में या इसके विपरीत स्थानांतरित किया जाता है, तो अंतरण मूल्य का संदाय निम्नलिखित बिन्दुओं के आधार पर किया जाएगा:—

(i) 15 नवंबर 1995 तक की पूर्व सेवा अवधि से संबंधित प्रत्याहरण फायदा, जो सारणी -1 के अनुसार, 16 नवंबर 1995 से यथास्थिति छूट या अंतरण की तारीख तक की अवधि के लिए सारणी-2 के गुणक से गुणा किया जाएगा; तथा

(ii) पेंशन योग्य सेवा के लिए अंतरण मूल्य सारणी -5 के अनुसार होगा, जो 16 नवंबर, 1995 से या स्थापन में शामिल होने की तारीख से यथास्थिति छूट या अंतरण की तारीख तक की गई सेवा के लिए संदेय होगा।

(2) पैरा 30 के अधीन अनुदत्त की गई छूट के रद्दकरण की स्थिति में, निधि का अंतरण छूट अधिसूचना में विनिर्दिष्ट शर्तों के अनुसार किया जाएगा।

33. केंद्रीय सरकार को सूचना.— केंद्रीय बोर्ड, समय-समय पर केंद्रीय सरकार द्वारा निदेशित पेंशन निधि खाते से आय और व्यय के संबंध में, केंद्रीय सरकार को जानकारी प्रदान करेगा।

34. निर्वचन— जहां इस स्कीम के उपबंधों के निर्वचन के संबंध में कोई संदेह उत्पन्न होता है, वहां उसे केंद्रीय सरकार को भेजा जाएगा, जो इस विषय पर विनिश्चय करेगी।

35. हत्या के अपराध में आरोपित व्यक्ति की दशा में पेंशन का संदाय.— (1) जहां कोई व्यक्ति, जो पेंशन निधि के किसी सदस्य की मृत्यु की स्थिति में पैरा 12 या पैरा 15 के अधीन पेंशन प्राप्त करने का पात्र है, उस पर सदस्य की हत्या करने या ऐसी हत्या में सहयोग करने का आरोप लगता है, तो उसके विरुद्ध चल रही आपराधिक कार्यवाही के समाप्ति तक पेंशन प्राप्त करने के दावे स्थगित रहेंगे।

(2) उप-पैरा (1), में विनिर्दिष्ट आपराधिक कार्यवाही की समाप्ति पर,—

(i) यदि संबंधित व्यक्ति सदस्य की हत्या या हत्या में सहयोग के लिए दोषी सिद्ध होता है, तो व्यक्ति पेंशन प्राप्त करने से वंचित कर दिया जाएगा, जो कि मृतक सदस्य के कुटुंब के अन्य पात्र सदस्यों को संदेय होगी; या

(ii) यदि वह व्यक्ति सदस्य की हत्या या हत्या में सहयोग के आरोप से बरी हो जाता है, तो उस व्यक्ति को पेंशन फायदा संदेय होगा।

36. अंतरराष्ट्रीय कर्मकारों के संबंध में विशेष उपबंध.— इस स्कीम में अंतर्विष्ट किसी भी बात के होते हुए, निम्नलिखित उपबंध अंतरराष्ट्रीय कर्मकार पर लागू होंगे, अर्थात्:—

(1) पात्र सेवा का अवधारणा निम्नानुसार किया जाएगा,

(i) "विद्यमान सदस्य" या "विद्यमान सदस्य से भिन्न अन्य सदस्य" की दशा में, "वास्तविक सेवा" को पात्र सेवा माना जाएगा;

(ii) सामाजिक सुरक्षा करार द्वारा कवर किए गए सदस्य की दशा में, किसी अन्य देश में सुसंगत सामाजिक सुरक्षा कार्यक्रम के अधीन आने की अवधि को वास्तविक सेवा में जोड़ा जाएगा और उन दोनों के योग को सामाजिक सुरक्षा करार में उपबंध की जा सकने वाली पात्र सेवा के रूप में माना जाएगा।

(2) पेंशन योग्य वेतन, पेंशन निधि में सदस्यता की सेवा की अंशदायी अवधि के दौरान प्राप्त औसत मासिक वेतन होगा, चाहे वह समय-दर या कार्य-दर के आधार पर।

(3) भारत और किसी अन्य देश के बीच हुए सामाजिक सुरक्षा करार के अधीन आने वाला कोई अंतर्राष्ट्रीय कर्मकार, जिसने नियोजन छोड़ने की तारीख से या अधिवर्षिता की आयु होने तक जो भी पहले हो, पैरा 9 में विहित पात्र सेवा पूरी नहीं की है, वह उस सामाजिक सुरक्षा करार में दिए गए अनुसार पूर्णता फायदे का पात्र होगा:

परंतु यदि उक्त करार के उपबंध के अधीन आने वाले अंतर्राष्ट्रीय कर्मकार ने उक्त करार में दिए गए अनुसार समग्रीकरण फायदे को शामिल करने के पश्चात भी पात्र सेवा पूरी नहीं की है, तो ऐसा अंतर्राष्ट्रीय कर्मकार सारणी '4' में दिए गए प्रत्याहरण फायदे का पात्र होगा।

परंतु सेवानिवृत्ति की आयु प्राप्त करने से पहले सेवा छोड़ने की स्थिति में अंतर्राष्ट्रीय कर्मकार प्रत्याहरण फायदे प्राप्त करने के लिए तभी पात्र होगा, जब अंतिम अभिदाय संदेय होने की तारीख से छत्तीस मास पूरे हो गए हों, या जब वह सेवानिवृत्ति की आयु प्राप्त कर ले, इसमें से जो भी पूर्वतर हो।

(4) (i) आयुक्त, केंद्रीय बोर्ड की स्वीकृति से, इस स्कीम के अधीन पेंशन और अन्य फायदों के लिए वितरण अभिकरणों जैसे कि क्षेत्रीय ग्रामीण बैंक या सहकारी बैंक सहित डाकघर या राष्ट्रीयकृत बैंक या कोषागार या अनुसूचित बैंक के साथ इलेक्ट्रॉनिक या डिजिटल निधि अंतरण प्रणाली के माध्यम से व्यवस्था करेगा।

(ii) वितरण अभिकरणों को संदेय कमीशन और उससे संबंधित अन्य प्रभारों का वहन इस स्कीम के पैरा 21 में दिए गए उपबंध के अनुसार किया जाएगा।

परंतु यदि इस स्कीम के अधीन फायदाग्राही भारत और किसी अन्य देश के बीच हुए सामाजिक सुरक्षा करार के अधीन आता है, तो इस स्कीम के अधीन पेंशन और अन्य फायदों का वितरण उक्त करार में विनिर्दिष्ट रीति और शर्तों के अनुसार किया जाएगा।

(5) आयुक्त, भारत सरकार और किसी अन्य देश के बीच हुए सामाजिक सुरक्षा करार के अधीन कर्मचारी भविष्य निधि संगठन को सौंपे गए ऐसे सभी कार्यों का निष्पादन, उसमें दी गई रीति और विनिर्दिष्ट निबंधनों और शर्तों के अनुसार करेंगे।

सारणी – 1

[पैरा 13(1) और 32(1)(i) देखिए]

(प्रत्याहरण फायदा)

संदत अभिदाय के पूर्ण वर्षों की संख्या	सदस्यता समाप्त होने पर संदेय मजदूरी का अनुपात
(1)	(2)
1	0.2
2	0.41
3	0.62

4	0.84
5	1.06
6	1.29
7	1.51
8	1.75
9	1.98
10	2.23
11	2.47
12	2.72
13	2.98
14	3.24
15	3.51
16	3.78
17	4.05
18	4.34
19	4.62
20	4.92
21	5.21
22	5.52
23	5.83
24	6.14
25	6.46
26	6.79

27	7.12
28	7.46
29	7.81
30	8.16
31	8.52
32	8.89
33	9.26
34	9.64
35	10.03
36	10.43
37	10.83
38	11.24
39	11.66
40	12.08

सारणी – 2

[पैरा 12(3), 13(1), 32(1)(i) देखिए]

(नियोजन छोड़ने पर विद्यमान सदस्यों के लिए समाप्त पारिवारिक पेंशन स्कीम के अधीन पिछली सर्विस के फायदा की गणना के लिए गुणक)

(1)	(2)
वर्ष	गुणक
1 से कम	1.039
2 से कम	1.122
3 से कम	1.212

4 से कम	1.309
5 से कम	1.413
6 से कम	1.526
7 से कम	1.649
8 से कम	1.781
9 से कम	1.923
10 से कम	2.077
11 से कम	2.243
12 से कम	2.423
13 से कम	2.616
14 से कम	2.826
15 से कम	3.052
16 से कम	3.296
17 से कम	3.560
18 से कम	3.845
19 से कम	4.152
20 से कम	4.485
21 से कम	4.843
22 से कम	5.231
23 से कम	5.649
24 से कम	6.101
25 से कम	6.589
26 से कम	7.117
27 से कम	7.686

28 से कम	8.301
29 से कम	8.965
30 से कम	9.682
31 से कम	10.487
32 से कम	11.294
33 से कम	12.197
34 से कम	13.173
35 से कम	14.2271
36 से कम	15.36555
37 से कम	16.59509
38 से कम	17.92303
39 से कम	19.35722
40 से कम	20.90618
41 से कम	22.57909
42 से कम	24.38586]

सारणी – 3

[पैरा 15(2)(क)(i) और 15(2)(क)(ii)देखें]

(समतुल्य विधवा पेंशन)

मृत्यु के दिन मजदूरी इससे अधिक नहीं (1)	समतुल्य विधवा पेंशन (2)
(रुपए)	(रुपए)
300 तक	250
350	327
400	343

450	359
500	375
550	391
600	408
650	425
700	442
750	459
800	476
850	493
900	510
950	527
1000	544
1050	561
1100	578
1150	595
1200	612
1250	629
1300	646
1350	664
1400	682
1450	700
1500	718
1550	736
1600	754

1650	772
1700	797
1750	808
1800	826
1850	844
1900	862
1950	880
2000	898
2050	916
2100	935
2150	954
2200	973
2250	992
2300	1011
2350	1030
2400	1049
2450	1068
2500	1087
2550	1106
2600	1125
2650	1144
2700	1163
2750	1182
2800	1201

2850	1221
2900	1241
2950	1261
3000	1281
3050	1301
3100	1321
3150	1341
3200	1361
3250	1381
3300	1401
3350	1421
3400	1441
3450	1461
3500	1481
3550	1501
3600	1521
3650	1541
3700	1561
3750	1581
3800	1601
3850	1621
3900	1641
3950	1661
4000	1681

4050	1701
4100	1721
4150	1741
4200	1751
4250	1761
4300	1771
4350	1781
4400	1791
4450	1801
4500	1811
4550	1821
4600	1831
4650	1841
4700	1851
4750	1861
4800	1871
4850	1881
4900	1891
4950	1896
5000	1901
5050	1906
5100	1911
5150	1916
5200	1921

5250	1926
5300	1931
5350	1936
5400	1941
5450	1946
5500	1951
5550	1956
5600	1961
5650	1966
5700	1971
5750	1976
5800	1981
5850	1986
5900	1991
5950	1996
6000	2001
6050	2006
6100	2011
6150	2016
6200	2021
6250	2026
6300	2031
6350	2036
6400	2041

6450	2046
6500	2051.]
[6,550	2,056
6,600	2,061
6,650	2,066
6,700	2,071
6,750	2,076
6,800	2,081
6,850	2,086
6,900	2,091
6,950	2,096
7,000	2,101
7,050	2,106
7,100	2,111
7,150	2,116
7,200	2,121
7,250	2,126
7,300	2,131
7,350	2,136
7,400	2,141
7,450	2,146
7,500	2,151
7,550	2,156
7,600	2,161

7,650	2,166
7,700	2,171
7,750	2,176
7,800	2,181
7850	2,186
7,900	2,191
7,950	2,196
8,000	2,201
8,050	2,206
8,100	2,211
8,150	2,216
8,200	2,221
8,250	2,226
8,300	2,231
8,350	2,236
8,400	2,241
8,450	2,246
8,500	2,251
8,550	2,256
8,600	2,261
8,650	2,266
8,700	2,271
8,750	2,276
8,800	2,281

8,850	2,286
8,900	2,291
8,950	2,296
9,000	2,301
9,050	2,306
9,100	2,311
9,150	2,316
9,200	2,321
9,250	2,326
9,300	2,331
9,350	2,336
9,400	2,341
9,450	2,346
9,500	2,351
9,550	2,356
9,600	2,361
9,650	2,366
9,700	2,371
9,750	2,376
9,800	2,381
9,850	2,386
9,900	2,391
9,950	2,396
10,000	2,401

10,050	2,406
10,100	2,411
10,150	2,416
10,200	2,421
10,250	2,426
10,300	2,431
10,350	2,436
10,400	2,441
10,450	2,446
10,500	2,451
10,550	2,456
10,600	2,461
10,65b	2,466
10,700	2,471
10,750	2,476
10,800	2,481
10,850	2,486
10,900	2,491
10,950	2,496
11,000	2,501
11,050	2,506
11,100	2,511
11,150	2,516
11,200	2,521

11,250	2,526
11,300	2,531
11,350	2,536
11,400	2,541
11,450	2,546
11,500	2,551
11,550	2,556
11,600	2,561
11,650	2,566
11,700	2,571
11,750	2,576
11,800	2,581
11,850	2,586
11,900	2,591
11,950	2,596
12,000	2,601
12,050	2,606
12,100	2,611
12,150	2,616
12,200	2,621
12,250	2,626
12,300	2,631
12,350	2,636
12,400	2,641

12,450	2,646
12,500	2,651
12,550	2,656
12,600	2,661
12,650	2,666
12,700	2,671
12,750	2,676
12,800	2,681
12,850	2,686
12,900	2,691
12,950	2,696
13,000	2,701
13,050	2,706
13,100	2,711
13,150	2,716
13,200	2,721
13,250	2,726
13,300	2,731
13,350	2,736
13,400	2,741
13,450	2,746
13,500	2,751
13,550	2,756
13,600	2,761

13,650	2,766
13,700	2,771
13,750	2,776
13,800	2,781
13,850	2,786
13,900	2,791
13,950	2,796
14,000	2,801
14,050	2,806
14,100	2,811
14,150	2,816
14,200	2,821
14,250	2,826
14,300	2,831
14,350	2,836
14,400	2,841
14,450	2,846
14,500	2,851
14,550	2,856
14,600	2,861
14,650	2,866
14,700	2,871
14,750	2,876
14,800	2,881

14,850	2,886
14,900	2,891
14,950	2,896
15,000 या अधिक	2,901.

सारणी - 4

[पैरा 13 (1) और 36 (3) देखें]

रोजगार निकास पर अभिदाय की वापसी

सेवा के मास	निकास पर मजदूरी का अनुपात
1	0.08
2	0.17
3	0.25
4	0.33
5	0.42
6	0.51
7	0.60
8	0.68
9	0.77
10	0.85
11	0.94
12	1.02
13	1.10

14	1.18
15	1.26
16	1.34
17	1.42
18	1.51
19	1.59
20	1.67
21	1.75
22	1.83
23	1.91
24	1.99
25	2.07
26	2.16
27	2.24
28	2.32
29	2.40
30	2.49
31	2.57
32	2.65
33	2.73

34	2.82
35	2.90
36	2.98
37	3.06
38	3.15
39	3.23
40	3.32
41	3.40
42	3.49
43	3.57
44	3.65
45	3.74
46	3.82
47	3.91
48	3.99
49	4.08
50	4.16
51	4.25
52	4.33
53	4.42

54	4.51
55	4.59
56	4.68
57	4.76
58	4.85
59	4.93
60	5.02
61	5.11
62	5.20
63	5.28
64	5.37
65	5.46
66	5.55
67	5.63
68	5.72
69	5.81
70	5.90
71	5.98
72	6.07
73	6.16

74	6.25
75	6.34
76	6.42
77	6.51
78	6.60
79	6.69
80	6.78
81	6.87
82	6.95
83	7.04
84	7.13
85	7.22
86	7.31
87	7.40
88	7.49
89	7.58
90	7.68
91	7.77
92	7.86
93	7.95

94	8.04
95	8.13
96	8.22
97	8.31
98	8.41
99	8.50
100	8.59
101	8.68
102	8.78
103	8.87
104	8.96
105	9.05
106	9.15
107	9.24
108	9.33
109	9.33
110	9.33
111	9.33
112	9.33
113	9.33.]

सारणी – 5
[पैरा 32(1)(ii) देखिए]

(कर्मचारी पेंशन योजना, 2026 से छूट प्राप्त या अन्य पेंशन निधि में अंशदान का अंतरण और इसके विपरीत)

पूरे वर्ष की अंशदान अवधि की संख्या	अंतिम अंशदान मास में देय मजदूरी का अनुपात
1	0.987
2	1.998
3	3.033
4	4.093
5	5.178
6	6.289
7	7.426
8	8.590
9	9.782
10	11.003
11	12.252
12	13.531
13	14.841
14	16.182
15	17.554
16	18.960
17	20.399
18	21.872
19	23.380
20	24.924

21	26.505
22	28.123
23	29.780
24	31.477

प्ररूप-1

(पैरा 31 देखें)

छूट प्राप्त स्थापनाओं / स्थापनाओं के वर्ग / न्यासी बोर्ड द्वारा प्रस्तुत किया जाने वाला मासिक विवरण।

1. स्थापना का विवरण:				
(क)	स्थापना का नाम व पूरा पता			
(ख)	कर्मचारी भविष्य निधि संगठन द्वारा आवंटित कोड संख्या			
2. कर्मचारियों का विवरण (सभी शाखाओं / ईकाइयों आदि सहित)				
(क)	पिछले मास के अंत तक कर्मचारियों की संख्या			
(ख)	मास के दौरान नियोजित होने वाले कर्मचारियों की संख्या			
(ग)	मास के दौरान सेवा छोड़ने वाले कर्मचारियों की संख्या			
(घ)	मास के अंत तक कर्मचारियों की संख्या [(क) + (ख) - (ग)]			
(ङ)	उपर्युक्त (घ) में से, अपवर्जित कर्मचारियों की संख्या			
(च)	मास के अंत में पेंशन निधि सदस्यों की संख्या [विभिन्न स्थानों पर स्थित इकाईवार उपरोक्त विवरण प्रस्तुत करें। यदि आवश्यक हो तो अलग शीट संलग्न करें।]			
3. न्यासी बोर्ड का गठन				
(क)	वर्तमान बोर्ड के गठन की तारीख		दिन	मास
				वर्ष
(ख)	बोर्ड का कार्यकाल			वर्ष
(ग)	न्यासियों की कुल संख्या			
	(i)	कर्मचारियों के प्रतिनिधि		
	(ii)	नियोक्ताओं के प्रतिनिधि		
4. मजदूरी, अंशदान, आदि				
(क)	पेंशन अंशदान के लिए उत्तरदायी सकल वेतन की राशि		रु.	
(ख)	पेंशन निधि के अंशदान की दर		%	

(ग)	चालू मास के लिए हस्तांतरित की जाने वाली पेंशन अंशदान की राशि	रु.
(घ)	पिछले मास के अंत में न्यासी बोर्ड को हस्तांतरित की जाने वाली बकाया राशि, यदि कोई हो	रु.
(ङ)	(ग) व (घ) का योग	रु.
(च)	न्यासी बोर्ड को वास्तव में हस्तांतरित की गई राशि	रु.
(छ)	न्यासी बोर्ड को हस्तांतरित करने हेतु देय राशि, यदि कोई हो [(ङ)-(च)]	रु.
(ज)	क्या निधि के विलंबित हस्तांतरण के लिए संहिता की धारा 127 के तहत देय व्याज, यदि कोई हो, का भुगतान किया गया है?	हाँ नहीं
(झ)	मास के अंत में भुगतान योग्य व्याज की राशि	रु.

5. पेंशन भोगियों का विवरण

(क)	मास के अंत में पेंशन भोगियों की संख्या	
	(i) सदस्य (स्वयं) पेंशनभोगी	
	- सेवानिवृत्ति पेंशन	
	- समय पूर्व पेंशन	
	- दिव्यांग पेंशन	
	(ii) जीवनसाथी पेंशनभोगी	
	- सेवा के दौरान मृत्यु	
	- सेवा छोड़ने के बाद मृत्यु	
	- पेंशनभोगी के रूप में मृत्यु	
	(iii) संतान पेंशनभोगी	
	- सामान्य संतान	
	- दिव्यांग संतान (जीवनपर्यंत पेंशन)	
	(iv) अनाथ पेंशनभोगी	
	(v) नामिति पेंशनभोगी	
	(vi) आश्रित माता-पिता पेंशनभोगी	
(ख)	मास के दौरान भुगतान की गई पेंशन की कुल राशि	रु.

6. निकासी मामलों का विवरण

(क)	मास के दौरान निकासी लाभ लेने वाले व्यक्तियों की संख्या	
(ख)	मास के दौरान भुगतान की गई राशि	रु.
	निकासी मामलों की संख्या जहां योजना प्रमाणपत्र जारी किए गए।	

7. निवेश का विवरण			
(क)	मास की शुरुआत में पेंशन निधि में निवेशित राशि	रु.	
(ख)	मास के दौरान प्राप्त राशि		
	(i)	नियोजक के अंशदान के रूप में	
		चालू मास	रु.
		बकाया, यदि कोई हो	रु.
	(ii)	परिपक्व प्रतिभूतियों/जमाओं का नकदीकरण	रु.
	(iii)	निवेश पर ब्याज/लाभांश	रु.
	(iv)	अन्य अंतः अंतरित-मामले	रु.
	(v)	नुकसानी, यदि कोई हो	रु.
	(vi)	विलंबित भुगतानों पर ब्याज, यदि कोई हो	रु.
(vii)	विविध, यदि कोई हो (कृपया निर्दिष्ट करें)	रु.	
(ग)	मास के दौरान किए गए भुगतान	रु.	
(घ)	मास के दौरान निवेश की गई राशि	रु.	
प्रतिभूतियाँ			
	- केंद्रीय सरकार	रु.	
	- राज्य सरकार	रु.	
	-अन्य, यदि कोई हो	रु.	
जमा			
	- सार्वजनिक वित्तीय संस्थान/बैंक	रु.	
(ड)	क्या निवेश पैटर्न का अनुसरण किया गया?	हाँ नहीं	
(च)	यदि हां, तो प्रतिशत को वर्गीकृत करें।		
	(i)	प्रतिभूतियाँ	
		केंद्र सरकार	%
		राज्य सरकार	%
		अन्य	%
	(ii)	जमा	
		- सार्वजनिक वित्तीय संस्थान/बैंक	%
	(iii)	जीवन बीमा निगम से खरीदी गई वार्षिकी	रु.
(छ)	नकद/बैंक में बिना निवेश की हुई राशि	रु.	
8. संवितरण का तरीका [एक विकल्प चुने]			
	- बैंक के माध्यम से		
	- पोस्ट ऑफिस के माध्यम से		

	- एलआईसी के माध्यम से वार्षिकी खरीदकर	
	- अन्य, यदि कोई हो, (कृपया निर्दिष्ट करें)	
9. स्थापना के पेंशन निधि के नियम		
मास के दौरान नियमों को सांविधिक पेंशन योजना (कर्मचारी पेंशन योजना, 2026) के समकक्ष बनाने के लिए यदि कोई संशोधन किया गया है, तो उसका विवरण।		

तारीख

बोर्ड के न्यासी/नियोजक के आधिकारिक मुहर के साथ हस्ताक्षर

[फा.सं. एस-35025/25/2026-एसएस-II]

तेजस्वी एस. नायक, संयुक्त सचिव

MINISTRY OF LABOUR AND EMPLOYMENT

NOTIFICATION

New Delhi, the 29th June, 2026

G.S.R. 527(E).— In exercise of the powers conferred by clause (b) of sub-section (1) of section 15 of the Code on Social Security (36 of 2020) and in supersession of the Employees' Family Pension Scheme, 1971 and the Employees' Pension Scheme, 1995, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following Scheme, namely:—

- Short title, commencement and application.** - (1) This Scheme may be called the Employees' Pension Scheme, 2026.

(2) It shall come into force on the date of its publication in the Official Gazette.

(3) Subject to the provisions of section 20 of the Code on Social Security, 2020, this Scheme shall apply to the employees of all establishments to which the provisions of Chapter III apply under sub-section (4) or are applied under sub-section (5) or sub-section (6) or sub-section (8) of section 1 of the Code on Social Security, 2020.

- Definitions.** - (1) In this Scheme, unless the context otherwise requires;

(a) " actual service " means the aggregate of period of service rendered from the 16th November, 1995 or from the date of joining any establishment whichever is later to the date of exit from the employment of the establishment covered under the Code;

- (b) “Code” means Code on Social Security, 2020 (36 of 2020);
- (c) "Commissioner " means a Central Provident Fund Commissioner, an Additional Central Provident Fund Commissioner, a Deputy Provident Fund Commissioner, a Regional Provident Fund Commissioner and an Assistant Provident Fund Commissioner appointed under section 14 of the Code;
- (d) "contributory service" means the period of actual service rendered by a member for which the contributions to the fund have been received or are receivable;
- (e) " eligible family " means –
 - (i) wife in the case of male member;
 - (ii) husband in the case of a female member; and
 - (iii) sons and daughters of a member

Explanation. - The expression " sons " and " daughters " shall include children legally adopted by the member;

- (f) " existing member " means an employee who is a member of the Employees' Family Pension Scheme, 1971;
- (g) “International Worker” means—
 - (i) an employee other than an Indian employee, holding other than an Indian Passport, working for an establishment in India, to which the Code applies;
 - (ii) an Indian employee having worked or going to work in a foreign country with which India has entered into a security agreement and being eligible to avail the benefits under a social security programme of that country, by virtue of the eligibility gained or going to gain, under the said agreement:

Provided that the worker, who is a Nepalese national on account of Treaty of Peace and Friendship of 1950 and the worker who is a Bhutanese national on account of India-Bhutan Friendship Treaty of 2007, shall be deemed to be an Indian worker;

- (h) “ member " means an employee who becomes a member of the Pension Fund;

Explanation. - An employee shall cease to be the member of the Pension Fund from the date of superannuation or from the date of vesting admissible benefits under the Scheme, whichever is earlier;
- (i) " non-contributory service " is the period of actual service rendered by a member for which no contribution to the Pension Fund has been received or is receivable;
- (j) " orphan " means a person whose parents are not alive;

- (k) " past service " means the period of service rendered by an existing member from the date of joining the Employees' Family Pension Fund till the 15th November, 1995;
- (l) " pension " means the pension payable under the Employees' Pension Scheme, 2026 and includes the pension admissible and payable under the erstwhile Employees' Pension Scheme, 1995 and Employees' Family Pension Scheme, 1971 immediately preceding the commencement of this Scheme;
- (m) "Scheme" means the Employees' Pension Scheme, 2026;
- (n) "Table" means a table appended to this Scheme;
- (o) "wage ceiling period" means the period during which particular wage ceiling was applicable.

(2) The words and expressions used herein and not defined in this Scheme, shall have the same meaning as assigned to them in the Code and the Employees' Provident Funds Scheme, 2026.

3. **Pension Fund Account.** -The erstwhile Employees' Pension Fund Account under Employees' Pension Scheme, 1995 shall continue to be maintained as the Pension Fund Account under this Scheme.
4. **Pension Fund.** - (1) From and out of the contributions payable by the employer in each month under clause (a) of sub-section (1) of section 16 of the Code or under the rules of the Provident Fund of the establishment which is exempted under section 143 of the Code, a part of contribution of eight and thirty-three hundredths per cent. of the wages of employee up to wage ceiling notified by the Central Government, shall be remitted by the employer to the Pension Fund within fifteen days of the close of every month in the account of the Central Board and the cost of the remittance, if any, shall be borne by the employer.

(2) The Central Government shall contribute to the Scheme at the rate of one and sixteen hundredths per cent. of the pay of the members of the Employees' Pension Scheme, limited to such sum as may be specified by the Central Government :

Provided that where the wage of the member exceeds the wage ceiling notified by the Central Government, the contribution payable by the employer and the Central Government shall be limited to the amount payable on wages up to such wage ceiling :

Provided further that with effect from 1st of September, 2014, in respect of members who have exercised joint option for contributing under the provisions of paragraph 11 of the erstwhile Employees' Pension Scheme, 1995 and are found eligible, the contribution of the employer shall be nine and forty-nine hundredths per cent. of the wages of each member by increasing it by one and sixteen hundredths per cent. from the extant eight and thirty-

three hundredths per cent. and such increased contribution shall be applicable to wages exceeding fifteen thousand rupees per month.

(3) Each contribution payable under sub-paragraphs (1) and (2) shall be calculated to the nearest rupee, fifty paise or more to be counted as the next higher rupee and fraction of a rupee less than fifty paise being ignored.

(4) The net assets of the erstwhile Employees' Pension Scheme, 1995 shall vest in and stand transferred to the Pension Fund.

5. **Payment of contribution.** - (1) The employer shall pay the contribution payable to the Pension Fund in respect of each member employed by such employer, whether directly or through a contractor.

(2) It shall be the responsibility of the principal employer to pay the contributions payable to the Pension Fund.

6. **Recovery of damages for default in payment of any contributions.** - Where any employer makes default in the payment of contribution to the Pension Fund or in the payment of any charges payable under any provisions of the Code or this Scheme, the Central Provident Fund Commissioner or such officers as may be authorised in this behalf, may levy and recover from the employer, by way of penalty, damages at the rates specified in the Employees' Provident Funds Scheme, 2026.

7. **Membership of Employees' Pension Scheme.** - (1) This Scheme shall apply to every employee –

- (i) who, on or after the date of notification of this Scheme, becomes a member of the Employees' Provident Funds Scheme, 2026 or the Provident Fund of the establishment which is exempted under section 143 of the Code and whose wages on such date is less than or equal to wage ceiling notified by the Central Government;
- (ii) who has been a member of the erstwhile Employees' Pension Scheme, 1995 or was entitled to become a member of the Employees' Pension Scheme, 1995 or Employees' Family Pension Scheme, 1971 before the date of commencement of this Scheme.

Explanation. - An employee shall cease to be the member of Pension Fund from the date on attaining the age of superannuation or from the date of vesting admissible benefits under this Scheme, whichever is earlier.

(2) A member of the Pension Fund shall continue to be such member until the earliest of the following events, namely:—

- (a) attainment of age of superannuation;
- (b) availing of the withdrawal benefit under paragraph 13;
- (c) death of the member;

(d) vesting of pension in the member under paragraph 12.

8. **Resolution of doubts.** - Where a doubt arises as to whether an employee is entitled to become a member of the Pension Fund, the matter shall be referred to the Regional Provident Fund Commissioner, who shall decide the same:

Provided that both the employer and the employee shall be afforded an opportunity of being heard before passing the final order in the matter.

9. **Determination of eligible service.** - (1) In the case of a member other than an existing member, the contributory service shall be treated as eligible service and the total contributory service shall be rounded off to the nearest year, with a fraction of service of six months or more shall be treated as one year and the service less than six months shall be ignored.

Explanation. - In the case of employees employed seasonally in any establishment, the period of contributory service in any year, notwithstanding that such service is less than a year, shall be treated as a full year.

(2) In the case of the existing member the aggregate of contributory service and the past service shall be treated as eligible service:

Provided that where any period in the past service is one in respect of which the contributions towards the Family Pension Scheme, 1971 has not been received, the said period shall count as eligible service if the contributions thereof have been received in the Pension Fund.

Explanation. - For the purposes of this paragraph, any aggregate of contributory service and past service of less than six months shall be ignored and six months or more shall be rounded off to one year.

10. **Determination of pensionable service.** - (1) The pensionable service of the member shall be determined with reference to the contributions received or receivable in the Pension Fund.

(2) Where the member who superannuates on attaining the age of superannuation and who has rendered twenty years of pensionable service or more, the pensionable service shall be increased by adding a weightage of two years.

11. **Determination of pensionable wages.** - (1) The pensionable wages shall be the average monthly wages drawn, whether on time-rate or on piece-rate basis, during the contributory period of service in the span of sixty months immediately preceding the date of exit from the membership and the pensionable wages shall be determined on a *pro rata* basis for every wage ceiling:

Provided that these shall be subject to the maximum of wage ceiling applicable to each of such period:

Provided further that where a member was not in receipt of full wages during the said period of sixty months, the average of the full wages drawn during the preceding sixty months, for which contribution to the Pension Fund was recovered, shall be considered as pensionable wages for calculating pension.

(2) Where, during the said span of sixty months, there are non-contributory periods of service, including cases where wages drawn during the span of sixty months shall be divided by the actual number of days for which wages were drawn and the amount so derived shall be multiplied by thirty to determine the average monthly wages.

(3) The maximum pensionable wages shall be limited to the notified wage ceiling per month.

12. **Monthly pension.** - (1) A member shall be entitled to-

- (i) superannuation pension, where the member has rendered eligible service of not less than ten years and retires on attaining the age of superannuation;
- (ii) early pension, where the member has rendered eligible service of not less than ten years and retires or otherwise ceases to be in the employment before attaining the age of superannuation.

(2) Where a member other than an existing member, the amount of monthly superannuation pension or early pension, as the case may be, shall be computed in accordance with the following formula: -

$$\text{Monthly member's pension} = \frac{(\text{Pensionable wages} \times \text{Pensionable service})}{70}$$

Provided that the monthly pension of a member shall be determined on a *pro rata* basis for every wage ceiling period.

Provided further that pensionable wages shall be subject to a maximum of the wage ceiling applicable to each such period.

(3) Where an existing member in respect of whom the date of commencement of pension is after the 16th November, 2005, superannuation or early pension shall be equal to the aggregate of,—

- (a) pension as determined under sub-paragraph (2) for the period of pensionable service rendered from the 16th November, 1995 or six hundred and thirty-five rupees per month, whichever is more;
- (b) past service pension payable on completion of superannuation as specified in sub-section (82) of section 2 of the Code on the 16th November, 1995, shall be as given as provided in the table below,—

Table

Sl. No.	Years of past service	Wages upto Rs. 2500/- per month	Wages more than Rs. 2500/- per month
(1)	(2)	(3)	(4)
(i)	upto 11 years	80	85
(ii)	more than 11 years but upto 15 years	95	105
(iii)	more than 15 years but less than 20 years	120	135
(iv)	beyond 20 years	150	170

Note:

the amount specified in column (3) or (4) of the table, as the case may be, shall be multiplied by

- (i) the factor given in Table - II corresponding to the period between the 16th November, 1995 and the date of exit to arrive at past service pension payable;
- (ii) the aggregate of clauses (a) and (b) calculated under this sub-paragraph shall be subject to a minimum of eight hundred rupees per month:

Provided that the eligible service is twenty-four years:

Provided further that if it is less than twenty-four years, the pension as computed above shall be reduced proportionately subject to a minimum of four hundred and fifty rupees per month.

(4) In the case of an existing member and in respect of whom the date of commencement of pension is between the 16th November, 2000 and the 16th November, 2005,—

- (a) superannuation or early pension shall be equal to the aggregate of,—
 - (i) pension as determined under sub-paragraph (2) for the period of service rendered from the 16th November, 1995 or four hundred and thirty-eight rupees per month, whichever is more;
 - (ii) past service pension as provided in sub- paragraph (3).

- (b) the aggregate clauses of (a) and (b) calculated under sub-paragraph (3) shall be subject to a minimum of six hundred rupees per month:

Provided that the eligible service is twenty-four years:

Provided further that if it is less than twenty-four years, the pension shall be proportionately reduced subject to a minimum of three hundred and twenty-five rupees per month.

(5) In the case of an existing member and in respect of whom the date of commencement of pension is before the 16th November, 2000,—

- (a) the superannuation or early pension shall be equal to the aggregate of—
 - (i) pension as determined under sub-paragraph (2) for the period of service rendered from the 16th November, 1995 or three hundred and thirty-five rupees per month, whichever is more;
 - (ii) past service pension as provided in sub-paragraph (3).
- (b) The aggregate of sub-clauses (i) and (ii) calculated as above shall be subject to a minimum of five hundred rupees per month:

Provided that the eligible service is twenty-four years:

Provided further that it is less than twenty-four years, the pension shall be proportionately reduced but subject to the minimum of two hundred and sixty-five rupees per month.

(6) Except as otherwise expressly provided hereinafter the monthly pension under sub-paragraphs (2) to (5) shall be payable from a date immediately following the date of completion of the age of superannuation, even if the member has retired or ceased to be in the employment before that date.

(7) A member may be allowed to draw an early pension from a date earlier than the age of superannuation, but not earlier than fifty years of age, and the amount of pension shall be reduced at the rate of four per cent., for every year the age falls short of age of superannuation.

(8) the member's monthly pension including any relief payable to any existing or future member under this paragraph, shall not be less than one thousand rupees.

Provided that, on and from the first day of September, 2014, the minimum pension of one thousand rupees payable under this sub-paragraph shall be subject to –

- (i) deductions on account of benefits of commutation and return of capital taken by members under the provisions of the erstwhile Employees' Pension Scheme, 1995 prior to 26th September, 2008; and
- (ii) deductions on account of early pension under sub-paragraph (7).

(9) (a) A member who has attained the age of superannuation and is otherwise eligible for pension under clause (a) of sub-paragraph (1) may be allowed to defer the age of drawing pension later than the age of superannuation, but not beyond sixty years of age.

(b) In such cases as is referred to in clause (a), -

- (i) the amount of pension shall be increased at the rate of four per cent. for every completed year after the age of superannuation subject to the wage ceiling under the proviso to sub-paragraph (2) of paragraph 4;

- (ii) the member, at their option, may be allowed to continue contributions under paragraph 4 to the Pension Fund for the period for which the drawing of pension has been deferred, if the member is continuing in employment after the age of superannuation and the pensionable service and pensionable wages for the purpose of determining the pension under sub-paragraph (2) shall include such contributions, but not beyond the age of sixty years;
- (iii) where a member who has opted to defer the withdrawal of pension dues after attaining the age of superannuation and before the commencement of the deferred pension, the eligible family shall be entitled to pension under clause (c) of sub-paragraph (1) of paragraph 15 from the date of death of the member, as if the member's monthly pension had commenced on the date of death.

(10) Where a member ceases to be in the employment by way of retirement or otherwise before the age of superannuation, -

- (i) the member may, on option, either-
 - (a) be paid pension as admissible under this Scheme on attaining an age exceeding fifty years; or
 - (b) be issued a scheme certificate by the Commissioner indicating the pensionable service, the pensionable wages and the amount of pension due on the date of exit from the employment.

(11) Where such a member is subsequently employed in an establishment covered under this Scheme, the earlier service as recorded in the scheme certificate shall be reckoned together with the fresh spell of pensionable service.

(12) A member postponing the commencement of pension under this paragraph shall be entitled to such additional relief as may be sanctioned under this Scheme:

Provided that-

- (a) Where a member does not take up an employment covered under this Scheme and has rendered less than ten years of eligible service on the date of exit, but dies before attaining the age of superannuation and before a continuous period of thirty-six months has elapsed during which contributions have not been received in respect of the member in the Pension Fund, the amount of contributions received in this case shall be converted into a monthly widow pension or children's pension and the widow pension in such cases shall be calculated at the scale laid down in Table - III and the children's pension at twenty-five per cent. thereof for each child;

- (b) Where there is no widow, an orphan pension shall be payable at the rate of seventy-five per cent. of the amount which would have been payable as a widow pension, subject to the provisions of the paragraph 15;
- (c) Where the member does not take up an employment covered under this Scheme and has rendered less than ten years of eligible service on the date of exit, but dies before attaining the age of superannuation after a continuous period of thirty-six months has elapsed during which no contributions have been received in respect of the member in the Pension Fund, the eligible family shall be entitled to benefits under paragraph 13.

13. Benefits on leaving service before being eligible for pension. - (1) Where a member has not rendered the eligible service specified in sub-paragraph (1) of paragraph 12, on the date of exit, or on attaining the age of superannuation, whichever is earlier, such member shall be entitled to a withdrawal benefit as laid down in Table-IV or may opt to receive the scheme certificate, provided the member has not attained the age of superannuation:

Provided that for the purpose of calculating the withdrawal benefit, the wages at exit shall be the weighted average of wages at the end of every wage ceiling period:

Provided further that an existing member shall receive additional return of contributions for past service under the Employees' Family Pension Scheme, 1971, computed as withdrawal-cum-retirement benefits as per Table-I multiplied by the factor given in Table-II:

Provided also that in the case of exit from service before attaining the age of superannuation, the member shall become eligible to avail the withdrawal benefit only after the lapse of thirty-six months from the date on which the last contribution became due or on attaining the age of superannuation, whichever is earlier.

14. Benefits on permanent and total disablement. - (1) Where a member becomes permanently and totally disabled during the course of employment, such a member shall be entitled to pension as admissible under paragraph 12, subject to a minimum of two hundred and fifty rupees per month, notwithstanding the fact that the member has not rendered the pensionable service required under paragraph 12:

Provided that the member has made at least one month's contribution.

(2) The monthly pension payable under sub-paragraph (1) shall commence from the date immediately following the date of the permanent total disablement and shall continue for the lifetime of the member.

(3) A member claiming benefits under this paragraph shall undergo such a medical examination as may be specified by the Central Board, for the purpose of determining whether the member is permanently and totally unfit for the employment which the member was performing at the time of disablement.

15. **Benefits on death of member.** - (1) Pension to the eligible family shall be admissible from the date immediately following the date of death of the member, where the member dies-

(a) while in service;

Provided that at least one month's contribution has been paid into the Pension Fund; or

(b) after the date of exit but before attaining the age of superannuation, having rendered service entitling the member to a monthly pension but before the commencement of the pension payment; or

(c) after the commencement of payment of the monthly pension.

Explanation.— For the purpose of this sub-paragraph, where a member has rendered less than ten years of eligible service on the date of exit but has retained the membership of the Pension Fund and dies before attaining the age of superannuation, such cases shall be regulated under clause (a) of sub-paragraph (12) of paragraph 12.

(2) (a) The monthly widow pension shall be -

- (i) in cases under clause (a) of sub-paragraph (1), equal to the monthly pension which would have been admissible if the member had retired on the date of death or four hundred and fifty rupees per month or the amount indicated in Table-III whichever is higher;
- (ii) in cases under clause (b) of sub-paragraph (1), equal to the monthly pension which would have been admissible as if the member had retired on the date of exit or four hundred and fifty rupees per month or the amount indicated in Table-III whichever is higher;
- (iii) in cases under clause (c) of sub-paragraph (1), equal to fifty per cent. of the monthly pension payable to the member on the date of his death subject to a minimum of four hundred and fifty rupees per month;
- (iv) in cases where the amount of family pension sanctioned under the Family Pension Scheme, 1971 and payable under this Scheme is less than four hundred and fifty rupees per month, such pension shall be enhanced to four hundred and fifty rupees per month;

- (v) in cases, where the monthly widow pension including relief, if any, is less than one thousand rupees per month, such pension shall be enhanced to one thousand rupees per month.

- (b) The monthly widow pension shall be payable upto the date of death of the widow or her remarriage, whichever is earlier.

Explanation.— For the purpose of this sub-paragraph, where there are two or more widows, the pension shall be payable to the eldest surviving widow and upon her death, to the next surviving widow, if any, and the term "eldest" shall mean seniority with reference to the date of marriage.

- (3) The monthly children's pension-

- (a) any surviving child of the deceased member, falling within the definition of eligible family, shall be entitled to a monthly children's pension in addition to the widow or widower pension.
- (b) the monthly children's pension for each child shall be equal to twenty-five per cent. of the amount admissible to the widow under clause (a) of sub- paragraph (2):

Provided that the minimum monthly children's pension, including relief, if any, shall not be less than two hundred and fifty rupees per child.—

- (i) shall be payable until the child attains the age of twenty-five years;
- (ii) shall be admissible to a maximum of two children at a time, in order from eldest to youngest;
- (iii) where a deceased member leaves behind a son or daughter who is permanently and totally disabled, such a child shall be entitled to monthly children pension or orphan pension, as the case may be, irrespective of age and the number of children in the family, in addition to the pension under clause (ii).

(4)(a) Where deceased member is not survived by any widow, but is survived by children falling within the definition of eligible family and where the widow pension is not payable, the children shall be entitled to a monthly orphan pension equal to seventy-five percent of the monthly widow pension under clause (a) of sub-paragraph (2):

Provided that the minimum monthly orphan pension including relief, if any, shall not be less than seven hundred and fifty rupees per orphan;

- (b) an orphan pension shall be payable to each orphan until the beneficiary attains the age of twenty-five years:

Provided that the pension shall continue beyond twenty-five years, if the beneficiary is suffering from mental disorder or physical disability;

- (c) in the event of death or remarriage of the widow or widower after sanctioning of widow or widower pension, the children shall be entitled, in lieu of the children pension, to an orphan pension from the date following the date of such death or remarriage;
- (d) an orphan pension shall be admissible to a maximum of two orphans at a time, in order from the eldest to youngest.

(5) (a) A member who is unmarried or without a spouse or an eligible child may nominate a person to receive the benefits:

Provided that upon subsequently acquiring an eligible family, such nomination shall become void:

Provided further that on death of the member, the nominee shall be entitled to monthly pension equal to widow pension, as admissible under sub-clauses (i) and (ii) of clause (a) of sub- paragraph (2);

- (b) where a member dies leaving behind no spouse or eligible child and no nomination exists, the widow pension under sub-clauses (i) and (ii) of clause (a) of sub-paragraph (2) shall be payable to the dependent father or dependent mother, as the case may be and on the grant of pension to the father and upon his death, pension shall be extended to the surviving mother for life;
- (c) where the deceased member had not rendered pensionable service on the date of exit entitling the member to monthly pension under paragraph 12, but had opted to retain the membership under sub- paragraph (8) of paragraph 12, the nominee or dependent father or mother, as the case may be, shall be entitled to withdrawal benefit under paragraph 12.

16. **Guarantee of pensionary benefits.** - No pensionary benefits under this Scheme shall be denied to any member or beneficiary on account of non-compliance with the requirements by the employer under sub-paragraph (1) of paragraph 4:

Provided that nothing contained in this paragraph shall absolve the employer from the liabilities imposed under this Scheme.

17. **Payment of pension.** - (1) The claims, complete in all respects and submitted along with the requisite documents, shall be settled and benefit amount paid to the beneficiaries within twenty days from the date of its receipt by the Commissioner.

(2) Where there is any deficiency in the claim, the same shall be recorded in writing and communicated to the applicant within twenty days from the date of receipt of such an application.

(3) Where the Commissioner fails without sufficient cause to settle a claim complete in all respects within twenty days, the Commissioner shall be liable for the delay beyond the said period and interest at the rate of twelve per cent. per annum may be charged on the benefit amount, which may be deducted from the salary of the Commissioner.

18. **Duties of employer.** - (1) Every employer shall, within fifteen days of the application of this Scheme to the establishment, send to Commissioner a consolidated return as specified in the Employees' Provident Funds Scheme, 2026, containing the details of employees required or entitled to become members of the Pension Fund, including wages paid to such employee:

Provided that where no employee is required or entitled to become a member of the Pension Fund, the employer shall file a 'Nil' return.

(2) Every employer shall make available electronically under due authentication, all registers and books of accounts relating to details of employees and payments made to them, maintained under any other law for the time being in force, for verification by the Inspector-cum-Facilitator appointed under sub-section (1) of section 122 of the Code during inspection of the establishment.

(3) Notwithstanding anything contained in this paragraph, the Central Board may issue such directions to employers generally, as it may consider necessary or proper for the purpose of implementing this Scheme and it shall be the duty of every employer to comply with such directions.

(4) Every employer of an establishment shall maintain records and registers, electronically or otherwise, containing particulars with regard to persons employed, the muster roll, wages and such other details required under clause (a) of section 123 of the Code.

19. **Employer to furnish particulars of ownership.** - Every employer in relation to an establishment to which the Code and this Scheme applies or is applied shall furnish to the Commissioner, details of all the branches and departments, owners, occupiers, directors, partners, managers or any other person or persons who have the ultimate control over the affairs of such establishment.

20. **Investment of Pension Fund.** - (1) All moneys accruing to Pension Fund Account, other than the contributions of the Central Government, shall be invested in accordance with the provisions of paragraph 35 of the Employees' Provident Funds Scheme, 2026.

(2) The assets of the Pension Fund already invested in the Public Account of the Government of India shall remain so invested.

(3) The future contributions of the Central Government accruing to the Pension Fund from 1st April, 2026 onwards shall be invested in the Public Account of the Government of India and the Central Government shall pay interest at a rate not less than eight and one-half per cent.

21. **Disposal of Fund.** - (1) Subject to the provisions of the Code and of this Scheme, the Pension Fund shall not, except with the prior sanction of the Central Government, be expended for any purpose other than.—

- (i) the payments envisaged in this Scheme;
- (ii) continued payment of benefits sanctioned under the erstwhile Employees' Pension Scheme, 1995, prior to the date of notification of this Scheme or sanctioned thereafter in respect of cases arising before 1st April, 2026; and
- (iii) continued payment of family pension, life assurance benefit and retirement-cum-withdrawal benefits sanctioned under the Employees' Family Pension Scheme, 1971, prior to 16th November, 1995 or sanctioned thereafter in respect of cases arising before that date.

(2) All administrative expenses shall be met from the Central Administration Account as specified in paragraph 32 of the Employees' Provident Funds Scheme, 2026:

Provided that the cost of remittance of pension shall be charged to the Pension Fund.

22. **Maintenance of accounts.** -The Central Board shall maintain, in respect of this Scheme, a consolidated income and expenditure account and a consolidated balance sheet, in the common format of annual accounts approved by the Central Government.

23. **Audit.** -The accounts of the Pension Fund, including the administrative expenses incurred in the operation of this Scheme, shall be audited in accordance with the instructions issued by the Central Government in consultation with the Comptroller and Auditor-General of India.

24. **Rounding up of benefits.** - All items of benefits shall be calculated to the nearest rupee, with fifty paise or more to be counted as the next higher rupee and any fraction of a rupee less than fifty paise being ignored.

25. **Valuation of Pension Fund.** - (1) The Central Government shall have an annual valuation of the Pension Fund made by a valuer appointed by it.

(2) At any time, when the Pension Fund so permits, the Central Government may –

- (i) alter the rate of contributions payable under this Scheme;
- (ii) the scale of any benefit admissible under this Scheme; or
- (iii) the period for which such benefit may be given.

26. **Disbursement of pension and other benefits.** - (1) The Commissioner shall, with the approval of the Central Board, enter into arrangements for the disbursement of pension and other benefits under this Scheme with disbursing agencies, including but not limited to the Post Office or nationalised banks or treasuries or scheduled banks including Regional Rural Banks or Co-operative Banks *through electronic or digital funds transfer system*.

(2) The Commission payable to the disbursing agencies and other charges incidental thereto shall be met in accordance with paragraph 21 of this Scheme.

27. **Registers, records, etc.** - The Commissioner shall, with the approval of the Central Board, specify.—
- (i) the registers and records to be maintained in respect of the employees;
 - (ii) the form or design of any identity card, token or disc for the purpose of identifying any employee or nominee or a member of a family entitled to receive the pension; and
 - (iii) such other forms or formalities as may be required in connection with the grant or continuance of pension and other benefits, subject to such periodical verification as may be considered necessary.
28. **Annual report.** - The Central Board shall cause to be included in the Annual Report, the working of the Employees' Provident Fund Scheme, 2026, a report on the working of this Scheme during the previous financial year.
29. **Application of Employees' Provident Funds Scheme, 2026.** - In respect of matters for which there are no provisions in this Scheme, the corresponding provisions of the Employees' Provident Funds Scheme, 2026, shall apply.
30. **Exemption from operation of Scheme.** - (1) The appropriate Government may grant exemption to any establishment or class of establishments from the operation of this Scheme under section 143 of the Code, if the employees of the establishments—
- (i) are members of any other pension scheme;
 - (ii) are proposed to be members of a pension scheme providing pensionary benefits at par with or more favourable than, the benefits provided under this Scheme.
- (2) Where exemption is granted under sub-paragraph (1), the withdrawal benefits standing to the credit of the employees of such establishment under the Family Pension Scheme, 1971 or Employees' Pension Scheme 1995, shall, subject to the consent of the employees, be transferred to the pension fund of the establishment.
- (3) An application for exemption under this paragraph shall be presented to the Regional Provident Fund Commissioner having jurisdiction, together with a copy of the pension scheme of the establishment and other relevant documents, as may be called for.
- (4) The Regional Provident Fund Commissioner shall scrutinise the application, obtain the recommendations of the Central Provident Fund Commissioner and submit to the appropriate Government for decision.
- (5) Pending disposal of an application for exemption under this paragraph, the share of employer shall not be remitted to the Pension Fund as specified in sub-paragraph (1) of paragraph 4.
- (6) An application for exemption shall be disposed of within a period of six months from the date of its receipt or with such further time as may be extended for reasons to be recorded in writing.

(7) Where the application for exemption is not disposed of within the period so specified, the exemption applied for shall be deemed to have been granted.

Explanation. - For the purpose of this paragraph, the period of six months shall be reckoned from the date on which the application for exemption is given in complete form to the satisfaction of the Regional Provident Fund Commissioner.

31. Submission of return. - The employer of the exempted establishment or class of establishments and the board of trustees of such exempted establishment or class of establishments, shall submit to the Commissioner a monthly return in the Form appended to this Scheme.

32. Transfer value.— (1) Where exemption is granted to any establishment or where a member is transferred from pension fund of one exempted establishment to another pension fund of exempted establishment or statutory pension fund or *vice-versa*, a transfer value payment shall be made consisting of -

- (i) withdrawal benefit relating to past service period up to 15th November, 1995, as per Table-I multiplied by the factors specified in Table-II for the period between 16th November, 1995 to the date of exemption or transfer, as the case may be; and
- (ii) transfer value for pensionable service as per Table-V, for the service rendered from 16th November, 1995 or from the date of joining the establishment, upto the date of exemption or transfer as the case may be.

(2) In the event of cancellation of exemption granted under paragraph 30, transfer of Fund shall be made in accordance with the conditions specified in the exemption notification.

33. Information to Central Government. -The Central Board shall furnish to the Central Government, from time to time, information in respect of the income and expenditure from the Pension Fund Account, directed by the Central Government.

34. Interpretation. - Where any doubt arises with regard to the interpretation of the provisions of this Scheme, it shall be referred to the Central Government who shall decide the same.

35. Payment of pension in case of person charged with murder. - (1) Where a person, who in the event of the death of a member of the Pension Fund is eligible to receive pension under paragraph 12 or paragraph 15, is charged with the offence of murdering the member or abetting the commission of such an offence, the claims to receive pension shall remain suspended until the conclusion of the criminal proceedings instituted against the person for such offence.

(2) Upon conclusion of the criminal proceedings referred to in sub-paragraph (1),—

- (i) if the person concerned is convicted for the murdering or abetting in the murder of the member, the person shall be debarred from receiving pension, which shall be payable to other eligible members of the family of the deceased member; or
- (ii) if the person is acquitted of the charge of murdering or abetting the murder of the member, pension benefit shall be payable to the person.

36. Special provisions in respect of International Workers. – Notwithstanding anything contained in this Scheme, the following provisions shall be applicable to International worker, namely:-

(1) The eligible service shall be determined as follows, namely:-

- (i) in the case of “existing member” or the “member other than an existing member”, the “actual service” shall be treated as eligible service;
- (ii) in the case of the member covered by a social security agreement, the period of coverage under relevant social security programme in another country shall be added to actual service and the aggregate thereof shall be treated as eligible service as may be provided in the social security agreement.

(2) The pensionable wages shall be the average monthly wages drawn whether on time-rate or on piece-rate basis during the contributory period of service of the membership of the Pension Fund.

(3) An International Worker covered under a social security agreement entered into between India and another country who has not rendered the eligible service prescribed in paragraph 9 on the date of exit, or on attaining the age of superannuation, whichever is earlier, shall be entitled to a totalisation benefit as provided in the said social security agreement:

Provided that if the International Worker covered under the provisions of the said agreement has not rendered the eligible service even after including the totalisation benefit as provided in the said agreement, then such International Worker shall be entitled to a withdrawal benefit as specified in Table-IV:

Provided further that in case of exit from service before attaining the age of superannuation, the International Worker shall become eligible to avail withdrawal benefit only after the lapse of thirty-six months from the date on which the last contribution became due, or on attaining the age of superannuation, whichever is earlier.

(4) (i) The Commissioner shall, with the approval of the Central Board, enter into arrangement for the disbursement of pension and other benefits under this Scheme with disbursing agencies, including but not limited to Post Office or nationalised banks or treasuries or scheduled banks including Regional Rural Banks or Co-operative Banks *through electronic or digital funds transfer system;*

(ii) the Commission payable to the disbursing agencies and other charges incidental thereto shall be met in accordance with paragraph 21 of this Scheme:

Provided that if the beneficiary under this Scheme is covered under a social security agreement between India and another country, the pension and other benefits under the Scheme shall be disbursed as per the terms and conditions specified in the said agreement.

(5) The Commissioner shall perform all such functions as are assigned to the Employees' Provident Fund Organisation under a social security agreement entered into between the Government of India and any other country as per the terms and conditions specified therein.

TABLE - I
[See paragraph 13(1) and 32(1)(i)]
(WITHDRAWAL BENEFIT)

No. of full years' contribution paid	Proportion of wage payable at cessation of membership
(1)	(2)
1	0.2
2	0.41
3	0.62
4	0.84
5	1.06
6	1.29
7	1.51
8	1.75
9	1.98
10	2.23
11	2.47
12	2.72
13	2.98
14	3.24
15	3.51

16	3.78
17	4.05
18	4.34
19	4.62
20	4.92
21	5.21
22	5.52
23	5.83
24	6.14
25	6.46
26	6.79
27	7.12
28	7.46
29	7.81
30	8.16
31	8.52
32	8.89
33	9.26
34	9.64
35	10.03
36	10.43
37	10.83
38	11.24
39	11.66
40	12.08

TABLE - II

[See paragraphs 12(3), 13(1), 32(1)(i)]

**(FACTOR FOR COMPUTATION OF PAST SERVICE BENEFIT UNDER THE CEASED
FAMILY PENSION SCHEME FOR EXISTING MEMBERS ON EXIT FROM THE
EMPLOYMENT)**

(1)	(2)
YEARS	FACTOR
Less than 1	1.039
Less than 2	1.122
Less than 3	1.212
Less than 4	1.309
Less than 5	1.413
Less than 6	1.526
Less than 7	1.649
Less than 8	1.781
Less than 9	1.923
Less than 10	2.077
Less than 11	2.243
Less than 12	2.423
Less than 13	2.616
Less than 14	2.826
Less than 15	3.052
Less than 16	3.296
Less than 17	3.560
Less than 18	3.845
Less than 19	4.152
Less than 20	4.485
Less than 21	4.843
Less than 22	5.231
Less than 23	5.649
Less than 24	6.101
Less than 25	6.589
Less than 26	7.117
Less than 27	7.686
Less than 28	8.301
Less than 29	8.965

Less than 30	9.682
Less than 31	10.487
Less than 32	11.294
Less than 33	12.197
Less than 34	13.173
Less than 35	14.2271
Less than 36	15.36555
Less than 37	16.59509
Less than 38	17.92303
Less than 39	19.35722
Less than 40	20.90618
Less than 41	22.57909
Less than 42	24.38586]

TABLE - III

[See paragraphs 15(2)(a)(i) and 15(2)(a)(ii)]
(EQUIVALENT WIDOW PENSION)

Wages at day of death not more than (1)	Equivalent widow pension (2)
(Rupees)	(Rupees)
Upto 300	250
350	327
400	343
450	359
500	375
550	391
600	408
650	425
700	442

750	459
800	476
850	493
900	510
950	527
1000	544
1050	561
1100	578
1150	595
1200	612
1250	629
1300	646
1350	664
1400	682
1450	700
1500	718
1550	736
1600	754
1650	772
1700	797
1750	808
1800	826
1850	844
1900	862
1950	880
2000	898
2050	916
2100	935
2150	954

2200	973
2250	992
2300	1011
2350	1030
2400	1049
2450	1068
2500	1087
2550	1106
2600	1125
2650	1144
2700	1163
2750	1182
2800	1201
2850	1221
2900	1241
2950	1261
3000	1281
3050	1301
3100	1321
3150	1341
3200	1361
3250	1381
3300	1401
3350	1421
3400	1441
3450	1461
3500	1481
3550	1501
3600	1521

3650	1541
3700	1561
3750	1581
3800	1601
3850	1621
3900	1641
3950	1661
4000	1681
4050	1701
4100	1721
4150	1741
4200	1751
4250	1761
4300	1771
4350	1781
4400	1791
4450	1801
4500	1811
4550	1821
4600	1831
4650	1841
4700	1851
4750	1861
4800	1871
4850	1881
4900	1891
4950	1896
5000	1901
5050	1906

5100	1911
5150	1916
5200	1921
5250	1926
5300	1931
5350	1936
5400	1941
5450	1946
5500	1951
5550	1956
5600	1961
5650	1966
5700	1971
5750	1976
5800	1981
5850	1986
5900	1991
5950	1996
6000	2001
6050	2006
6100	2011
6150	2016
6200	2021
6250	2026
6300	2031
6350	2036
6400	2041
6450	2046
6500	2051.]

[6,550	2,056
6,600	2,061
6,650	2,066
6,700	2,071
6,750	2,076
6,800	2,081
6,850	2,086
6,900	2,091
6,950	2,096
7,000	2,101
7,050	2,106
7,100	2,111
7,150	2,116
7,200	2,121
7,250	2,126
7,300	2,131
7,350	2,136
7,400	2,141
7,450	2,146
7,500	2,151
7,550	2,156
7,600	2,161
7,650	2,166
7,700	2,171
7,750	2,176
7,800	2,181
7850	2,186
7,900	2,191
7,950	2,196

8,000	2,201
8,050	2,206
8,100	2,211
8,150	2,216
8,200	2,221
8,250	2,226
8,300	2,231
8,350	2,236
8,400	2,241
8,450	2,246
8,500	2,251
8,550	2,256
8,600	2,261
8,650	2,266
8,700	2,271
8,750	2,276
8,800	2,281
8,850	2,286
8,900	2,291
8,950	2,296
9,000	2,301
9,050	2,306
9,100	2,311
9,150	2,316
9,200	2,321
9,250	2,326
9,300	2,331
9,350	2,336
9,400	2,341

9,450	2,346
9,500	2,351
9,550	2,356
9,600	2,361
9,650	2,366
9,700	2,371
9,750	2,376
9,800	2,381
9,850	2,386
9,900	2,391
9,950	2,396
10,000	2,401
10,050	2,406
10,100	2,411
10,150	2,416
10,200	2,421
10,250	2,426
10,300	2,431
10,350	2,436
10,400	2,441
10,450	2,446
10,500	2,451
10,550	2,456
10,600	2,461
10,65b	2,466
10,700	2,471
10,750	2,476
10,800	2,481
10,850	2,486

10,900	2,491
10,950	2,496
11,000	2,501
11,050	2,506
11,100	2,511
11,150	2,516
11,200	2,521
11,250	2,526
11,300	2,531
11,350	2,536
11,400	2,541
11,450	2,546
11,500	2,551
11,550	2,556
11,600	2,561
11,650	2,566
11,700	2,571
11,750	2,576
11,800	2,581
11,850	2,586
11,900	2,591
11,950	2,596
12,000	2,601
12,050	2,606
12,100	2,611
12,150	2,616
12,200	2,621
12,250	2,626
12,300	2,631

12,350	2,636
12,400	2,641
12,450	2,646
12,500	2,651
12,550	2,656
12,600	2,661
12,650	2,666
12,700	2,671
12,750	2,676
12,800	2,681
12,850	2,686
12,900	2,691
12,950	2,696
13,000	2,701
13,050	2,706
13,100	2,711
13,150	2,716
13,200	2,721
13,250	2,726
13,300	2,731
13,350	2,736
13,400	2,741
13,450	2,746
13,500	2,751
13,550	2,756
13,600	2,761
13,650	2,766
13,700	2,771
13,750	2,776

13,800	2,781
13,850	2,786
13,900	2,791
13,950	2,796
14,000	2,801
14,050	2,806
14,100	2,811
14,150	2,816
14,200	2,821
14,250	2,826
14,300	2,831
14,350	2,836
14,400	2,841
14,450	2,846
14,500	2,851
14,550	2,856
14,600	2,861
14,650	2,866
14,700	2,871
14,750	2,876
14,800	2,881
14,850	2,886
14,900	2,891
14,950	2,896
15,000 or more	2,901.]

TABLE - IV

[See paragraphs 13(1) and 36(3)]

Return of contribution on exit from the employment

Months of Service	Proportion of wages at exit
1	0.08
2	0.17
3	0.25
4	0.33
5	0.42
6	0.51
7	0.60
8	0.68
9	0.77
10	0.85
11	0.94
12	1.02
13	1.10
14	1.18
15	1.26
16	1.34
17	1.42
18	1.51
19	1.59
20	1.67
21	1.75
22	1.83
23	1.91
24	1.99

25	2.07
26	2.16
27	2.24
28	2.32
29	2.40
30	2.49
31	2.57
32	2.65
33	2.73
34	2.82
35	2.90
36	2.98
37	3.06
38	3.15
39	3.23
40	3.32
41	3.40
42	3.49
43	3.57
44	3.65
45	3.74
46	3.82
47	3.91
48	3.99
49	4.08
50	4.16
51	4.25
52	4.33

53	4.42
54	4.51
55	4.59
56	4.68
57	4.76
58	4.85
59	4.93
60	5.02
61	5.11
62	5.20
63	5.28
64	5.37
65	5.46
66	5.55
67	5.63
68	5.72
69	5.81
70	5.90
71	5.98
72	6.07
73	6.16
74	6.25
75	6.34
76	6.42
77	6.51
78	6.60
79	6.69
80	6.78
81	6.87

82	6.95
83	7.04
84	7.13
85	7.22
86	7.31
87	7.40
88	7.49
89	7.58
90	7.68
91	7.77
92	7.86
93	7.95
94	8.04
95	8.13
96	8.22
97	8.31
98	8.41
99	8.50
100	8.59
101	8.68
102	8.78
103	8.87
104	8.96
105	9.05
106	9.15
107	9.24
108	9.33
109	9.33
110	9.33

111	9.33
112	9.33
113	9.33.]

TABLE - V

[See paragraph 32(1)(ii)]

(TRANSFER OF CONTRIBUTION FROM EMPLOYEES' PENSION SCHEME, 2026 TO EXEMPTED OR OTHER PENSION FUND AND VICE –VERSA)

Number of full year's contribution period	Proportion of wage payable on last contribution month
1	0.987
2	1.998
3	3.033
4	4.093
5	5.178
6	6.289
7	7.426
8	8.590
9	9.782
10	11.003
11	12.252
12	13.531
13	14.841
14	16.182
15	17.554
16	18.960
17	20.399
18	21.872
19	23.380

20	24.924
21	26.505
22	28.123
23	29.780
24	31.477

FORM

[See paragraph 31]

(Monthly Return to be submitted by the exempted establishments/class of establishments/board of trustees.)

1. DETAILS OF ESTABLISHMENT :		
(a)	Name of the establishment with full address	
(b)	Code No. allotted by the Employees' Provident Fund Organization	
2. DETAILS OF EMPLOYEES (INCLUDE ALL BRANCHES/UNITS ETC.)		
(a)	No. of employees as at the end of previous month	
(b)	No. of employees who joined during the month	
(c)	No. of employees who left service during the month	
(d)	No. of employees as at the end of the month [(a) + (b) – (c)]	
(e)	Out of (d) above, No. of excluded employees	
(f)	No. of Pension Fund members as at the end of the month [Please furnish the above-mentioned details unit wise situated as different places. Attach separate sheet, if necessary]	

3. CONSTITUTION OF BOARD OF TRUSTEES					
(a)	Date on which the present Board was Constituted		DD	MM	YYYY
(b)	Its term				YEARS
(c)	Total number of Trustees				
	(i)	Employees' Representatives			
	(ii)	Employer's Representatives			
4. WAGES, CONTRIBUTIONS, ETC.					
(a)	Amount of gross wages liable to Pension Contribution		Rs.		
(b)	Rate of contribution to Pension Fund		%		
(c)	Amount of Pension contribution to be transferred for the current month		Rs.		
(d)	Amount of arrears due, if any, for transfer to the Board of Trustees at the end of the previous month		Rs.		
(e)	Total of (c) & (d)		Rs.		
(f)	Amount actually transferred to the Board of Trustees		Rs.		
(g)	Balance due, if any, for transfer to the Board of Trustees [(e) – (f)]		Rs.		
(h)	Whether the interest payable under section 127 of the code for the belated transfer of Funds, if any, has been paid?		YES	NO	
(i)	Amount of interest still payable at the end of the month		Rs.		
5. DETAILS OF PENSIONERS					
(a)	No. of Pensioners at the end of the month				
	(i)	Member (Self) Pensioners			
		- Superannuation Pension			
		- Early Pension			
		- Disablement Pension			
	(ii)	Spouse Pensioners			
		- Death in service			
		- Death away from service			
		- Death as pensioners			
	(iii)	Children Pensioners			

		- Normal Children	
		- Disabled Children (Life-long pension)	
	(iv)	Orphan Pensioner	
	(v)	Nominee Pensioner	
	(vi)	Dependent Parents Pensioner	
(b)	Total amount of Pension paid during the month		Rs.
6. DETAILS OF EXIT CASES			
(a)	No. of Persons who have taken Withdrawal benefit during the month		
(b)	Amount paid during the month		Rs.
	No. of exit cases where Scheme certificate has been issued.		
7. DETAILS OF INVESTMENT			
(a)	Amount lying invested in the Pension Fund in the beginning of the month		Rs.
(b)	Amount received during the month		
	(i)	By way of contribution from the employer	
		Current month	Rs.
		Arrears, if any	Rs.
	(ii)	Encashment of matured securities/deposits	
		Rs.	
	(iii)	Interest/dividend on investments	
		Rs.	
	(iv)	Other transfer-in-cases	
		Rs.	
(v)	Damages, if any		
	Rs.		
(vi)	Interest on belated payments, if any		
	Rs.		
(vii)	Miscellaneous, if any (Please specify)		
	Rs.		
(c)	Payments made during the month		Rs.
(d)	Amount invested during the month		Rs.
	Securities		
	- Central Government		Rs.
	- State Governments		Rs.

	- Others, if any	Rs.
	Deposits	
	- Public Financial Institutions/Banks	Rs.
(e)	Whether pattern of investment followed?	YES NO
(f)	If so, classify the percentage	
	(i) Securities	
	- Central Government	%
	- State Government	%
	- Others	%
	(ii) Deposits	
	- Public Financial Institutions/Banks	%
	(iii) Annuity purchased from Life Insurance Corporation	Rs.
(g)	Amount lying un-invested in Cash/Bank	Rs.
8.	MODE OF DISBURSEMENT [Tick one]	
	- Through Bank	
	- Through Post Offices	
	- Through LIC by purchase of Annuity	
	- Others, if any, (Please specify)	
9. RULES OF ESTABLISHMENT'S PENSION FUND		
Details of amendment, if any carried out during the month to make the Rules at par with the Statutory Pension Scheme (Employees' Pension Scheme, 2026)		

Date

**Signature with official seal of the
Employer/Trustees of the Board**

[F.No. S-35025/25/2026-SS-II]

TEJASWI S. NAIK, Jt. Secy.



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-30062026-273942
CG-DL-E-30062026-273942

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 474]

नई दिल्ली, सोमवार, जून 29, 2026/ आषाढ 8, 1948

No. 474]

NEW DELHI, MONDAY, JUNE 29, 2026/ ASHADHA 8, 1948

श्रम और रोजगार मंत्रालय

अधिसूचना

नई दिल्ली, 29 जून, 2026

सा.का.नि. 526 (अ).— केंद्रीय सरकार, सामाजिक सुरक्षा संहिता, 2020 (2020 का 36) की धारा 15 की उप-धारा (1) के खंड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 का अधिक्रमण करते हुए, उन बातों के सिवाय जो ऐसे अधिक्रमण से पूर्व की गई हैं या करने का लोप किया गया है, निम्नलिखित स्कीम बनाती है, अर्थात् :-

- संक्षिप्त नाम, प्रारंभ और लागू होना. — (1) इस स्कीम का नाम कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 2026 है।
(2) यह राजपत्र में इसके प्रकाशन की तारीख से प्रवृत्त होगी।
(3) सामाजिक सुरक्षा संहिता, 2020 की धारा 20 और धारा 143 के उपबंधों के अध्वधीन, यह स्कीम प्रत्येक ऐसे स्थापना के कर्मचारियों पर लागू होगी जिन पर उक्त संहिता का अध्याय 3 लागू होता है।
- परिभाषाएं.— (1) इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,-

(क) “संहिता” से सामाजिक सुरक्षा संहिता, 2020 (2020 का 36) अभिप्रेत है;

(ख) “आश्वासन लाभ” से कर्मचारी के भविष्य निधि लेखा में औसत शेष रकम से समबद्ध उस भुगतान से अभिप्रेत है, जो कर्मचारी के भविष्य निधि का सदस्य रहते हुए उसकी मृत्यु होने की स्थिति में देय होता है;

(ग) “बीमा पॉलिसी” से किसी बीमा सेवा प्रदाता द्वारा जारी की गई समूह बीमा पॉलिसी अभिप्रेत है;

(घ) “आयुक्त” से संहिता की धारा 14 के अध्यक्षीन नियुक्त केंद्रीय भविष्य निधि आयुक्त, अपर केंद्रीय भविष्य निधि आयुक्त, उप भविष्य निधि आयुक्त, क्षेत्रीय भविष्य निधि आयुक्त तथा सहायक भविष्य निधि आयुक्त अभिप्रेत है;

(ङ) “सदस्य” से कर्मचारी भविष्य निधि स्कीम, 2026 का कोई सदस्य अथवा संहिता की धारा 143 के अध्यक्षीन छूट प्राप्त किसी भविष्य निधि का कोई सदस्य अभिप्रेत है, जिसे इस स्कीम का सदस्य बनना अपेक्षित है।

(च) “नामिति” से कर्मचारी भविष्य निधि स्कीम 2026 के पैरा 46 के अध्यक्षीन नामित व्यक्ति अभिप्रेत है।

(2) ऐसे सभी शब्दों और पदों, जो इसमें प्रयुक्त हैं किन्तु परिभाषित नहीं हैं, वही अर्थ होंगे जो क्रमशः संहिता, उसके अध्यक्षीन बनाए गए नियमों अथवा कर्मचारी भविष्य निधि स्कीम, 2026 में हैं।

3. आयुक्त की प्रशासनिक और वित्तीय शक्तियां. — आयुक्त, केंद्रीय बोर्ड को संदर्भित किए बिना, बीमा निधि के प्रशासन हेतु आवश्यक आकस्मिक व्ययों, सामग्री एवं सेवाओं तथा वस्तुओं की खरीद पर व्यय की स्वीकृति प्रदान कर सकता है, जो बजट में वित्तीय उपबंध तथा किसी एक मद पर व्यय की स्वीकृति देने के लिए आयुक्त को अधिकृत की गई सीमा के अध्यक्षीन होगा।

4. कर्मचारी भविष्य निधि स्कीम, 2026 के उपबंधों का लागू होना. — इस योजना में जिन विषयों के संबंध में कोई उपबंध नहीं है अथवा अपर्याप्त उपबंध हैं, उनके लिए 'कर्मचारी भविष्य निधि स्कीम 2026' के उपबंध लागू होंगे।

5. अंशदान.— (1) संहिता की धारा 16 की उप-धारा (1) के खंड (ग) के अधीन नियोक्ता द्वारा निक्षेप सहबद्ध बीमा निधि में देय अंशदान की गणना, संहिता की धारा 2 के खंड 88 में परिभाषित मजदूरी के आधार पर की जाएगी, जो इस संहिता की धारा 2 की के खंड 89 में विनिर्दिष्ट मजदूरी-सीमा के अध्यक्षीन होगी।

(2) बीमा निधि के बीमांकिक मूल्यांकन को ध्यान में रखते हुए, अंशदान की दर समय-समय पर केंद्रीय बोर्ड से परामर्श करके केंद्रीय सरकार द्वारा अधिसूचित की जाएगी।

(3) प्रत्येक अंशदान की गणना निकटतम रुपए तक की जाएगी, पचास पैसे या उससे अधिक रकम को अगले पूर्ण रूपये के रूप में गिना जाएगा तथा पचास पैसे से कम के राशि के अंश को उपेक्षित किया जाएगा।

6. अंशदान के भुगतान का माध्यम. — (1) प्रत्येक माह की समाप्ति के पंद्रह दिनों के भीतर नियोक्ता बीमा निधि में देय अंशदान तथा प्रशासनिक प्रभारों का भुगतान इलेक्ट्रॉनिक माध्यम (जिसमें डिजिटल भुगतान भी सम्मिलित है) से करेगा। यह भुगतान भारतीय रिज़र्व बैंक में सूचीबद्ध अभिकरण बैंकों अथवा अनुसूचित बैंकों या ऐसे संग्रहण हेतु अधिकृत भुगतान गेटवे अथवा पेगोव प्लेटफॉर्म के माध्यम से किया जाएगा और प्रेषण की लागत, यदि कोई हो, नियोक्ता द्वारा वहन की जाएगी।

(2) नियोक्ता द्वारा सीधे नियोजित कर्मचारियों और ठेकेदार द्वारा या उसके माध्यम से नियोजित कर्मचारियों के संबंध में स्वयं द्वारा देय अंशदान का भुगतान करने की जिम्मेदारी नियोक्ता की होगी।

7. किसी अंशदान के भुगतान में चूक करने पर नुकसानी की वसूली. — (1) यदि कोई नियोक्ता बीमा निधि में देय किसी अंशदान के भुगतान में, अथवा संहिता, उसके अधीन बनाए गए नियमों या इस स्कीम के उपबंधों के अनुसार देय किसी प्रभार के भुगतान में चूक करता है, तो आयुक्त या इस संबंध में केंद्रीय सरकार द्वारा अधिकृत कोई अधिकारी, नियोक्ता से दंड के रूप में नुकसानी वसूल कर सकता है, ऐसी नुकसानी की दरें और उनका निर्धारण 'कर्मचारी भविष्य निधि स्कीम, 2026' में विनिर्दिष्ट उपबंधों के अनुसार होगा।

(2) नुकसानी की रकम की गणना निकटतम रूपए तक की जाएगी, गणना के दौरान यदि राशि में पचास पैसे या उससे अधिक का अंश हो, तो उसे अगले पूर्ण रुपये में गिना जाएगा; तथा यदि राशि में पचास पैसे से कम का अंश हो, तो उसकी गणना नहीं की जाएगी।

8. नियोक्ता का अंशदान कर्मचारी की मजदूरी से नहीं काटा जाएगा. — किसी संविदा में किसी बात के होते हुए भी, नियोक्ता इस स्कीम के अधीन अपने द्वारा देय अंशदान को कर्मचारियों के वेतन से नहीं काटेगा और न ही किसी अन्य रीति से उसकी वसूली कर्मचारियों से करेगा।

9. नियोक्ता के कर्तव्य. — (1) प्रत्येक नियोक्ता, इस स्कीम के प्रारंभ होने के पंद्रह दिन के भीतर, कर्मचारी भविष्य निधि स्कीम 2026 के उपबंधों के अनुसार या संहिता की धारा 143 के अधीन या प्रतिष्ठान की भविष्य निधि के नियमों के अधीन छूट प्राप्त स्थापना के मामले में बीमा स्कीम के सदस्य बनने के पात्र और नामित कर्मचारियों का एक समेकित रिटर्न आयुक्त को भेजेगा।

(2) प्रत्येक नियोक्ता, प्रत्येक महीने के समापन के पंद्रह दिनों के भीतर, पिछले महीने के दौरान पहली बार फंड के सदस्य बनने के लिए अर्हता प्राप्त करने वाले कर्मचारियों का ब्यौरा और पिछले महीने के दौरान नियोक्ता की सेवा छोड़ने वाले कर्मचारियों का ब्यौरा भी विनिर्दिष्ट पोर्टल पर इलेक्ट्रॉनिक रूप से अपलोड करेगा।

(3) प्रत्येक नियोक्ता, केंद्रीय बोर्ड द्वारा या उसके अधिकार के अधीन स्वीकृत बीमा निधि से ऐसा भुगतान करने में केंद्रीय बोर्ड की सहायता करेगा।

(4) प्रत्येक नियोक्ता द्वारा आयुक्त द्वारा जारी किए गए किसी भी अन्य निर्देश, जैसा कि वह इस स्कीम के उचित कार्यान्वयन के लिए आवश्यक समझे, का पालन किया जाएगा।

10. अभिलेखों और रजिस्ट्रों का निरीक्षण. — प्रत्येक नियोक्ता, जब कभी आयुक्त या इस संबंध में उसके द्वारा प्राधिकृत किसी अन्य अधिकारी या निरीक्षक-सह-सुविधाप्रदाता द्वारा अपेक्षा की जाती है तब निरीक्षण के लिए भौतिक रूप में या इलेक्ट्रॉनिक रूप में रखे गए अभिलेखों और अन्य रजिस्ट्रों को उनके समक्ष प्रस्तुत करेगा।

11. प्रशासन लेखा. — (1) संहिता की धारा-16 की उप-धारा (1) के खंड (ग) के परंतुक के अधीन नियोक्ताओं से प्राप्त रकम और संहिता की धारा 143 की उप-धारा 6 के अधीन प्राप्त निरीक्षण प्रभार को "बीमा निधि केंद्रीय प्रशासन लेखा" नामक लेखा में जमा किया जाएगा, और इस स्कीम के प्रशासन के प्रति सभी खर्चों का भुगतान इसी लेखा से किया जाएगा।

(2) कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 के अधीन बीमा निधि केंद्रीय प्रशासन लेखा की निवल आस्तियां इस स्कीम के अधीन बीमा निधि केंद्रीय प्रशासन लेखा में निहित एवं उसमें स्थानांतरित हो जाएंगी।

12. निक्षेप सहबद्ध बीमा निधि लेखा. — (1) नियोक्ता के अंशदान के रूप में प्राप्त रकम को "निक्षेप सहबद्ध बीमा निधि लेखा" नामक लेखा में जमा किया जाएगा और इस स्कीम द्वारा या इसके अधीन प्रदान किए जाने वाले किसी भी लाभ की लागत के प्रति सभी खर्चों का भुगतान इसी लेखा से किया जाएगा।

(2) कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 की निवल आस्तियां, इस स्कीम की अधिसूचना की तारीख को, बीमा निधि लेखा में निहित होंगी और उसमें स्थानांतरित हो जाएंगी।

13. बीमा निधि के धन का निवेश. — (1) इस स्कीम की अधिसूचना के समय, लोक लेखा में केंद्रीय सरकार के पास जमा के रूप में विद्यमान बीमा निधि का पूरा धन उसी लेखा में रखा जाना जारी रहेगा और केंद्रीय सरकार प्रति वर्ष कम से कम साढ़े आठ प्रतिशत की दर से ब्याज देगी।

(2) उप-पैराग्राफ (1) के अध्यक्षीन, बीमा निधि के लेखा में जमा सारा धन और इसके बाद बीमा निधि में जमा होने वाला सारा धन कर्मचारी भविष्य निधि स्कीम, 2026 के अनुसार निवेश किया जाएगा।

(3) उप-पैराग्राफ (2) में किसी बात के होते हुए भी, केंद्रीय सरकार बीमा निधि के लिए विशिष्ट निवेश पद्धति का उपबंध कर सकती है।

14. ब्याज. — निवेश के विक्रय से प्राप्त सभी ब्याज, किराया और अन्य आय तथा निवल लाभ या हानि, यदि कोई हो, जिसमें बीमा निधि केंद्रीय प्रशासन लेखा के संव्यवहार शामिल नहीं है, को यथास्थिति, बीमा निधि में जमा या विकलन किया जाएगा।

15. बीमा निधि का निपटान. — (1) संहिता तथा बीमा स्कीम के उपबंधों के अध्यक्षीन, बीमा निधि, जिसमें बीमा निधि केंद्रीय प्रशासन लेखा शामिल नहीं है, केंद्रीय बोर्ड की पूर्व स्वीकृति के बिना, इस स्कीम के उपबंधों के अनुसार लाभों के भुगतान के अतिरिक्त किसी अन्य उद्देश्य के लिए व्यय नहीं की जाएगी।

(2) बीमा निधि का संचालन ऐसे अधिकारियों द्वारा किया जाएगा जिन्हें केंद्रीय बोर्ड द्वारा इस संबंध में अधिकृत किए जाएं।

16. प्रशासनिक व्यय. — इस स्कीम के प्रशासन से संबंधित सभी खर्चों का भुगतान बीमा निधि केंद्रीय प्रशासन लेखा से किया जाएगा।

17. लेखों के प्ररूप. — कर्मचारी निक्षेप सहबद्ध बीमा निधि एवं कर्मचारी निक्षेप सहबद्ध बीमा प्रशासन लेखा का रखरखाव आयुक्त द्वारा केंद्रीय सरकार के अनुमोदन से केंद्रीय बोर्ड द्वारा विनिर्दिष्ट प्ररूप और रीति से किया जाएगा।

18. लेखापरीक्षा. — (1) बीमा निधि केंद्रीय प्रशासन लेखा सहित बीमा निधि के लेखाओं की लेखापरीक्षा भारत के नियंत्रक एवं महालेखापरीक्षक के परामर्श से केंद्रीय सरकार द्वारा जारी निर्देशों के अनुसार की जाएगी।

(2) लेखापरीक्षा की मद में आने वाले खर्चों का भुगतान बीमा निधि केंद्रीय प्रशासन लेखा से किया जाएगा।

19. बीमा निधि का मूल्यांकन. — (1) केंद्रीय बोर्ड, केंद्रीय सरकार के पूर्व अनुमोदन से, अंशदान की दर और लाभ संरचना की निरंतरता, शोधनक्षमता और पर्याप्तता का आकलन करने के लिए प्रत्येक तीन वर्ष में बीमा निधि के मूल्यांकन के लिए एक मूल्यांकनकर्ता की नियुक्ति करेगा:

परंतु केंद्रीय सरकार को यह स्वतंत्रता होगी कि वह ऐसे किसी अन्य समय पर मूल्यांकन कराने का निर्देश दे सके जैसा वह आवश्यक समझे।

(2) केंद्रीय सरकार, केंद्रीय बोर्ड के परामर्श से, इस स्कीम के अधीन देय अंशदान की दर या स्वीकार्य लाभों के पैमाने में या उस अवधि में परिवर्तन कर सकती है, जिसके लिए ऐसा लाभ दिया जा सकता है।

20. बजट. — (1) केंद्रीय भविष्य निधि आयुक्त प्रत्येक वर्ष फरवरी के प्रथम पखवाड़े से पहले केंद्रीय बोर्ड के समक्ष एक बजट प्रस्तुत करेगा, जिसमें अंशदानों और प्रशासनिक प्रभारों से होने वाली संभावित प्राप्तियों तथा आगामी वित्तीय वर्ष के दौरान किए जाने होने वाले प्रस्तावित व्यय को अलग-अलग दर्शाया जाएगा।

(2) केंद्रीय बोर्ड द्वारा अनुमोदित बजट को केंद्रीय बोर्ड के समक्ष रखे जाने के एक माह के भीतर केंद्रीय सरकार को प्रस्तुत किया जाएगा।

(3) केन्द्रीय सरकार बजट में, ऐसे संशोधन कर सकती है जो वह आवश्यक समझे।

(4) आयुक्त, वर्ष के दौरान किसी भी समय, केन्द्रीय सरकार द्वारा बजट में स्वीकृत निधियों का बजटीय पुनर्विनियोजन कर सकता है, परंतु,

केन्द्रीय सरकार द्वारा बजट में स्वीकृत कुल रकम से अधिक न हो;

यह केवल प्रशासन के ऐसे खर्चों को पूरा करने के लिए किया जाए जो बीमा निधि केन्द्रीय प्रशासन लेखा से पूरे किए जाने हैं; और

इस प्रकार किए गए प्रत्येक पुनर्विनियोजन की रिपोर्ट केन्द्रीय बोर्ड को उसकी अगली बैठक में दी जाएगी।

(5) केन्द्रीय भविष्य निधि आयुक्त वित्तीय वर्ष के लिए केन्द्रीय बोर्ड के समक्ष एक अनुपूरक बजट प्रस्तुत करेगा, जिसमें अपरिहार्य व्यय के विस्तृत अनुमान और कारण दिए जाएंगे, जिसके चालू वर्ष के दौरान होने की सम्भावना है, जिसके लिए स्वीकृत बजट में कोई उपबंध नहीं किया गया है और जिसे उप-पैराग्राफ (4) के उपबंधों के अधीन कवर नहीं किया जा सकता है।

(6) वित्तीय वर्ष के लिए स्वीकृत बजट से अधिक और उप-पैराग्राफ (4) व (5) के उपबंधों के अधीन कवर न होने वाले किसी भी व्यय के लिए, जो केन्द्रीय भविष्य निधि आयुक्त द्वारा किया गया हो, अधिकता स्थापित होने के बाद यथाशीघ्र केन्द्रीय बोर्ड के समक्ष उसके विचारार्थ और केन्द्रीय सरकार की स्वीकृति प्राप्त करने के लिए रिपोर्ट किया जाएगा।

21. आश्वासन लाभ के पैमाने और कर्मचारी द्वारा बनाए रखा गया न्यूनतम औसत अतिशेष. — (1) किसी ऐसे कर्मचारी की मृत्यु पर, जो यथास्थिति, निधि का या संहिता की धारा 143 के अधीन छूट प्राप्त भविष्य निधि का सदस्य है, मृतक के भविष्य निधि संचय को प्राप्त करने के हकदार व्यक्ति/(व्यक्तियों) को, ऐसे संचय के अतिरिक्त, रकम का भुगतान किया जाएगा, जो पूर्ववर्ती बारह महीनों के दौरान या उसकी सदस्यता की अवधि के दौरान, जो भी कम हो, निधि में या भविष्य निधि में मृत व्यक्ति के खाते में औसत अतिशेष के बराबर होगी, सिवाय वहां के जहां औसत शेष पचास हजार रूपए से अधिक हो, तो देय राशि पचास हजार रुपये और पचास हजार रुपये से अधिक की राशि का 40% होगी, जो अधिकतम एक लाख रूपए की सीमा के अधीन होगी।

(2) पूर्ववर्ती बारह महीनों के दौरान या उसकी सदस्यता की अवधि के दौरान उप-पैराग्राफ (1) के अधीन किसी कर्मचारी की मृत्यु की स्थिति में, भले ही यथास्थिति, निधि के या संहिता की धारा 143 के अधीन छूट प्राप्त भविष्य निधि के सदस्य कर्मचारी का औसत भविष्य निधि अतिशेष पचास हजार रुपये से कम हो, पचास हजार रुपये के न्यूनतम आश्वासन लाभ का भुगतान किया जाएगा।

स्पष्टीकरण 1.— किसी कर्मचारी के संबंध में, निधि में औसत अतिशेष राशि निर्धारित करने के प्रयोजन से या संहिता की धारा 143 के अधीन छूट प्राप्त भविष्य निधि में, यथास्थिति, कर्मचारी और नियोक्ता द्वारा सुसंगत अवधि के लिए और उस तक देय अंशदान का कुल योग, चाहे वह निधि में या छूट प्राप्त भविष्य निधि में भुगतान किया गया हो या भुगतान न किया गया हो, उस पर व्याज सहित, शामिल किया जाएगा।

स्पष्टीकरण 2.— इस स्कीम के अधीन लाभों की गणना के लिए बारह माह की अवधि की गणना उस माह से पीछे की ओर की जाएगी, जो उस माह से ठीक पहले का हो जिसमें सदस्य की मृत्यु हुई है।

(3) एक अंशकालिक कर्मचारी के मामले में, जो एक से अधिक कारखाने या प्रतिष्ठान में सेवा करने के दौरान, निधि का या संहिता की धारा 143 के अधीन छूट प्राप्त भविष्य निधि का सदस्य था, यथास्थिति, इस स्कीम के अधीन लाभ की मात्रा पिछले बारह माह के दौरान निधि या भविष्य निधि में उसके सभी खातों के कुल शेष के औसत के संदर्भ में निर्धारित की जाएगी।

(4) ऐसे कर्मचारी की मृत्यु पर, जो निधि का या संहिता की धारा 143 के अधीन छूट प्राप्त भविष्य निधि का सदस्य है, यथास्थिति, और अपनी मृत्यु वाले माह से ठीक पहले निरंतर बारह माह की अवधि तक रोजगार में था, मृतक की भविष्य निधि संचय प्राप्त करने के हकदार व्यक्तियों को, ऐसे संचय के अतिरिक्त, निम्नलिखित के बराबर राशि का भुगतान किया जाएगा: -

(i) उसकी मृत्यु वाले माह से ठीक पहले के बारह माह के दौरान प्राप्त औसत मासिक मजदूरी (केंद्रीय सरकार द्वारा अधिसूचित मजदूरी सीमा की अधिकतम राशि के अध्याधीन), जिसे पैंतीस गुणा किया जाएगा, और साथ ही पिछले बारह माह के दौरान निधि में या संहिता की धारा 143 के अधीन छूट प्राप्त भविष्य निधि में, यथास्थिति हो, मृतक के खाते में औसत शेष राशि का पचास प्रतिशत, जो कि एक लाख पचहत्तर हजार रुपये की अधिकतम सीमा के अध्याधीन होगा:

परन्तु आश्वासन लाभ दो लाख पचास हजार रुपये से कम नहीं होगा और सात लाख रुपये से अधिक नहीं होगा;

(ii) उप-पैराग्राफ (1) के अधीन लाभ की राशि, जो भी अधिक हो;

परन्तु इस स्कीम के उप-पैराग्राफ (4) के अधीन देय न्यूनतम आश्वासन लाभों की पात्रता के लिए आवश्यक बारह माह की निरंतर अवधि के अवधारण के उद्देश्य से, रोजगार की दो अवधियों के बीच साठ दिनों के अंतर को छोड़ दिया जाएगा और ऐसी भिन्न-भिन्न सेवाओं को निरंतर सेवा मानते हुए जोड़ा जाएगा।

स्पष्टीकरण - एक अंशकालिक कर्मचारी के मामले में, जो निधि का या संहिता की धारा 143 के अधीन छूट प्राप्त भविष्य निधि का सदस्य है, यथास्थिति, जो अपनी मृत्यु वाले माह से ठीक पहले निरंतर बारह माह की अवधि के लिए एक से अधिक कारखाने या स्थापन में सेवा कर रहा था, इस स्कीम के अधीन लाभ की मात्रा उन सभी मजदूरी के कुल योग के औसत मजदूरी के संदर्भ में निर्धारित की जाएगी जहां वह बारह माह से अधिक समय से निरंतर काम कर रहा था, जो कि संहिता की धारा 2 के खंड (89) में परिभाषित मजदूरी सीमा के अध्याधीन होगी।

(5) इस स्कीम के अधीन लाभ में, उप-पैराग्राफ (1) या (3) के अधीन स्वीकार्य लाभों के अतिरिक्त, यथास्थिति, बीस प्रतिशत की और वृद्धि की जाएगी।

(6) यदि कोई कर्मचारी, जो निधि का या संहिता की धारा 143 के अधीन छूट प्राप्त भविष्य निधि का सदस्य है, यथास्थिति, नियोक्ता के रोल पर रहते हुए अंतिम अंशदान प्राप्त होने के छह माह के भीतर सेवा में रहते हुए मृत्यु हो जाती है, तो ऐसे कर्मचारी को इस स्कीम के अनुसार आश्वासन लाभ प्राप्त होगा।

22. आश्वासन लाभ किसे देय होगा. — (1) कर्मचारी भविष्य निधि स्कीम, 2026 के अनुसार या संहिता की धारा 143 के अधीन छूट प्राप्त भविष्य निधि के अधीन, यथास्थिति, सदस्य द्वारा किया गया नामांकन इस स्कीम के अधीन नामांकन माना जाएगा और आश्वासन राशि ऐसे नामांकित व्यक्ति या नामांकित व्यक्तियों को देय होगी।

(2) यदि कोई नामांकन मौजूद नहीं है या यदि नामांकन निधि में या संहिता की धारा 143 के अधीन छूट प्राप्त भविष्य निधि में, यथास्थिति, उसके क्रेडिट में जमा राशि के केवल एक हिस्से से संबंधित है, तो पूरी राशि या उसका वह हिस्सा जिससे नामांकन संबंधित नहीं है, जैसा भी मामला हो, उसके परिवार के सदस्यों को समान हिस्सों में देय होगी।

(3) किसी भी ऐसे मामले में जिसमें उप-पैराग्राफ (1) और (2) के उपबंध लागू नहीं होते हैं, पूरी राशि विधिक रूप से इसके हकदार व्यक्ति को देय होगी।

(4) यदि कोई व्यक्ति, जो उप-पैराग्राफ (1), (2) या (3) के संदर्भ में मृतक सदस्य का आश्वासन लाभ प्राप्त करने के लिए पात्र है, उस पर सदस्य की हत्या का या ऐसी हत्या के लिए उकसाने का आरोप है, तो आश्वासन लाभ प्राप्त करने का उसका दावा उसके विरुद्ध आरंभ की गई आपराधिक कार्यवाही के समापन तक निलंबित रहेगा।

(5) यदि आपराधिक कार्यवाही के समापन पर, संबंधित व्यक्ति: -

(क) सदस्य की हत्या या हत्या के लिए उकसाने का दोषी पाया जाता है, तो उसे निक्षेप सहबद्ध आश्वासन लाभ का अपना हिस्सा प्राप्त करने से विवर्जित कर दिया जाएगा, जो परिवार के अन्य पात्र सदस्यों को देय होगा; या

(ख) सदस्य की हत्या या हत्या के लिए उकसाने के आरोप से बरी हो जाता है, तो उसका हिस्सा उसे देय होगा।

स्पष्टीकरण: इस पैराग्राफ के उद्देश्य से, सदस्य के मरणोपरान्त बच्चे को, यदि वह जीवित पैदा होता है, तो उसके साथ उसी तरह व्यवहार किया जाएगा जैसे सदस्य की मृत्यु से पहले पैदा हुए जीवित बच्चे के साथ किया जाता है।

23. आश्वासन राशि के भुगतान की रीति. — (1) इस स्कीम के अधीन भुगतान का दावा करने के लिए प्रत्येक दावेदार को केंद्रीय भविष्य निधि आयुक्त द्वारा विनिर्दिष्ट प्रपत्र और रीति में, ऑनलाइन या ऑफलाइन, आयुक्त के समक्ष दावा दायर करना होगा।

(2) भुगतान व्यक्ति को किसी भी अनुसूचित बैंक या सहकारी बैंक (शहरी सहकारी बैंक सहित) के बचत बैंक खाते में या कर्मचारी भविष्य निधि स्कीम, 2026 में विनिर्दिष्ट किसी भी डाकघर में निधि-अंतरण पद्धति के माध्यम से किया जाएगा।

(3) सभी प्रकार से पूर्ण दावे, जो आवश्यक दस्तावेजों के साथ प्रस्तुत किए गए हैं, आयुक्त द्वारा प्राप्त होने की तारीख से बीस दिनों के भीतर निपटाए जाएंगे और लाभ की राशि लाभार्थियों को भुगतान की जाएगी।

(4) यदि दावे में कोई कमी है, तो उसे लिखित रूप में दर्ज किया जाएगा और ऐसा आवेदन प्राप्त होने की तारीख से बीस दिनों के भीतर आवेदक को संसूचित किया जाएगा।

(5) यदि आयुक्त बिना किसी पर्याप्त कारण के बीस दिनों के भीतर सभी प्रकार से पूर्ण दावे का निपटान करने में विफल रहता है, तो आयुक्त निर्धारित अवधि से अधिक की देरी के लिए उत्तरदायी होगा और लाभ की राशि पर बारह प्रतिशत प्रति वर्ष की दर से शास्तिक ब्याज लगाया जा सकता है और उसे आयुक्त के वेतन से काटा जा सकता है।

(6) उप-पैराग्राफ (1) में किसी भी बात के होते हुए भी, केंद्रीय बोर्ड, ऐसी मुद्रा सीमा के अध्यक्ष रहते हुए, जिसे वह उचित समझे, आयुक्त या किसी अन्य अधिकारी को बिना दावा प्राप्त किए बीमा निधि से नामांकित व्यक्ति या पात्र लाभार्थी को, यथास्थिति, भुगतान करने के लिए अधिकृत कर सकता है।

24. रजिस्टर, अभिलेख, आदि. — किसी प्रतिष्ठान का नियोजित इलेक्ट्रॉनिक रूप से या अन्यथा समुचित सरकार द्वारा विनिर्दिष्ट प्ररूप और रीति में ऐसे अभिलेख और रजिस्टर बनाए रखेगा, जिसमें नियोजित व्यक्तियों, मस्टर रोल, मजदूरी के संबंध में ऐसे विवरण और ब्यौरे तथा नियमों से संबंधित ऐसे अन्य विवरण और ब्यौरे अंतर्विष्ट होंगे।

25. वार्षिक रिपोर्ट. — केंद्रीय बोर्ड प्रत्येक वर्ष दस दिसंबर से पहले अनुमोदित करेगा और बीस दिसंबर से पहले केंद्रीय सरकार को पिछले वित्तीय वर्ष के दौरान इस स्कीम के कामकाज पर एक रिपोर्ट प्रस्तुत करेगा।

26. कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 के अधीन दावों के लिए विशेष उपबंध. — कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 के अधीन जिसे भी बीमा लाभ मिलना है, उसे वही लाभ मिलेगा जो उसकी पात्रता की तारीख को लागू था।

स्पष्टीकरण: यदि कर्मचारी भविष्य निधि स्कीम, 1952 का कोई सदस्य इस स्कीम के प्रारंभ होने से पहले मर जाता है, लेकिन दावा इस स्कीम के प्रारंभ होने के बाद प्राप्त होता है, तो सदस्य की मृत्यु की तारीख पर लागू स्कीम के अनुसार पात्रता के अधीन बीमा निधि से वही लाभ प्राप्त होगा जो कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 के अधीन देय था, जब तक कि केंद्रीय सरकार द्वारा अन्यथा विनिर्दिष्ट न किया गया हो।

27. छूट प्रदान करने के निबंधन और शर्तें. — इस स्कीम के उपबंधों से सभी छूटें निम्नलिखित निबंधनों और शर्तों के अधीन प्रदान की जा सकेंगी, अर्थात्:-

(i) छूट प्रदान करने के लिए ऐसा आवेदन करने वाला प्रतिष्ठान बहुसंख्यक कर्मचारियों की सहमति प्रस्तुत करेगा;

(ii) कर्मचारी निक्षेप सहबद्ध बीमा स्कीम से छूट या छूट के विस्तार की मांग करने वाला प्रतिष्ठान अपने सभी कर्मचारियों के लिए भारतीय बीमा विनियामक और विकास प्राधिकरण द्वारा अनुमोदित समूह बीमा पॉलिसी खरीदेगा और नियोक्ता लिखित रूप में प्रमाणित करेगा कि यह लाभ इस स्कीम में उपलब्ध लाभ से अधिक लाभकारी है और कर्मचारी अंशदान या प्रीमियम का कोई अलग भुगतान नहीं कर रहे हैं;

(iii) कर्मचारी निक्षेप सहबद्ध बीमा स्कीम से छूट या छूट के विस्तार की मांग करने वाला प्रतिष्ठान छूट की प्रस्तावित तारीख या छूट की समाप्ति से कम से कम छह महीने पहले आवेदन करेगा;

(iv) संहिता की धारा 143 के अधीन दी गई छूट भविष्यलक्षी प्रभाव से लागू होगी;

(v) वे सभी कर्मचारी, जो भविष्य निधि या संहिता की धारा 143 के अधीन छूट प्राप्त भविष्य निधि के सदस्य बनने के पात्र थे, बीमा निधि के सदस्य के रूप में नामांकित किए जाएंगे;

(vi) छूट प्राप्त प्रतिष्ठान का नियोक्ता उस स्थिति में कर्मचारियों के लाभार्थी को देय आश्वासन लाभ का भुगतान करने का वचन देगा, यदि बीमा सेवा प्रदाता पात्र लाभार्थी को ऐसे आश्वासन लाभ का भुगतान करने में विफल रहता है;

(vii) जहाँ किसी कर्मचारी या कर्मचारियों के वर्ग या प्रतिष्ठान या प्रतिष्ठानों के वर्ग को संहिता के अधीन छूट दी गई है, वहाँ नियोक्ता ऐसे कर्मचारी या कर्मचारियों के वर्ग के संबंध में ऐसा खाता बनाए रखेगा, निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करेगा, और ऐसे निरीक्षण शुल्क का भुगतान करेगा जैसा कि आयुक्त निर्देश दे;

(viii) इस स्कीम के अधीन छूट प्राप्त प्रतिष्ठान इस स्कीम के साथ संलग्न प्ररूप में मासिक ऑनलाइन विवरणी प्रस्तुत करेगा;

(ix) आश्वासन लाभों के सभी दावों का निपटान कर्मचारी भविष्य निधि संगठन द्वारा निर्धारित समय-सीमा के भीतर त्वरित रूप से किया जाएगा;

(x) प्रदान की गई छूट इसके प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए वैध रहेगी, जब तक कि इसे समुचित सरकार द्वारा रद्द न कर दिया जाए या प्रतिष्ठान द्वारा अभ्यर्पित न कर दिया जाए;

(xi) इस स्कीम में कोई भी ऐसा संशोधन, जो प्रतिष्ठान द्वारा खरीदी गई बीमा पॉलिसी की तुलना में कर्मचारियों के लिए अधिक लाभकारी हो, बीमा सेवा प्रदाता द्वारा पॉलिसी के औपचारिक संशोधन लंबित रहने तक, उन पर स्वतः लागू हो जाएगा;

(xii) इस स्कीम से छूट प्राप्त प्रतिष्ठान एक निरीक्षक-सह-सुविधादाता द्वारा प्रतिष्ठान के निरीक्षण की सुविधा प्रदान करेगा और उन दरों पर निरीक्षण शुल्क का भुगतान करेगा जो केंद्रीय सरकार अधिसूचित करे;

(xiii) कर्मचारी या नियोक्ता द्वारा छूट प्रदान करने की शर्तों के किसी भी उल्लंघन की स्थिति में, इस संबंध में कारण बताओ नोटिस जारी करने के पश्चात् प्रदान की गई छूट को रद्द किया जा सकता है;

(xiv) केंद्रीय सरकार या आयुक्त छूट को जारी रखने के लिए कोई और शर्त प्रदान कर सकते हैं।

28. छूट का नवीनीकरण. — (1) संहिता की धारा 143 के अधीन पहले से दी गई छूट के विस्तार के लिए आवेदन छूट की समाप्ति से कम से कम छह महीने पहले विनिर्दिष्ट पोर्टल पर किया जाएगा।

(2) छूट का नवीनीकरण माना जाएगा, बशर्ते कि प्रतिष्ठान और ट्रस्ट द्वारा छूट प्रदान करने की शर्तों को निरंतर पूरा किया जाता रहे।

(3) नवीनीकरण तब तक लागू रहेगा जब तक प्रतिष्ठान द्वारा छूट प्रदान करने की शर्तों को पूरा किया जाता रहता है या उस समय तक जब तक प्रतिष्ठान छूट को रद्द करने या अभ्यर्षण के लिए आवेदन नहीं करता और उसे स्वीकार नहीं कर लिया जाता या समुचित सरकार इसके कारणों को बताते हुए एक आदेश जारी नहीं करती, जिसमें एक ऐसी तारीख विनिर्दिष्ट हो जिसके बाद नवीनीकरण का आदेश प्रभावी नहीं रहेगा और शून्य हो जाएगा।

29. कर्मचारी नामांकन अभियान, 2026 के संबंध में विशेष उपबंध. — कर्मचारी भविष्य निधि स्कीम, 2026 में विनिर्दिष्ट 'कर्मचारी नामांकन अभियान, 2026' आवश्यक परिवर्तनों सहित यथापरिवर्तित रूप में इस स्कीम पर लागू होगा।

30. संक्रमणकालीन उपबंध. — (1) कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 के अधीन जिन प्रतिष्ठानों को छूट दी गई है, वे वैध बनी रहेंगी और ऐसे प्रतिष्ठान नवीनीकरण के लिए आवेदन दायर कर सकते हैं।

(2) जो प्रतिष्ठान उप-पैराग्राफ (1) के अंतर्गत नहीं आते हैं, वे गैर-छूट प्राप्त प्रतिष्ठान के रूप में अनुपालन शुरू करेंगे और छूट की वैधता समाप्त होने के अगले महीने के पहले दिन से या इस स्कीम के प्रारंभ होने की तारीख से मासिक अंशदान जमा करना शुरू करेंगे।

31. हानियों को बट्टे खाते में डालना. — अगर केंद्रीय बोर्ड को लगता है कि संहिता के अधीन उसे देय अंशदान, उपकर, ब्याज और नुकसान की राशि वसूल नहीं की जा सकती है, वहाँ प्रत्येक मामले के तथ्यों और परिस्थितियों तथा निधि की समग्र वित्तीय स्थिति को ध्यान में रखते हुए, यथास्थिति, ऐसे अंशदान, उपकर, ब्याज और नुकसानी को बट्टे खाते में डाल सकता है।

प्रपत्र

[पैरा 27(viii) देखें]

(किसी भी छूट प्राप्त प्रतिष्ठान (प्रतिष्ठानों)/कर्मचारी(कर्मचारियों) के लिए ऑनलाइन विवरणीभाग क :स्थापना विवरण

क्र. सं.	फ़ील्ड का नाम	फ़ील्ड प्रकार	टिप्पणी
1	स्थापना आईडी	नियोक्ता की लॉग इन आईडी के आधार पर	आंकड़े में किसी भी बदलाव के लिए नियोक्ता दस्तावेजों के साथ संबंधित
2	स्थापना का नाम		

3	पता	डेटाबेस से स्वतः भरी जाएगी	क्षे.भ.नि.आ. को एक ईमेल भेज सकता है।
4	स्थापना का स्थायी खाता संख्या	आंकड़े प्रविष्टि	पैन और पैन के अनुसार नाम आयकर डेटाबेस से सत्यापित किया जाएगा।
5	स्थायी खाता संख्या के अनुसार स्थापना का नाम	आंकड़े प्रविष्टि	
6	छूट का प्रकार	ड्रॉप डाउन सूची से चयन करें	कर्मचारी, कर्मचारियों का वर्ग, संपूर्ण स्थापना या स्थापना का वर्ग
	i. अधिसूचना संख्या	आंकड़े प्रविष्टि	अनिवार्य क्षेत्र
	ii. अधिसूचना तारीख	आंकड़े प्रविष्टि	अनिवार्य क्षेत्र
	iii. द्वारा जारी किया गया	आंकड़े प्रविष्टि	
	iv. वैधता	आंकड़े प्रविष्टि ___ से ___ तक	
7	छूट का नवीनीकरण।		
	i. अधिसूचना संख्या	आंकड़े प्रविष्टि	
	ii. अधिसूचना तारीख	आंकड़े प्रविष्टि	
	iii. द्वारा जारी किया गया	आंकड़े प्रविष्टि	
	iv. वैधता	___ से ___ तक आंकड़े प्रविष्टि	
8	पृथक/उप कोड वाली शाखाएं	यहां लिंक क्लिक करें	नियोक्ता को अपनी उन सभी शाखाओं को सूचीबद्ध करनी अनिवार्य है जिनके पास पृथक या उप कोड संख्या है। नियोक्ता नई शाखा जोड़ सकता है।

भाग ख : बीमा प्रदाता का ब्यौरा

क्र. सं	क्षेत्र का नाम	क्षेत्र प्रकार	टिप्पणियां
1	बीमाकर्ता का नाम	आंकड़े प्रविष्टि	नाम और पंजीकरण संख्या का सत्यापन आईआरडीए आंकड़ेबेस से किया जाएगा।
2.	आईआरडीए पंजीकरण सं	आंकड़े प्रविष्टि	
3.	पता पंक्ति 1	आंकड़े प्रविष्टि	
	पंक्ति 2	आंकड़े प्रविष्टि	
	शहर	आंकड़े प्रविष्टि	
	जिला	चयन	
	राज्य	चयन	
	पिन	आंकड़े प्रविष्टि	
4.	नीति का नाम	आंकड़े प्रविष्टि	
5.	पॉलिसी संख्या (यूआईएन)	आंकड़े प्रविष्टि	

6.	वैधता	आंकड़े प्रविष्टि	___ से ___ तक
7	आश्वासन लाभ		
	न्यूनतम	आंकड़े प्रविष्टि	
	न्यूनतम	आंकड़े प्रविष्टि	
8	नीति अपवर्जन, यदि कोई हो	आंकड़े प्रविष्टि	

भाग ग: (i) कर्मचारियों का विवरण (मासिक)

क्र. सं.	फ़ील्ड का नाम	फ़ील्ड प्रकार	टिप्पणी
1.	पिछले महीने के अंत तक कर्मचारियों की संख्या	आंकड़े प्रविष्टि	एक बार आंकड़े प्रविष्टि (केवल पहले रिटर्न में)। अगले महीने, पिछले महीने की समाप्ति पर कर्मचारियों की संख्या स्वतः प्रदर्शित हो जाती है।
2.	चालू महीने में शामिल होने वाले कर्मचारियों की संख्या	आंकड़े प्रविष्टि	ईसीआर के अनुसार समान होना
3.	वर्तमान माह के दौरान बाहर निकले/नौकरी छोड़ने वाले कर्मचारियों की संख्या	आंकड़े प्रविष्टि	ईसीआर के अनुसार समान होना
4.	चालू महीने के अंत तक कर्मचारियों की संख्या	दर्शाएं	(क+ख-ग) का योग सभी प्रकार के कर्मचारियों को शामिल किया गया है।
5.	उपरोक्त क्रम संख्या 3 से, सेवा के दौरान कर्मचारियों की संख्या	आंकड़े प्रविष्टि	
6	दावों की प्रारंभिक शेष	एक बार आंकड़े प्रविष्टि	
	प्राप्त दावों की संख्या	आंकड़े प्रविष्टि	
	निपटायें गए दावों की संख्या	आंकड़े प्रविष्टि	
	लंबित दावों की संख्या.	दर्शाएं	अगले महीने तक ओबी के रूप में ले लिया जाएगा
	लंबित दावों का कारण	आंकड़े प्रविष्टि	

भाग ग: (ii) : आश्वासन लाभ (मासिक)

क्र.सं	सदस्य का नाम	यूएएन	भुगतान किए गए आश्वासन लाभ की राशि	भुगतान की तारीख
1				
2				
3				
4				

भाग ग: (iii) शिकायतें (मासिक)

क्र.सं	शिकायतें		
1	प्रारंभिक शेष	एक बार की आंकड़े प्रविष्टि	
2	माह के दौरान प्राप्त शिकायतें	आंकड़े प्रविष्टि	
3	कुल कार्यभार	दर्शाएं	1 एवं 2 का योग
4	निपटाए गए शिकायत मामले	आंकड़े प्रविष्टि	
5	निपटाए गए शिकायत मामलों का प्रतिशत	दर्शाएं	4*100/3
6	अंतिम शेष	दर्शाएं	अगले महीने तक ओबी के रूप में ले लिया जाएगा
7	लंबित शिकायत मामलों का प्रतिशत	दर्शाएं	6*100/3

नोट्स:निर्देश/

- भाग ग में आंकड़े प्रविष्टि की अनुमति केवल तभी दी जाएगी जब भाग क और ख भरे जा चुके हों।
- सभी प्रतिष्ठानों द्वारा प्रत्येक माह भाग ग भरा जाना अनिवार्य है।
- एक बार डेटा सेव करने के बाद, डेटा में कोई भी बदलाव होने पर बटन पर क्लिक करके इसे बाद में 'संपादित करें' संशोधित किया जा सकता है।
- हालाँकि, निम्नलिखित डेटा को संपादित नहीं किया जा सकता है:
 - प्रतिष्ठान का नाम और पता। यदि कोई बदलाव होता है, तो नियोक्ता को सहायक दस्तावेजों के साथ संबंधित भविष्य निधि कार्यालय से अनुरोध करना आवश्यक है ताकि ईपीएफओ एप्लीकेशन में डेटा बदला जा सके और इसे सहायक भविष्य निधि आयुक्त के स्तर पर एकीकृत पोर्टल पर अपडेट किया जा सके।
 - प्रतिष्ठान का स्थायी खाता संख्या और स्थायी खाता संख्या के अनुसार नाम, यदि डेटा सत्यापित हो चुका है और स्थिति सत्यापित 'दिखाई दे रही है।
 - अधिसूचना से संबंधित धारा/पैराग्राफ का चयन और ऐसे आदेश का विवरण, क्योंकि विवरणी का प्रारंभिक महीना छूट की प्रभावी तिथि 'पर आधारित होता है।

[फा. सं. एस-35026/06/2026-एसएस-II]

तेजस्वी एस. नायक, संयुक्त सचिव

MINISTRY OF LABOUR AND EMPLOYMENT**NOTIFICATION**

New Delhi, the 29th June, 2026

G.S.R. 526(E).— In exercise of the powers conferred by clause (c) of sub-section (1) of section 15 of the Code on Social Security (36 of 2020) and in supersession of the Employees' Deposit-Linked Insurance Scheme, 1976, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following Scheme, namely: -

- Short title, commencement and application.** -(1) This scheme may be called the Employees' Deposit-Linked Insurance Scheme, 2026.

(2) It shall come into force on the date of its publication in the Official Gazette.

(3) Subject to the provisions of sections 20 and 143 of the Code on Social Security, 2020, this scheme shall apply to employees of every establishment to which Chapter III of the said Code applies.

2. Definitions.- (1) In this scheme, unless the context otherwise requires –

- (a) “Code” means the Code on Social Security, 2020 (36 of 2020);
- (b) “assurance benefit” means a payment linked to the average balance in the Provident Fund Account of an employee, payable in the event of death of the employee while being a member of the Provident Fund;
- (c) “Insurance Policy” means a Group Insurance policy issued by an Insurance Service Provider;
- (d) “Commissioner” means the Central Provident Fund Commissioner, Additional Central Provident Fund Commissioner, Deputy Provident Fund Commissioner, Regional Provident Fund Commissioner and Assistant Provident Fund Commissioner appointed under section 14 of the Code;
- (e) “member” means a member of the Employees’ Provident Funds Scheme, 2026 or of a Provident Fund exempted under section 143 of the Code, who is required to become a member of this scheme;
- (f) “nominee” means a person nominated in paragraph 46 of the Employees’ Provident Funds Scheme, 2026;
- (2) All words and expressions used herein but not defined shall have the meaning respectively assigned to them in the Code or the rules framed thereunder or the Employees’ Provident Funds Scheme, 2026.

3. Administrative and financial powers of Commissioner.- The Commissioner may, without reference to the Central Board, sanction expenditure on contingencies, supplies and services and purchase of articles required for administration of the Insurance Fund, subject to financial provision in the budget and the limits up to which the Commissioner may be authorised to sanction expenditure on any single item.

4. Applications of provisions of Employees’ Provident Funds Scheme, 2026.- With regard to matters for which there is either no provision or inadequate provisions in this scheme, the provision of the Employees’ Provident Funds Scheme, 2026, shall apply.

5. Contribution. - (1) The contribution payable by the employer under clause (c) of sub-section (1) of section 16 of the Code to the Deposit Linked Insurance Fund, shall be calculated on the basis of the wages as defined in clause (88) of section 2 of the Code, subject to the wage ceiling specified in clause (89) of section 2 of the Code.

(2) The rate of contribution shall be notified by the Central Government in consultation with the Central Board from time to time taking into account the actuarial valuation of the Insurance Fund.

(3) Each contribution shall be calculated to the nearest rupee, fifty paise or more to be counted as the next higher rupee and fraction of a rupee less than fifty paise to be ignored.

6. Mode of payment of contribution. - (1) The employer shall, within fifteen days of the close of every month pay the contribution and administrative charges to the Insurance Fund through electronic mode (including digital payment) of agency banks listed with the Reserve Bank of India or scheduled banks or payment gateway or through the PayGov platform, authorised for such collection and cost of remittance, if any, shall be borne by the employer.

(2) The employer shall be responsible to pay the contribution payable by himself in respect of the employees directly employed by him and the employees employed by or through a contractor.

7. Recovery of damages for default in payment of contribution. - (1) Where an employer makes default in the payment of any contribution to the Insurance Fund or in the payment of any charges payable under the provisions of the Code or the rules framed thereunder or this Scheme, the Commissioner or such officer as may be authorised by

the Central Government, in this behalf, may recover from the employer by way of penalty, damages at the rate and specified in the Employees' Provident Funds Scheme, 2026.

(2) The damages shall be calculated to the nearest rupee, fifty paise or more to be counted as the nearest higher rupee and fraction of a rupee less than fifty paise to be ignored.

8. Employer's contribution not to be deducted from wages of employee. - Notwithstanding any contract to the contrary, the employer shall not deduct the employer's contribution payable by him under this scheme from the wages of the employees or to recover it from them in any other manner.

9. Duty of employer. - (1) Every employer shall send to the Commissioner, within fifteen days of the commencement of this scheme, a consolidated return, of the employees who are entitled and required to become members of the Insurance Scheme as per provisions of Employees' Provident Funds Scheme, 2026 or in case of exempted establishment under section 143 of the Code or under the rules of the provident fund of the establishment.

(2) Every employer shall, within fifteen days of the close of each month, upload electronically on the designated portal, details of the employees qualifying to become members of the Fund for the first time during the preceding month and also details of the employees leaving the service of the employer during the preceding month.

(3) Every employer shall assist the Central Board in making such payment from the Insurance Fund as are sanctioned by or under the authority of the Central Board.

(4) Any other directions issued by the Commissioner, as he may consider necessary for proper implementation of this scheme, shall be carried out by every employer.

10. Inspection of records and registers.- Every employer shall, whenever the Commissioner or any other officer authorised by him in this behalf or an Inspector-cum-Facilitator so require, produce before him, the records and other registers, maintained either in physical form or in electronic form for inspection.

11. Administration Account. - (1) The amount received from the employers under proviso to clause (c) of sub-section (1) of Section-16 of the Code and the inspection charges received under sub-section 6 of section 143 of the Code, shall be credited to an account called the Insurance Fund Central Administration Account and all expenses towards the administration of this scheme shall be met out of this account.

(2) Net Assets of the Insurance Fund Central Administration Account under the Employees' Deposit Linked Insurance Scheme, 1976 shall vest in and stand transferred to the Insurance Fund Central Administration Account under this Scheme.

12. Deposit-Linked Insurance Fund Account. - (1) The amount received as the employer's contribution shall be credited to an account to be called the Deposit-Linked Insurance Fund Account and all expenses towards the cost of any benefits provided by or under this scheme shall be met out of this account.

(2) Net Assets of the Employees' Deposit-Linked Insurance Scheme, 1976, as on the date of notification of this scheme, shall vest in and stand transferred to the Insurance Fund Account.

13. Investment of money of Insurance Fund. - (1) All money of the Insurance Fund standing in deposit with the Central Government in the public account, as on the notification of this scheme, shall continue to be held in the

same account and the Central Government shall give interest at a rate not less than eight and one-half per cent. per annum.

(2) Subject to sub-paragraph (1), all monies standing in the credit of the Insurance Fund and all monies credited into the Insurance Fund hereinafter shall be invested in accordance with the Employees' Provident Funds Scheme, 2026.

(3) Notwithstanding sub-paragraph (2), the Central Government may provide for specific investment pattern for the Insurance Fund.

14. Interest. - All interest, rent and other income realised and net profits or losses, if any, from the sale of investments, not including therein the transaction of the Insurance Fund Central Administration Account, shall be credited or debited, as the case may be, to the Insurance Fund.

15. Disposal of Insurance Fund.- (1) Subject to the provisions of the Code and the Insurance Scheme, the Insurance Fund, not including therein the Insurance Fund Central Administration Account, shall not, except with the previous sanction of the Central Board, be expended for any purpose other than the payment of the benefits in accordance with the provisions of this Scheme.

(2) The Insurance Fund shall be operated by such officers as may be authorised in this behalf by the Central Board.

16. Administrative expenses. - All expenses relating to the administration of this Scheme shall be met out of the Insurance Fund Central Administration Account.

17. Forms of accounts. - The accounts of the Employees' Deposit Linked Insurance Fund and the Employees' Deposit Linked Insurance Administration Account shall be maintained by the Commissioner in the form and manner specified by the Central Board with the approval of Central Government.

18. Audit. - (1) The accounts of the Insurance Fund, including the Insurance Fund Central Administration Account, shall be audited in accordance with the instructions issued by the Central Government in consultation with the Comptroller and Auditor General of India.

(2) The charges on account of audit shall be paid out of the Insurance Fund Central Administration Account

19. Valuation of Insurance Fund. - (1) The Central Board, with the prior approval of the Central Government shall appoint a valuer for valuation of the Insurance fund every three years to assess the sustainability, solvency and adequacy of the rate of contribution and the benefit structure:

Provided that it shall be open to the Central Government to direct a valuation to be made at such other times as it may consider necessary.

(2) The Central Government may alter the rate of contribution payable or the scale of benefits admissible under this scheme or the period for which such benefit may be given, in consultation with the Central Board.

20. Budget. - (1) The Central Provident Fund Commissioner shall place before the Central Board each year before the first fortnight of February, a budget showing separately the probable receipts from the contributions and the administrative charges and the expenditure, which is proposed to be incurred during the following financial year.

(2) The budget approved by the Central Board shall be submitted to the Central Government within a month of its being placed before the Central Board.

- (3) The Central Government may make such modification in the budget as it considers necessary.
- (4) The Commissioner may at any time during the year, make budgetary re-appropriation of funds sanctioned in the budget, by the Central Government provided that,
- (i) the total amount sanctioned in the budget by the Central Government is not exceeded;
 - (ii) it is made only for meeting such expenses of administration as are to be met from the Insurance Fund Central Administration Account; and
 - (iii) every re-appropriation so made shall be reported to the Central Board at its next meeting.
- (5) The Central Provident Fund Commissioner shall place before the Central Board, a supplementary budget for a financial year giving detailed estimates and reasons of inescapable expenditure which is likely to be incurred during the year for which no provision has been made in the sanctioned budget and which cannot be covered under the provisions of sub-paragraph (4).
- (6) Any expenditure incurred by the Central Provident Fund Commissioner over and above the sanctioned budget of the financial year not covered under the provisions of sub-paragraphs (4) and (5), shall be reported to the Central Board at the earliest after the excess is established for its consideration and for obtaining sanction of the Central Government.

21. Scales of assurance benefit and minimum average balance maintained by employee.- (1) On the death of an employee, who is a member of the Fund or of a Provident Fund exempted under section 143 of the Code, as the case may be, the person/(s) entitled to receive the provident fund accumulations of the deceased shall, in addition to such accumulations be paid an amount, equal to the average balance in the account of the deceased in the Fund or of a Provident Fund during preceding twelve months or during the period of his membership, whichever is less, except where the average balance exceeds rupees fifty thousand, the amount payable shall be rupees fifty thousand plus 40% of the amount in excess of rupees fifty thousand subject to a ceiling of rupees one lakh.

- (2) In the event of death of an employee under sub-paragraph (1) during the preceding twelve months or during the period of his membership, even if the average provident fund balance of an employee who is a member of the Fund or of a Provident Fund exempted under section 143 of the Code, as the case may be, is less than rupees fifty thousand, a minimum assurance benefit of rupees fifty thousand shall be payable.

Explanation 1. – For the purpose of determining the average balance in the Fund or in the Provident Fund exempted under section 143 of the Code, as the case maybe, in relation to any employee, the sum total of contributions by the employee and the employer, due for and up to the relevant period, whether paid or unpaid in the Fund or in the Provident Fund exempted together with interest thereon, shall be included.

Explanation 2. – The period of twelve months for calculation of benefits under this scheme shall be computed backwards from the month preceding the month in which death of the member occurs.

- (3) In the case of a part-time employee who was a member of the Fund or of a Provident Fund exempted under section 143 of the Code, as the case maybe, while serving in more than one factory or establishment, the quantum of benefit under this scheme shall be determined with reference to the average of the aggregate balance in all his accounts in the Fund or of a Provident Fund during the preceding twelve months.

- (4) On the death of an employee, who is a member of the Fund or of a Provident Fund exempted under section 143 of the Code, as the case may be, was in employment for a continuous period of twelve months preceding the month in which he died, the persons entitled to receive the provident fund accumulations of the deceased shall, in addition to such accumulations to be paid an amount, equal to: -

- (i) the average monthly wages drawn (subject to a maximum of the wage ceiling notified by the Central Government), during the twelve months preceding the month in which he died, multiplied by thirty-five times plus fifty per cent. of the average balance in the account of the deceased in the fund or of a Provident Fund exempted under section 143 of the Code, as the case may be, during the preceding twelve months subject to a ceiling of one lakh and seventy-five thousand rupees:

Provided that the assurance benefit shall not be less than two lakh and fifty thousand rupees and shall not exceed seven lakh rupees;

- (ii) the amount of benefit under sub-paragraph (1), whichever is higher:

Provided that for the purpose of determination of continuous period of twelve months required for eligibility of minimum assurance benefits payable under sub-paragraph (4) of this scheme, the gap of sixty days between two spells of employment shall be ignored and such multiple services shall be added being treated as continuous service.

Explanation.- In the case of a part-time employee who is a member of the Fund or of a Provident Fund exempted under section 143 of the Code, as the case may be, who was serving in more than one factory or establishment for a continuous period of twelve months, preceding the month in which he died, the quantum of benefit under this scheme shall be determined with reference to the average wage of the aggregate of all the wage wherever he was continuously working for more than twelve months, subject to the wage ceiling defined in clause (89) of section 2 of the Code.

- (5) The benefit under this scheme shall be further increased by twenty per cent in addition to the benefits admissible under sub-paragraph (1) or (3), as the case may be.
- (6) In the event an employee who is a member of the Fund or of a Provident Fund exempted under section 143 of the Code, as the case may be, dies in service within six months of the last contribution received while still being on the rolls of the employer, such an employee shall get the assurance benefit as per this scheme.

22. Assurance benefit to whom payable. - (1) The nomination made by the member in accordance with the Employees' Provident Funds Scheme, 2026 or under the Provident Fund exempted under section 143 of the Code, as the case may be, shall be treated as nominations under this scheme and the assurance amount shall be payable to such nominee or nominees.

- (2) If no nomination subsists or if the nomination relates only to a part of the amount standing to his credit in the Fund, or under the Provident Fund exempted under section 143 of the Code, as the case may be, the whole amount or the part thereof to which the nomination does not relate, as the case may be, shall become payable to the members of his family in equal shares.
- (3) In any case to which the provisions of sub-paragraphs (1) and (2) do not apply, the whole amount shall be payable to the person legally entitled to it.

- (4) If a person who is eligible to receive assurance benefit of the deceased member in terms of sub-paragraphs (1), (2) or (3) is charged with the offence of murder of the member or for abetment in the commission of such an offence, his claim to receive assurance benefit shall remain suspended till the conclusion of the criminal proceedings instituted against him.
- (5) If on the conclusion of the criminal proceedings, the person concerned is: -
- (a) convicted for the murder or abetting the murder of the member, he shall be debarred from receiving his share of deposit linked assurance benefit which shall be payable to other eligible members of the family; or
 - (b) acquitted of the charge of murder or abetment in the murder of the member, his share shall be payable to him.

Explanation: For the purpose of this paragraph, a member's posthumous child, if born alive, shall be treated in the same way as a surviving child born before the member's death.

23. Mode of payment of assurance amount. – (1) Every claimant shall file a claim to the Commissioner in the form and manner specified by the Central Provident Fund Commissioner, either online or offline, to claim payment under this Scheme.

(2) The payment shall be made to the person through electronic funds transfer system in savings bank account of any scheduled bank or co-operative bank (including an Urban Co-operative Bank) or in any post office as specified in the Employees' Provident Funds Scheme, 2026.

- (3) The claims, complete in all respects submitted along with the requisite documents shall be settled and benefit amount paid to the beneficiaries within twenty days from the date of its receipt by the Commissioner.
- (4) In case there is any deficiency in the claim, the same shall be recorded in writing and communicated to the applicant within twenty days from the date of receipt of such application.
- (5) In case the Commissioner fails without sufficient cause to settle a claim complete in all respects within twenty days, the Commissioner shall be liable for the delay beyond the set period and penal interest at the rate of twelve per cent. per annum may be charged on the benefit amount and the same may be deducted from the salary of the Commissioner.
- (6) Notwithstanding anything contained in sub-paragraph (1), the Central Board may authorize, subject to such monetary ceiling as it may deem fit, the Commissioner or any other officer to make payment from the Insurance Fund to the nominee or the eligible beneficiary, as the case may be, without receipt of a claim.

24. Registers, records, etc. - The employer of an establishment shall maintain records and registers in the form and manner specified by the appropriate Government electronically or otherwise, containing such particulars and details with regard to persons employed, muster roll, wages and such other particulars and details pertaining to rules.

25. Annual Report.- The Central Board shall before the tenth of December approve and submit to the Central Government before the twentieth of December each year, a report on the working of this scheme during the previous financial year.

26. Special provision for claims under Employees' Deposit-Linked Insurance Scheme, 1976.- Any person entitled to receive the assurance benefit under the Employees' Deposit-Linked Insurance Scheme, 1976 shall be entitled to receive the same benefits as was applicable on the date of eligibility of such benefit.

Explanation: If a member of the Employees' Provident Funds Scheme, 1952 dies before the commencement of this scheme, but the claim is received after the commencement of this scheme, the entitlement as per scheme applicable on the date of death of member would receive same benefit from the Insurance Fund as was entitled under the Employees Deposit Linked Insurance Scheme, 1976 unless otherwise specified by Central Government.

27. Terms and conditions for grant of exemption. – All exemptions from the provisions of this Scheme may be granted subject to the following terms and conditions, namely:-

- (i) the establishment making such an application for grant of exemption shall submit consent of majority of employees;
- (ii) an establishment seeking exemption or extension of exemption from the Employees Deposit Linked Insurance Scheme shall purchase Insurance Regulatory and Development Authority of India approved Group Insurance Policy for all its employees and employer shall certify in writing that the benefit is more beneficial than that is available in this scheme and that employees are not making any separate payment of contribution or premium;
- (iii) an establishment seeking exemption or extension of exemption from the Employees Deposit Linked Insurance Scheme shall apply at least six months in advance from the proposed date of exemption or expiry of exemption;
- (iv) the exemption granted under section 143 of the Code shall come into effect prospectively;
- (v) all employees, who were eligible to become members of the Provident Fund or Provident Fund granted exemption under section 143 of the Code, shall be enrolled as members of the Insurance Fund;
- (vi) the employer of the exempted establishment shall undertake to pay the assurance benefit which would have been payable to the employees' beneficiary, in the event that the Insurance service provider fails to pay such assurance benefit to the eligible beneficiary;
- (vii) where an employee or class of employees or establishment or class of establishment is exempted under the Code, the employer shall in respect of such employee or class of employees maintain such account, provide such facilities for inspection, and pay such inspection charges as the Commissioner may direct;
- (viii) the establishment exempted under this scheme shall submit monthly online return in the form appended to this scheme;
- (ix) all claims for assurance benefits shall be settled expeditiously within the time frame prescribed by the Employees' Provident Fund Organisation;
- (x) the exemption granted shall remain valid for a period of three years of its publication unless it is cancelled by the appropriate Government or surrendered by the establishment;
- (xi) any amendment to this scheme, which is more beneficial to the employees than the Insurance policy purchased by the establishment, shall be made applicable to them automatically pending formal

amendment of the policy by the Insurance service provider;

- (xii) the establishment exempted from the this Scheme shall facilitate inspection of the establishment by an Inspector cum-Facilitator and shall pay inspection charges at the rates the Central Government may notify;
- (xiii) in the event of any violation of the conditions for grant of exemption by the employee or employer, the exemption granted may be cancelled after issuing a show cause notice in this regard;
- (xiv) the Central Government or the Commissioner may provide any further condition for continuation of exemption.

28. Renewal of exemption. - (1) The application for extension of exemption already granted under Section 143 of the Code shall be made on the specified portal, at least six months before the expiry of exemption.

(2) The exemption shall stand renewed, provided that the condition for the grant for exemption continued to be satisfied by the establishment and the trust.

(3) The renewal shall continue to be in operation till the time conditions of grant of exemption continue to be satisfied by the establishment or till such time that the establishment makes an application for cancellation or surrender of exemption and same is accepted or the Appropriate Government issues an order giving reason therein specifying a date beyond which the order of renewal shall cease to operate and shall be void.

29. Special provisions in respect of Employees' Enrolment Campaign, 2026.— The Employees' Enrolment Campaign, 2026 specified in the Employees' Provident Funds Scheme, 2026 shall *mutatis mutandis* apply to this scheme.

30. Transition provisions. - (1) The establishments granted exemption under the Employees' Deposit-Linked Insurance Scheme, 1976 shall continue to be valid and such establishments may file an application for renewal.

(2) The establishments which do not fall under sub-paragraph (1) shall start complying as un-exempted establishment and start depositing monthly contributions from the 1st day of the month following the expiry of validity of the exemption or from the date of commencement of this scheme.

31. Writing off of losses. - The Central Board, where it is satisfied that the amount of contribution, cess, interest and damages due to it, under the Code, is irrecoverable, may, with due regard to the facts and circumstances of each case and the overall financial condition of the fund, write off such contribution, cess, interest and damages, as the case may be.

Form

[See Paragraph 27(viii)]

(Online returns for any exempted establishment(s) / employee(s))

PART A: ESTABLISHMENT DETAILS

Sl. No	Field Name	Field Type	Remarks
1	Establishment ID	Auto populated from database based on log in ID	For any change in the data the employer may send an email to
2	Name of the establishment		

3	Address	of the employer	the concerned RPFC along with documents.
4	PAN of the establishment	Data entry	The PAN and the Name as per PAN will be verified from the Income Tax Database.
5	Name of establishment as per PAN	Data entry	
6	Type of exemption.	Selection from a drop-down list	Employee, class of employees, whole establishment or class of establishment
	i. Notification number	Data entry	Mandatory field.
	ii. Notification date	Data entry	Mandatory field.
	iii. Issued By	Data Entry	
	iv. Notification with effect	From__._to____ Data entry	
7	Renewal of exemption.		
	i. Notification number	Data entry	
	ii. Notification date	Data entry	
	iii. Issued by	Data Entry	
	iv. Validity	From__._to____ Data entry	
8	Branches having separate/Sub code	Click here link	The employer is required to list out all its branches having separate or sub code number. Employer can add new branch.

PART B: INSURANCE PROVIDER DETAILS

Sl. No.	Field Name	Field Type	Remarks
1	Name of the Insurer	Data entry	The Name and Registration No. will be verified from the Insurance Regulatory and Development Authority of India Database.
2.	IRDA Registration No	Data entry	
3.	Address Line 1	Data entry	
	Line 2	Data entry	
	City	Data entry	
	District	Selection	
	State	Selection	
	PIN	Data entry	
4.	Name of the policy	Data entry	
5.	Policy number (UIN)	Data entry	
6.	Validity	Data Entry	From_____to_____
7	Assurance benefit		
	Minimum	Data entry	
	Maximum	Data entry	
8	Policy exclusion, if any.	Data entry	

Part C: (i). EMPLOYEES DETAILS (Monthly)

Sl. No.	Field Name	Field Type	Remarks
1.	Number of employees as on close of previous month	Data entry	One-time data entry (only in the first return). On the next month the number of employees as on close of previous month

			is automatically displayed.
2.	Number of employees who joined in the current month	Data entry	To be same as per ECR
3.	Number of employees who Exited/left during the current month	Data entry	To be same as per ECR
4.	Number of employees as at the end of current month	Display	Sum of (A+B-C) All types of employees are included.
5.	From Sl. No. 3 above, Number of Employees who died while in service.	Data entry	
6	Opening Balance of Claims	One time data entry	
	No of Claims received	Data entry	
	No of claims Settled	Data entry	
	No. of Claims pending	Display	Will carry as OB to next month
	Reason for pending claims	Data entry	

Part C: (ii): ASSURANCE BENEFITS (Monthly)

Sl. No	Name of member	UAN	Amount of assurance benefit paid	Date of payment
1				
2				
3				
4				

Part C: (iii) GREIVANCES (Monthly)

Sl. No.	GRIEVANCES		
1.	Opening balance	One time data entry	
2.	Grievances received in the month	Data entry	
3.	Net workload	Display	1 plus 2
4.	Grievances disposed	Data entry	
5.	% of grievances disposed	Display	4*100/3
6.	Closing balance	Display	Will carry as OB to next month
7.	% of Grievances pending	Display	6*100/3

Notes/Instructions:

- Data entry in part C will be allowed only when the Part A and B are filled in.
- Part C are to be filled in by all establishments each month.
- Once the date is saved, it can be edited later when there is any change in the date by click of the EDIT Button.
- However, the following data cannot be edited:
 1. Name and address of the establishment. If any change is there the employer is required to request the concerned PF Office with supporting documents so that the data is first changed in the EPFO Application and it will be updated on the Unified Portal at the level of APFC.
 2. The PAN and name as per PAN of the establishment if the data is verified and the status is shown as verified.
 3. Selection of the section/paragraph regarding the notification and the details of such order, as the start month of the return is based on the 'with effect from' - date of exemption.

[F. No. 'S-35026/06/2026-SS-II]

TEJASWI S. NAIK, Jt. Secy.



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सी.जी.-डी.एल.-अ.-30052026-273002
CG-DL-E-30052026-273002

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 2609]

नई दिल्ली, शुक्रवार, मई 29, 2026/ज्येष्ठ 8, 1948

No. 2609]

NEW DELHI, FRIDAY, MAY 29, 2026/JYAISTHA 8, 1948

श्रम और रोजगार मंत्रालय

अधिसूचना

नई दिल्ली, 29 मई, 2026

का.आ. 2702(अ).— केंद्रीय सरकार, सामाजिक सुरक्षा संहिता, 2020 (2020 का 36) की धारा 2 के खंड (89) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त संहिता के अध्याय 3 के प्रयोजनों के लिए पंद्रह हजार रुपए (₹15,000) प्रति माह को मजदूरी सीमा के रूप में अधिसूचित करती है।

[फा. सं. आर-12025/01/2026-एसएस-II]

तेजस्वी एस. नायक, संयुक्त सचिव

MINISTRY OF LABOUR AND EMPLOYMENT**NOTIFICATION**

New Delhi, the 29th May, 2026

S.O. 2702(E).— In exercise of the powers conferred by clause (89) of section 2 of the Code on Social Security, 2020 (36 of 2020), the Central Government hereby notifies rupees fifteen thousand (₹15,000) per month as the wage ceiling for the purposes of Chapter III of the said Code.

[F. No. R-12025/01/2026-SS-II]]

TEJASWI S. NAIK, Jt. Secy.



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-04072026-274111
CG-DL-E-04072026-274111

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 3445]

नई दिल्ली, बुधवार, जुलाई 1, 2026/आषाढ 10, 1948

No. 3445]

NEW DELHI, WEDNESDAY, JULY 1, 2026/ASHADHA 10, 1948

श्रम एवं रोजगार मंत्रालय

अधिसूचना

नई दिल्ली, 1 जुलाई, 2026

का.आ. 3580(अ).—केन्द्रीय सरकार, सामाजिक सुरक्षा संहिता, 2020 (2020 का 36) की धारा 16 की उपधारा (1) के खंड (ख) के उपखंड (i) और उप-खंड (ii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और का.आ. 2061(अ) तारीख 3 मई, 2023 पर प्रतिकूल प्रभाव डाले बिना, अपने कर्मचारियों के संबंध में तत्समय संदेय मजदूरी के आठ और एक-तिहाई प्रतिशत को अंशदान की दर के रूप में अधिसूचित करती है, जो नियोजक द्वारा संहिता के अधीन स्थापित पेंशन निधि में कर्मचारी पेंशन स्कीम, 2026 के लागू होने की तारीख यानी 29 जून, 2026 से प्रति मास देय होगी।

[फा. सं. एस-35025/10/2026-एसएस-II]

तेजस्वी एस. नायक, संयुक्त सचिव

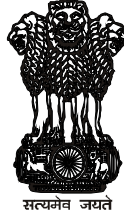
MINISTRY OF LABOUR AND EMPLOYMENT**NOTIFICATION**

New Delhi, the 1st July, 2026

S.O. 3580(E).—In exercise of the powers conferred by sub-clause (i) and sub-clause (ii) of clause (b) of sub-section (1) of section 16 of the Code on Social Security, 2020 (36 of 2020) and without prejudice to S.O. 2061(E), dated the 3rd May 2023, the Central Government hereby notifies eight and one-third per cent. of the wages for the time being payable in relation to his employees as the rate of contribution which shall be payable every month by the employer to the Pension Fund, established under the Code with effect from the commencement of Employees' Pension Scheme, 2026 i.e. 29th June, 2026.

[F. No. S-35025/10/2026-SS-II]

TEJASWI S. NAIK, Jt. Secy.



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-04072026-274104
CG-DL-E-04072026-274104

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 3446]

नई दिल्ली, बुधवार, जुलाई 1, 2026/आषाढ 10, 1948

No. 3446]

NEW DELHI, WEDNESDAY, JULY 1, 2026/ASHADHA 10, 1948

श्रम एवं रोजगार मंत्रालय

अधिसूचना

नई दिल्ली, 1 जुलाई, 2026

का.आ. 3581(अ).—केंद्रीय सरकार, सामाजिक सुरक्षा संहिता, 2020 (2020 का 36) की धारा 16 की उपधारा) 1) के खंड) ग (द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अपने कर्मचारी के संबंध में तत्समय संदेय मजदूरी का आधा प्रतिशत को अंशदान की दर के रूप में विनिर्दिष्ट करती है, जो नियोजक द्वारा उक्त संहिता के अधीन स्थापित बीमा निधि में कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 2026 के लागू होने की तारीख यानी 29 जून, 2026 से प्रतिमास संदेय किया जाएगा।

[फा. सं. एस-35025/11/2026-एसएस-II]

तेजस्वी एस. नायक, संयुक्त सचिव

MINISTRY OF LABOUR AND EMPLOYMENT**NOTIFICATION**

New Delhi, the 1st July, 2026

S.O. 3581(E).—In exercise of the powers conferred by clause (c) of sub-section (1) of section 16 of the Code on Social Security, 2020 (36 of 2020), the Central Government hereby specifies one-half per cent of the wages for the time being payable in relation to his employee as the rate of contribution which shall be payable every month by the employer to the Insurance Fund established under the said Code and with effect from the commencement of Employees' Deposit Linked Insurance Scheme, 2026 i.e. 29th June, 2026.

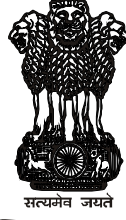
[F. No. S-35025/11/2026-SS-II]

TEJASWI S. NAIK, Jt. Secy.

Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi-110064
and Published by the Controller of Publications, Delhi-110054.

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भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-30052026-272998
CG-DL-E-30052026-272998

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 2605]

नई दिल्ली, शुक्रवार, मई 29, 2026/ज्येष्ठ 8, 1948

No. 2605]

NEW DELHI, FRIDAY, MAY 29, 2026/JYAISTHA 8, 1948

श्रम और रोजगार मंत्रालय

अधिसूचना

नई दिल्ली, 29 मई, 2026

का.आ. 2698(अ).— केंद्रीय सरकार, सामाजिक सुरक्षा संहिता, 2020 (2020 का 36) की धारा 127 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, विनिर्दिष्ट करती है कि नियोजक, उक्त संहिता के अधीन उसके द्वारा देय किसी भी रकम पर, जिस तारीख को ऐसी रकम देय हुई है, से लेकर उसके वास्तविक संदाय की तारीख तक, बारह प्रतिशत प्रति वर्ष की दर पर साधारण ब्याज के संदाय का दायी होगा।

2. यह अधिसूचना 21 नवंबर, 2025 से प्रभावी मानी जाएगी।

[फा. सं. एस-35025/14/2026-एसएस-II]

तेजस्वी एस. नायक, संयुक्त सचिव

MINISTRY OF LABOUR AND EMPLOYMENT**NOTIFICATION**

New Delhi, the 29th May, 2026

S.O. 2698(E).— In exercise of the powers conferred by section 127 of the Code on Social Security, 2020 (36 of 2020), the Central Government hereby specifies that the employer shall be liable to pay simple interest at the rate of twelve per cent per annum on any amount due from him under the Code from the date on which such amount has become due till the date of its actual payment.

2. This notification shall be deemed to have come into force on the 21st November, 2025.

[F. No. S-35025/14/2026-SS-II]

TEJASWI S. NAIK, Jt. Secy.



कर्मचारी भविष्य निधि संगठन

Employees Provident Fund Organisation

(श्रम एवं रोजगार मंत्रालय, भारत सरकार)

(MINISTRY OF LABOUR & EMPLOYMENT, GOVERNMENT OF INDIA)

मुख्य कार्यालय/Head Office

प्लेट ए, ग्राउंड फ्लोर, ब्लॉक-II, ईस्ट किडवाई नगर, नई दिल्ली-110023

Plate A, Ground Floor, Block II, East Kidwai Nagar, New Delhi-110023

Website: www.epfindia.gov.in, www.epfindia.nic.in



No. INV-11/2/2021-INV/E-41960

12519

Date: 01.07.2026

01 JUL 2026

To,

All ACC(HQ)/ACC- In-charge of Zonal Offices
All RPFC-I/ Officers-In-Charge, Regional offices.

Subject: Declaration of Rate of Interest for the Employees' Provident Fund Members Account for the year 2025-26- regarding

Sir,

The Ministry of Labour and Employment, Government of India, has conveyed the approval of the Central Government under Para 60(1) of Employees' Provident Fund Scheme, 1952 to credit interest @ 8.25 % for the Financial Year 2025-26 to the account of each member of the EPF Scheme as per the provisions under Para 60 of EPF Scheme, 1952.

2. You are, accordingly, requested to issue necessary instructions to all concerned for crediting the said interest to the members' accounts.

(Authority: - Ministry of Labour and Employment letter no. R-11018/01/2023-SS-II (e:146079) dated 17.06.2026.)

Yours' faithfully,


(Ningshen Thothar)

Regional P. F. Commissioner-I (Investment)

Copy to,

1. PPS to Secretary, Ministry of Labour & Employment - for information
2. PPS to AS, Ministry of Labour & Employment - for information
3. PPS to AS&FA, Ministry of Labour & Employment - for information
4. OSD to Central Provident Fund Commissioner - for information
5. PS to Central Provident Fund Commissioner - for information



F. No. E-13/14/08/2026-PR

Dated: 17.06.2026

To

All Addl. Commissioners cum Regional Directors/Regional Directors/Joint
Directors(Incharge)/Dy. Directors(Incharge) ESIC Regional Offices/Sub-Regional Offices

Sub: Awareness and Outreach Activities on the Code on Social Security, 2020 —
Directions to ESIC Field Offices – reg.

Madam / Sir,

As you are aware that the Code on Social Security, 2020 (CoSS), implemented with effect from 21st November, 2025 vide Gazette Notification No. CG-DL-E-29092020-222111, consolidates nine Central labour laws relating to social security into a unified and comprehensive framework. The Code aims to significantly extend social security coverage to a broader spectrum of the workforce, including workers in the organised and unorganised sectors, gig and platform workers, plantation workers, and other vulnerable categories of labour.

In order to ensure wider dissemination of information and effective outreach to the intended beneficiaries and stakeholders across the country, the active involvement of ESIC Field Offices is considered essential. Given their direct interface with employers, workers, establishments, and other stakeholders at the grassroots level, Field Offices have responsibility to facilitate greater awareness and understanding of the provisions, benefits, and registration mechanisms under the Code.

In view of the foregoing, all ESIC Field Offices are hereby directed to undertake structured awareness and outreach activities within their respective jurisdictions by optimally utilising the human, infrastructural, and material resources already available with them, without involving any significant additional expenditure. Field Offices are requested to plan and implement such activities in a phased and systematic manner.

The following outreach measures are to be adopted by Field Offices based on local requirements and ground-level feasibility:

- (i) Organising seminars, workshops, and awareness camps for employers, workers, and trade union representatives on the provisions and benefits under the Code on Social Security, 2020.
- (ii) Holding stakeholder interaction sessions with employers, employers' associations, industry chambers, and trade unions to address queries regarding registration obligations, contribution compliance, and the transition from the ESI Act, 1948 to the Code.

- (iii) Dissemination of informational and educational material in regional/local languages, including pamphlets, leaflets, brochures, posters, and infographics, to ensure accessibility of information at the grassroots level.
- (iv) Utilisation of digital and social media platforms — including official ESIC social media handles, WhatsApp groups and email communication— for targeted outreach and real-time information dissemination to employers and workers.
- (v) Engagement with educational institutions, local bodies, Panchayati Raj Institutions, and other relevant local stakeholders for wider dissemination of information relating to the provisions and benefits under the Code.
- (vi) The Field Offices shall confine their role to the dissemination of factual information as already stated in the Code, and shall refrain from any assumption, interpretation, etc. in this regard.

Field Offices are also requested to maintain a record of all awareness activities undertaken in pursuance of this circular — including the dates, venues, number of participants, categories of stakeholders covered, and the nature of activities conducted — and share good quality photos with the PR Branch, ESIC Hqrs. for social media posts.

The ESIC Field Offices shall also refer to the instructions/circulars issued by the Medical Services Division regarding the conduct of Annual Health Check-Up Camps for Insured Persons aged 40 years and above. The Field Offices must ensure maximum participation of Insured Persons in the Annual Health Check-Up Camps.

This has the approval of the Director General

Yours faithfully



Manoj Kumar Yadav

Asstt. Director(PR)

Email: pr.branch-hq@esic.nic.in

Copy to:-

1. PPS / PS to **DG**, for kind informarion
2. PPS / PS to **IC(P&A)/IC (Benefit)**, for kind information
3. PPS/PS to **All Zonal ICs**, for kind information.



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

PART I EXTRAORDINARY

No.328

AMARAVATI, MONDAY, JUNE 29, 2026

G.308

NOTIFICATIONS BY GOVERNMENT

--X--

LABOUR, FACTORIES, BOILERS & INSURANCE
MEDICAL SERVICES DEPARTMENT
(LAB.II)

IMPLEMENTATION OF LABOUR CODES - THE CODE ON WAGES, 2019 (CENTRAL ACT No.29 OF 2019) - THE CODE ON WAGES (ANDHRA PRADESH) RULES, 2026 - FINAL NOTIFICATION.

**[G.O.Rt.No.124, Labour Factories Boilers & Insurance Medical Services (Lab.II),
29th June, 2026.]**

FINAL NOTIFICATION

Whereas, the draft of the Code on Wages (Andhra Pradesh) Rules, 2026 as required under section 67 of the Code on Wages, 2019 (Central Act No.29 of 2019), were published in the Andhra Pradesh Gazette No.(625), dated: 13.03.2026 inviting objections and suggestions from all persons likely to be affected thereby within a period of Forty Five (45) days from the date on which copies of the Gazette containing the said notification were made available to be public;

And whereas, the said draft notification were made available to the public on the 13th March, 2026;

And whereas, objections and suggestions received from persons and stakeholders have been duly considered by the State Government.

Now, therefore, in exercise of the powers conferred by section 67 of the Code on Wages, 2019 (Central Act No. 29 of 2019), and in supersession of the previous Rules made by the State Government viz., (1) The Payment of Wages Act, 1936, i.e., The Andhra Pradesh Payment of Wages Rules, 1937 (2) The Minimum Wages Act, 1948, i.e., The Andhra Pradesh Minimum Wages Rules, 1960 except as respects of things done or omitted to be done before such supersession, the State Government hereby makes the following rules, namely,-

CHAPTER - I **PRELIMINARY**

1. Short title, extent and commencement. –

- (1) These rules may be called the Code on Wages (Andhra Pradesh) Rules, 2026.
- (2) They extend to the whole of the Andhra Pradesh.
- (3) They shall come into force on the date of their publication in the Official Gazette.

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

- (a) “appeal” means an appeal under sub-section (1) of section 49;
- (b) “appellate authority” means the appellate authority appointed by the State Government under sub-section (1) of section 49;
- (c) “authority” means the authority appointed by the State Government under sub-section (1) of section 45;
- (d) “Board” means the State Advisory Board constituted by the State Government under subsection (4) of section 42;
- (e) “Chairperson” means the Chairperson of the Board;
- (f) “Code” means the Code on Wages, 2019 (Central Act No. 29 of 2019);
- (g) “Committee” means a committee appointed by the State Government under clause (a) of sub-section (1) of section 8;
- (h) “day” means a period of twenty-four hours beginning at midnight;
- (i) “electronically” means any information submitted by email or maintained or displayed on the designated portal or mobile application or website or digital payment in any mode for the purposes of the Code;
- (j) “form” means the forms appended to these rules;
- (k) “geographical area” means the areas notified by the State Government from time to time.
- (l) “highly skilled occupation” means an occupation which calls in its performance a specific level of perfection and required competence acquired through intensive technical or professional training or practical occupational experience for a considerable period and also requires of an employee to assume full responsibility for judgment or decision involved in the execution of such occupation;
- (m) “Inspector-cum-Facilitator” means a person appointed by the State Government, under sub-section (1) of section 51;
- (n) “member” means a member of the Board;

- (o) "normal rate of wage" means wage as defined under clause (y) of section 2;
- (p) "registered trade union" means a trade union registered under the Industrial Relations Code, 2020 (Central Act No.35 of 2020);
- (q) "section" means a section of the Code;
- (r) "semi-skilled occupation" means an occupation which in its performance requires the application of skill gained by the experience on job which is capable of being applied under the supervision or guidance of a skilled employee and includes supervision over the unskilled occupation;
- (s) "skilled occupation" means an occupation which involves skill and competence in its performance through experience on the job or through training as an apprentice in a technical or vocational institute and the performance of which calls for initiating and judgment;
- (t) "unskilled occupation" means an occupation which in its performance requires the application of simply the operating experience and involves no further skills.
- (2) Words and expressions used in these rules but not defined herein shall have the meanings respectively assigned to them under the Code.

CHAPTER - II

Minimum Wages

3. Manner of calculating the minimum rate of wages.-

(1) For the purposes of sub-section (5) of section 6, the minimum rate of wages shall be fixed by the day basis keeping in view the criteria which shall be separately specified by the State Government by special or general order:

Provided that the State Government shall not fix the minimum wages of the State Government employees under this Code.

(2) Where the rate of wages for a day is fixed, such amount shall be divided by eight for fixing the rate of wages for an hour and multiplied by twenty-six for fixing the rate of wages for a month and in such division and multiplication the factors of one-half and more than one-half shall be rounded as next figure and the factors less than one-half shall be ignored.

(3)- In case there is less than six days working week, the hourly rate of minimum wages so calculated shall be used to derive the minimum wages for the day.

4. Interval for revision of variable dearness allowance.- The cost of living allowance and the cash value of the concession in respect of essential commodities at concession rate shall be computed once before 1st April and then before 1st October in every year to revise the variable dearness allowance payable to the employees on the minimum wages considering the Average Consumer Price Index Number for Industrial Workers published by the Labour Bureau, Ministry of Labour and Employment, Government of India.

5. Hours of work for normal working day. - (1) The number of hours of work which shall constitute normal working day for an employee whose wage period is on a daily basis shall be eight hours and interval for rest shall be in

accordance with notification issued in this regard under Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No.37 of 2020).

(2) The number of hours of work which shall constitute a normal working day for an employee whose wage period is other than on a daily basis shall be so fixed that the total number of weekly working hours shall not exceed forty-eight hours.

6. Weekly day of rest .— (1) Subject to the provisions of this rule, an employee shall be allowed rest for one day in every week (hereinafter referred to as “the rest day”), in case of six-day working week which shall ordinarily be a Sunday and in case of less than six-days working week, the rest day shall include Saturday and Sunday, however, the employer may fix any other day of the week as the rest day for any employee or class of employees:

Provided that in a six-days working week or less than six days working week, as the case may be, the remaining days of the week shall be paid rest days for such employees:

Provided further that an employee shall be entitled for the rest day under this sub-rule, if he has worked under the same employer in case of six-days working week for a continuous period of not less than six days and in case of less than six-days working week for a continuous period of the stipulated number of working days, as the case may be:

Provided also that the employee shall be informed of the day fixed as the rest day and of any subsequent change in the rest day before the change is effected, by display of a notice to that effect at a conspicuous place in the place of employment or electronically.

Explanation. - For the purpose of computation of the continuous period of not less than six days or the stipulated number of days worked in a week specified in the second proviso to this sub-rule, (a) any day on which an employee is required to attend for work but is given only an allowance for attendance and is not provided with work;

(b) any day on which an employee is laid off on payment of compensation under the Industrial Relations Code, 2020 (Central Act No.35 of 2020), and;

(c) any leave or holiday, with or without pay, granted by the employer to an employee in the period of six days or during the stipulated number of working days of a week, as the case may be, immediately preceding the rest days.

(2) An employee shall not be required or allowed to work on the rest day unless he is allowed a substituted rest day on one of the working days in a week immediately before or after the rest day:

Provided that no substitution shall be made, which shall result in the employee working for more than ten days consecutively without a rest day.

(3) Where any employee works on a rest day and has been given a substituted rest day on any working days before or after the rest day, the rest day shall, for the purposes of calculating the weekly hours of work, be included in the week in which the substituted rest day occurs.

(4) An employee shall be granted for rest day, wages calculated at the rate applicable to the previous working day; where he works on the rest day and has been given a substituted rest day, then, he shall be paid wages for the rest day on which he worked, at the overtime rate and wages for the substituted rest day at the rate applicable to the previous working day: Provided that in case of six-days working week where.

i. the minimum rate of wages of the employee as notified under the Code has been worked out by dividing the minimum monthly rate of wages by twenty- six; or

ii. the actual daily rate of wages of the employee has been worked out by dividing the monthly rate of wages by twenty-six and such actual daily rate of wages is not less than the notified minimum daily rate of wages of the employee, then, no wages for the rest day shall be payable; and

iii. the employee works on the rest day and has been given a substituted rest day, then, the employee shall be paid, only for the rest day on which he worked, an amount equal to the wages payable at the overtime rate, which shall not be less than twice the normal rate of wages,

and, in case any dispute arises whether the daily rate of wages has been worked out in accordance with the provisions of this proviso, the Chief Labour Commissioner (Central) or the Deputy Chief Labour Commissioner (Central) having jurisdiction may, on application made in this behalf, decide the same, after giving an opportunity to the parties concerned to make written representations:

Provided further that in case of an employee governed by a piece rate system, the employee shall be paid wages for the rest day on which he works, at the overtime rate and wages for the substituted rest day at the rate applicable to the previous working day.

Explanation.- For the purpose of this sub-rule, the words 'previous working day' means the last day on which the employee has worked, which precedes the rest day or the substituted rest day, as the case may be; and where the substituted rest day falls on a day immediately after the rest day, the previous working day means the last day on which the employee has worked, which precedes the rest day.

(5)- The provisions of this rule shall not operate to the prejudice of more favorable terms, if any, to which an employee may be, entitled under any other law or under the terms of any award, agreement or contract of service, and in such a case, the employee shall be entitled only to more favorable terms.

Explanation. - For the purposes of this rule, the expression 'week' shall mean a period of seven days beginning at midnight on Saturday night.

7. Night shifts. — Where an employee in an employment works on a shift which extends beyond midnight, then, -

(1) a rest day for the whole day for the purposes of rule 6 shall, in this case means a period of twenty-four consecutive hours beginning from the time when his shift ends; and

(2) the following day in such a case shall be deemed to be the period of twenty-four hours beginning from the time when such shift ends, and the hours after midnight during which such employee was engaged in work shall be counted towards the previous day.

8. Extent and conditions of working hours for certain categories of employees. -The number of working hours for certain categories of employees under sub-section (2) of section 13 may exceed the normal working hours, specified in rule 5:

Provided that the overtime of these categories of employees shall be as per section 14.

9. Longer wage period. - The longer wage period for the purposes of minimum rate of wages under section 14 shall be by the month.

CHAPTER-III

Payment of Wages

10. Payment of wages to contractual employee. - Where the employees are employed in an establishment through a contractor, the company or firm or association or any other person who is the proprietor of the establishment shall pay to the contractor, the amount payable in respect of the wages of employees in accordance with the provisions of the Code.

Explanation: -For the purpose of this rule, the expression “firm” shall have the meaning as assigned to it in the Indian Partnership Act, 1932 (Central Act No.9 of 1932).

11. Payment of wages for less than normal working day. — An employee shall not be entitled to receive wages for a full normal working day under section 10, in case the employee had agreed to work on part time basis, as per the terms of the employment or not entitled to receive such wage under any other labour law for the time being in force.

12. Recovery of deductions. — As per sub-section (4) of section 18, where the total deductions authorised under sub-section (2) of section 18 exceed fifty per cent of the wages of an employee, the excess shall be carried forward and recovered from the wages of succeeding wage period, in instalments so that the recovery in any month shall not exceed the fifty per cent of the wages of the employee in that month.

13. Authority for approving acts and omissions. — The Deputy Commissioner of Labour having jurisdiction over the place of work of the employee concerned shall be the authority for approving acts and omissions for the purposes of sub-section (1) of section 19.

14. Manner of exhibiting notice specifying acts and omissions.— A notice referred to in sub-section (2) of section 19 shall be displayed in physical form or electronically in Hindi, English and local language at the conspicuous place in the premises of the work place in which the employment is carried on and a copy of the notice shall be sent electronically or by speed post to the Inspector cum-Facilitator having jurisdiction.

15. Procedure for imposing fines. — (1) As per sub-section (3) of section 19, the employer shall give intimation electronically or in writing to the employee concerned specifying therein the particulars of acts and omissions done by the employee, warranting the imposition of fine, for showing cause within seven days.

(2) On establishment of charges, fine shall be imposed on the delinquent employee.

(3) Wherein no reply is received from the employee within the scheduled period, fine shall be imposed and the same shall be intimated to the employee within fifteen days of the imposition of such fine.

16. Intimation of deduction for absence from duty. —

(1) When an employer intends to make any deduction in pursuance of the proviso to sub-section (2) of section 20, the employer shall intimate electronically or in writing to the employee concerned regarding their intention of making such deduction seeking their reply within a period of seven days and on establishment of charges, deduction shall be made from the wages of the employee in accordance with sub-section (3) of section 18.

(2) If no reply is received from the employee concerned within seven days, the employer shall make such deduction from the wages and the same shall be intimated to the employee within fifteen days of the date of such deduction.

17. Procedure for deduction for damage or loss. —

(1) Any employer intending to make deduction for damages or loss under sub-section (1) of section 21 from the wages of an employee, shall give the employee an opportunity to submit explanation within a period of seven days, showing cause, the value of the damage caused or loss of goods expressly entrusted to the employee.

(2) On establishment of the charges, deductions shall be made from the wages of the employee in accordance with sub-section (3) of section 18.

(3) In case no reply is received from the employee concerned within (7) seven days, the employer shall make such deduction from the wage of the employee concerned and the same shall be intimated to the employee within fifteen days of the date of such deduction.

18. Conditions regarding recovery of advance: — The recovery of, —

(1) advances of money given to an employee after the employment begins under clause (b) of section 23; Or

(2) advances of wages to an employee not already earned under clause (c) of section 23, as the case may be, shall be made by the employer from the wages of the concerned employee in instalments determined by the employer, so as any or all instalments in a wage period, shall not exceed fifty per cent of the wages of the employee subject to the ceiling specified in rule 12 in that wage period and the particulars of such recovery shall be recorded in the register maintained in Form-IV.

19. Deduction for recovery of loans: — As per section 24, deductions for recovery of loans granted and the interest due in respect thereof shall be as per extant instructions or guidelines of the State Government regulating the extent to which such loans may be granted and the rate of interest that shall be payable thereon.

CHAPTER-IV**The Andhra Pradesh State Advisory Board****A. Procedure of the State Advisory Board**

20. Constitution of the Board. –The Board shall be constituted under sub-section (4) of Section 42 by the State Government consisting of persons to be nominated by the State Govt.

21. Meeting of the Board. - The Chairperson may, subject to the provisions of rule 23, call a meeting of the Board at any time as deemed fit:

Provided that on requisition in writing from not less than one half of the members, the Chairperson shall call a meeting within thirty days from the date of the receipt of such requisition.

22. Notice of meetings. - The Chairperson shall fix the date, time and place of every meeting and a notice in writing containing the aforesaid particulars along with a list of business to be conducted at the meeting shall be sent to each member by speed post or electronically at least fifteen days before the date fixed for such meeting:

Provided that in the case of an emergent meeting, notice of seven days only may be given to every member.

23. Functions of Chairperson. – The Chairperson shall-

(1) preside at the meetings of the Board:

Provided that in the absence of the Chairperson at any meeting, the members shall elect from amongst themselves by a majority of votes, a member who shall preside at such meeting;

(2) decide agenda of each meeting of the Board;

(3) where in the meeting of the Board, if any issue has to be decided by voting, conduct the voting and count or cause to be counted the secret voting in the meeting. and

(4) such other functions that the State Government may assign from time to time.

24. Quorum. - No business shall be transacted at any meeting unless at least one-third of the members and at least one representative member each of both the employers and an employee are present:

Provided that, if at any meeting less than one-third of the members are present, the Chairperson may adjourn the meeting to a date not later than seven days from the date of the original meeting and it shall there upon be lawful to dispose of the business at such adjourned meeting irrespective of the number of members present:

Provided further that the date, time and place of such adjourned meeting shall be intimated to all the members.

25. Disposal of business of the Board. - All business of the Board shall be considered at a meeting of the Board, and shall be decided by a majority of the votes of members present and voting and in the event of an equality of votes, the Chairperson shall have a casting vote:

Provided that the Chairperson may, if he thinks fit, direct that any matter shall be decided by the circulation of necessary papers and by securing written opinion of the members:

Provided further that no decision on any matter under the preceding proviso shall be taken, unless supported by not less than two-thirds majority of the members.

26. Method of voting. - Voting in the Board shall ordinarily be by show of hands, but if any member asks for voting by ballot, or if the Chairperson so decides, the voting shall be by secret ballot and held in the manner as the Chairperson may decide.

27. Proceedings of meetings. - (1) The proceedings of each meeting of the Board showing inter alia the names of the members present there at shall be forwarded to each member and to the State Government as soon after the meeting as possible, and in any case, not less than seven days before the next meeting.

(2) The proceedings of each meeting of the Board shall be confirmed with such modification, if any, as may be considered necessary at the next meeting.

28. Summoning of witnesses and production of documents. -

(1) The Chairperson may summon any person to appear as a witness if required in the course of the discharge of his duty and require any person to produce any document.

(2) Every person who is summoned and appears as a witness before the Board shall be entitled to an allowance for expenses incurred in accordance with the scale for the time being in force for payment of such allowance to witnesses appearing before a civil court.

B. Terms of office of members of the Board

29. Term of office members of Board (1) The term of office of the Chairperson and members, shall be three years commencing from the date of appointment or nomination, as the case may be:

Provided that the Chairperson or a member shall after the expiry of the said period of three years, continue to hold office until their successor is appointed or nominated.

(2) An independent member of the Board nominated to fill a casual vacancy shall hold office for the remaining period of the term of office of the member in whose place that independent member is nominated or till the time a regular incumbent joins.

(3) The official members of the Board shall hold office till they are replaced by respective such other official members.

(4) Notwithstanding anything contained in this rule, the members of the Board shall hold office during the pleasure of the State Government.

30. Travelling allowance. - (1) The travelling allowance of an official member of the Board shall be governed by the rules applicable to them for the journey performed on official duties and shall be paid by the authority paying the salary. (2) The non-official members of the Board shall be paid travelling allowance for attending the meeting of the Board as per the instructions issued by the Finance Department, Government of Andhra Pradesh from time to time.

Explanation.- For the purposes of this rule, the expression “official member” shall mean regular government officers, officiating as members of the Board in that capacity and “non-official member” shall be who are not “official members”.

31. Officers and Staff .-The State Government may provide the necessary infrastructure, as it may think necessary for the proper functioning of the Board.

32. Eligibility for re-nomination of the members of the Board.-An outgoing member shall be eligible for renomination for the membership of the Board for not more than total two terms.

33. Resignation of the Chairperson and members of Board.- (1) A member of the Board, other than the Chairperson, may, by giving notice in writing to the Chairperson, resign from the membership and the Chairperson may resign by a letter addressed to the State Government.

(2) The resignation shall take effect from the date of communication of its acceptance or on the expiry of thirty days from the date of resignation, whichever is earlier.

(3) When a vacancy occurs or is likely to occur in the Board, the Chairperson shall submit a report to the State Government immediately and the State Government shall, take steps to fill the vacancy in accordance with the provisions of the Code.

34. Cessation of membership.— If a member of the Board, fails to attend three consecutive meetings without prior intimation to the Chairperson, he shall, cease to be a member thereof.

35. Disqualification.—(1) A person shall be disqualified for being nominated as, and for being a member of the Board—

(i) if he is declared to be of unsound mind by a competent court; or

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

(iii) if before or after the commencement of the Code, he has been convicted of an offence involving moral turpitude.

(2) If any question arises whether a disqualification has been incurred under sub-rule (1), the decision of the State Government thereon shall be final.

CHAPTER-V

PAYMENT OF DUES, CLAIMS, etc.

36. Payment of undisbursed dues to nominees in case of death of employee:— (1) (a) In pursuance of clause (a) of sub-section (1) of section 44, every employee shall make a declaration in Form-VII in physical form or electronically, nominating a person conferring the right to receive the amount that may stand in the credit of the employee on the event of death, before that amount standing to the credit of such employee has become payable or where the amount has become payable, before payment has been made.

(b) If the employee has a family at the time of making nomination, the nomination shall be in favour of the spouse or the spouse in preference followed by one or more members of the family:

Provided that nomination made by an employee having a family in favour of a person other than member of the family shall be invalid:

Provided further that a fresh nomination towards the spouse of the employee shall be made by the employee on marriage and any nomination made before such marriage shall be deemed to be invalid.

(c) Where the nomination is wholly or partly in favour of a minor, the employee may appoint a major person of the family, to be the guardian of the minor nominee or where there is no major person in the family, the employee may by discretion, appoint any other person to be the guardian of the minor nominee.

(d) If the employee nominates more than one member, the nomination shall specify the amount or share payable to each of the nominees at employee's own discretion so as to cover the whole of the amount that may stand to the credit of the employee.

(2) Where any amount payable to an employee under the Code is due after the death or on account of whereabouts not being known of the employee and the

amount could not be paid to the nominee of the employee until the expiry of three months from the date the amount had become payable, then, such amount shall be deposited by the employer with the Deputy Commissioner of Labour having jurisdiction, who shall disburse the amount to the person nominated by the employee after ascertaining the identity of the employee within two months of the date on which the amount was so deposited.

37. Deposit of the undisbursed dues in case of death of employee. -

(1) Where any amount payable to an employee under clause (b) of sub-section (1) of section 44 remains undisbursed since no nomination has been made by such employee or for any other reason, such amounts could not be paid to the nominee of employee, all such amounts shall be deposited by the employer after the expiry of six-months from the date the amount become payable, with the Deputy Commissioner of Labour having jurisdiction before the expiry of the fifteenth day after the last day of the said period of six months.

(2) The amount to be deposited under sub-clause (1) shall be through bank transfer or through a crossed demand draft obtained from any scheduled bank in India drawn in favour of such Deputy Commissioner of Labour.

38. Manner of dealing with deposit of undisbursed dues: —

(1) The undisbursed amount in sub rule (1) of rule 37 (hereinafter in this rule referred to as “the amount”) shall remain with the concerned Deputy Commissioner of Labour and be invested in the Central or State Government Securities or deposited as a fixed deposit in a scheduled bank.

(2) The concerned Deputy Commissioner of Labour shall exhibit, as soon as may be possible, a notice containing such particulars as the Deputy Commissioner of Labour considers sufficient for information at least for fifteen days on the notice board and also publish such notice in any two local newspapers of vernacular language commonly understood in the area in which undisbursed wages were earned and also in two local newspapers in vernacular language in the area of permanent residence of the employee.

(3) Subject to the provisions of sub-rule (4), the concerned Deputy Commissioner of Labour shall release the amount to the nominee or to that person who has claimed such amount, as the case may be, in whose favour such Deputy Commissioner of Labour has decided, after giving the opportunity of being heard.

(4) In case the undisbursed amount remains unclaimed for a period of seven years, the same shall be dealt as directed by the State Government from time to time in this behalf.

CHAPTER-VI
FORMS, REGISTERS AND WAGE SLIP

39. Returns. - The returns shall be filed electronically by every employer of an establishment to which the Code applies in the Forms under the Occupational, Safety Health and Working Conditions Code, 2020 (Central Act No.37 of 2020).

40. Form and procedure for filing claims:— (1) A single application on behalf of or in respect of any number of or group of employees employed in the same establishment wherein their claims relate to the same wage period or any incident of discrimination, may be filed under sub-section (5) of section 45 in Form-II, manually or electronically along with documents specified in the said Form, before the authority notified by State Government under sub-section (1) of section 45 to hear and determine claims which arise under the provisions of the Code.

(2) Where an application under sub-rule (1) is filed, the authority shall serve upon the employer electronically or by speed post, a notice in **Form VIII** (A) to appear before them on the date specified in the notice with all relevant documents and witnesses, if any, and shall inform the applicant of the date so specified.

(3) In case where the employer or their representative fails to appear on the specified date, the authority may hear and determine the application ex-parte.

(4) In case where the applicant or their representative fails to appear on the specified date without any reasonable cause shown in advance, the authority may dismiss the application.

41. Procedure for filing appeal:— (1) Any person aggrieved by an order passed by the authority under sub-section (2) of section 45 may prefer an appeal under sub-section (1) of section 49 in Form III electronically or by speed post, along with documents mentioned by the appellant in the said Form, to the appellate authority having jurisdiction:

Provided that no appeal by an employer shall be admitted unless at the time of preferring the appeal, the appellant has deposited the claim amount with the appellate authority.

(2) Where an appeal under sub-section (1) of section 49 is entertained, the appellate Authority shall serve upon the respondent electronically or by speed post, a notice in Form VIII-(B) to appear before them on the date specified in the notice and shall inform the appellant of the date so specified.

(3) In case where the employer or their representative fails to appear on the specified date, the authority may hear and determine the application ex-parte.

(4) In case where the applicant or their representative fails to appear on the specified date, the authority may dismiss the appeal.

42. Form of register, etc:— (1) The employer of all establishments to which the Code applies shall maintain under sub-section (1) of section 50, electronically or in physical form in the formats appended to these rules, the following registers:—

(i) Employee Register in Form I;

(ii) Register of Wages, Overtime, Advances, Fines and Deductions for Damage and Loss in Form IV; and

(iii) Attendance Register-cum-Muster Roll in Form IX.

(2) All fines and all realizations referred to in sub-section (8) of section 19 shall be recorded in a register to be kept by the employer electronically or in physical form in Form-IV and the authority referred to in sub-section (8) shall be the Deputy Commissioner of Labour having jurisdiction.

(3) All deductions and realizations referred to in sub-section (3) of section 21 shall be recorded in a register to be kept by the employer electronically or in physical form in Form-IV.

(4) The registers maintained under these rules shall be preserved for a period of five years after the date of last entry made therein.

43. Wage slip:— Every employer shall issue wage slips, electronically or in physical form to the employees in Form V under sub-section (3) of section 50 on or before payment of wages.

44. Manner of holding enquiry:— (1) Where a complaint is filed before the officer appointed under sub-section (1) of section 53 (hereinafter in this rule referred to as “the officer”) in respect of the offences referred to in said sub-section, either by an officer authorised for such purpose by the State Government or by an employee aggrieved or a registered trade union registered under the Industrial Relations Code, 2020 (Central Act No.35 of 2020) or an Inspector-cum-Facilitator, the officer after considering such evidence as produced by the complainant, is of the opinion that an offence has been committed, shall issue summons to the offender on the address specified in the complaint fixing a date for his appearance.

(2) If the offender to whom the summons has been issued under sub-rule (1) appears or is produced before the officer, the officer shall explain the offence complained against and if the offender pleads guilty, the officer shall impose penalty in accordance with the provisions of the Code and if the offender does not plead guilty, the officer shall take evidence of the witnesses produced by the complainant on oath and provide opportunity of cross examination of the witnesses so produced.

(3) The officer shall record in writing the statement of the witnesses on oath and in cross examination and take the documentary evidence on record.

(4) The officer shall, after the complainant’s evidence is complete, provide an opportunity of defence to the accused person and the witnesses produced by the accused shall be cross examined after their statements on oath by the complainant and documentary evidence in defence shall be taken on record by the officer.

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

45. Manner of composition of offences: — (1) An accused person desirous of composition of offence under sub-section (1) of section 56 may make an application in Form VI electronically or manually to the Gazetted Officer notified under said sub-section.

(2) The Gazetted Officer referred to in sub-rule (1) shall on receipt of such application, satisfy as to whether the offence is compoundable or not under the Code and, if the offence is compoundable and the accused person agrees for the composition, compound the offence for a sum of fifty per cent of the maximum

fine provided for such offence under the Code, to be paid by the accused within thirty days of the order of composition issued by such officer.

(3) The compounding officer shall issue a composition certificate in Part-B of Form-VI within ten days of receipt of the composition amount, to such person from whom such amount has been received in compliance of the composition notice.

(4) In case where a person so noticed fails to deposit the composition amount within the time specified by the compounding officer, prosecution shall be instituted before the competent court against such person for such offence in respect of which the compounding notice was issued.

(5) Where the offence has been compounded under sub-rule (2) after the institution of the prosecution, the officer shall send a copy of such order for intimation to the officer referred to in sub section (1) of section 53 for action under sub-section (6) of section 56.

FORM-I

[See clause (i) of sub-rule (1) of Rule 42]

EMPLOYEE REGISTER

Name of the Establishment	
Name of the Employer	
Name of the Owner	
PAN/TAN of the Employer	
Registration Number of the establishment (LIN/UIN Number shall be the Registration Number of the Establishment)	
1. Employee Code	
2. Name	
3. Surname	
4. Gender	

5. Father's/Mother's/Spouse Name	
6. Date of Birth	
7. Place of Birth	
8. Nationality	
9. Education Level	
10. Date of Joining	
11. Designation	
12. Category (HS/S/SS/US)*	
13. Type of Employment (P/T/FT/T/B)**	
14. Details of Posting	
15. Pay	
16. Promotion	
17. Mobile Number	
18. Universal account number of the Worker	
19. PAN	
20. Nominee(s) (To be filled on the basis of Nomination form)	

21. Details of Family	
22. EPS/NPS	
23. ESIC IP No.	
24. AADHAAR	
25. Bank A/c Number	
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	

* (Highly Skilled/Skilled/Semi skilled/Unskilled)

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

FORM-II

[See Sub-Rule (1) of Rule 40]

[SINGLE APPLICATION UNDER SUB-SECTION (5) OF SECTION 45]
BEFORE THE AUTHORITY APPOINTED UNDER SUB SECTION (1) OF SECTION
45 OF THE CODE ON WAGES, 2019 (29 OF 2019)

FOR..... (AREA).....

Application No.....of 20.....

Between ABC and (State the number) others..... Applicant(s)

(Through employees concerned or registered trade union or Inspector- cum-
Facilitator)

Address.....

And

XYZ..... Respondents.

Address.....

The applicant states as follows:

(1) The applicant(s) whose name(s) appear in the attached schedule
was/were/has/have been employed from to.....
as.....(category) in.....(establishment) Shri/M/s.....engaged
in.....(nature of work) which is/are covered by the Code on Wages, 2019.

(2) The opponent(s) is/are the employer(s) within the meaning of section 2(l) of
the Code on Wages, 2019.

(3) (a)The applicant(s) has/ have been paid wages at less than the minimum
rates of wages fixed for their category (categories) of employment(s) under
the Code by Rs.... Per day for the period(s)
from.....to.....

(b) The applicant(s) has/ have not been paid wages at Rs..... Per day
for the weekly days of rest from.....to...

(c) The applicant(s) has/ have not been paid wages at overtime rate(s) for the
period from.....to....

(d) The applicant(s) has/have not been paid wages for period from
.....to.....

(e)Deductions have been made which are in contravention of the Code, from
the wage(s) of the applicant(s) as per details specified in the annexure
appended with this application.

- (f) The applicant(s) has/have not been paid minimum bonus for the accounting year
- (4) The applicant(s) estimate(s) the value of relief sought by him/ them on each amount as under:
- (a) Rs.....
- (b) Rs.....
- (c) Rs.....

Total Rs.....

(5) The applicant(s), therefore, pray(s) that a direction may be issued under section 45(2) of the Code on Wages, 2019 for;

- (a) payment of the difference between the wages payable under the Code and the wages actually paid,
- (b) payment of remuneration for the days of rest
- (c) payment of wages at the overtime rates,
- (d) compensation amounting to Rs.....

(6) The applicant(s) do hereby solemnly declare(s) that the facts stated in this application are true to the best of his/their knowledge, belief and information.

Dated.....

Signature or thumb-impression of the
employed person(s), or
official of a registered trade union duly authorized or
Inspector- cum-Facilitator.

Note: The applicant(s), if required, may append annexures containing details, to this application.

FORM-III

(See sub rule (1) of rule 41)

**APPEAL UNDER SECTION 49(1) OF THE CODE ON WAGES, 2019
BEFORE THE APPELLATE AUTHORITY UNDER THE CODE ON WAGES, 2019**

A.B.C

Address.....APPELLANT

Vs.

C.D.E.

Address.....RESPONDENT

DETAILS OF APPEAL:**1. Particulars of the order against which the appeal is made :**

Number and date :

The authority who has passed the impugned order:

Amount awarded:

Compensation awarded, if any:

2. Facts of the case :

(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate issue or fact).

3. Grounds for appeal:**4. Matters not previously filed or pending with any other Court or any Appellate Authority:**

The appellant further declares that he had not previously filed any appeal, writ petition or suit regarding the matter in respect of which this appeal has been made, before any Court or any other Authority or Appellate Authority nor any such appeal, writ petition or suit is pending before any of them.

5. Reliefs sought :

In view of the facts mentioned above the appellant prays for the following relief(s) :—

[Specify below the relief(s) sought]

6. List of enclosures:

1.

2.

3.

4.

.....

Date :

Place :

Signature of the appellant.

For office use

Date of filing

or

Date of receipt by post

Registration No.

Whether details deposit filed if any:

Authorized Signatory

FORM-IV

(See clause (ii) of Sub-rule (1) of Rule 42)

REGISTER OF WAGES, OVERTIME, ADVANCES, FINES AND DEDUCTIONS FOR DAMAGE AND LOSS
Name of the Establishment
Name of the Employer
Name of the Owner

PAN/TAN of the Employer

Registration Number of the establishment (LIN/UIN Number shall be the Registration Number of the Establishment)

Sl. No.	Sr. No. in Employee Register/ Employee Code	Name of the employee	Designation	Department	Duration of Payment of wages (Monthly/ Fortnightly/ Weekly/ Daily /Piece rated)	Wage Period From- To	Total no. of days worked during the wage period	Total overtime hours worked or overtime production in case of piece workers	Rate of wages		
									Basic	DA	Allowances
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

Amount of wages earned					Deductions										Net Payment
Basic	DA	Allowances	Overtime	Total wages earned	EPF	ESI	Society	Income Tax	Insurance	Advances	Recovery of Fine	Recovery on account of Damages	Others	Total Deductions	

												/			
												Loss			
												es			
(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	(25)	(26)	(27)	(28)
										)			)		

Date of Payment	Receipt by employee/Bank transaction ID	Nature of acts and omissions for which fine imposed with date	Amount of fine imposed	Damage or loss caused to the employer by neglect or default of the employee	Signature of Employer/ Employer Representative*
(29)	(30)	(31)	(32)	(33)	(34)

*Note: Required in case register is maintained physically.

FORM-V
(See rule 43)
WAGE SLIP

Date of issue	
Name of the Establishment	
Address	
Period	
1. Name of employee	
2. Father's/Mother's/Spouse Name	

3. Designation		
4.UAN. of the Worker		
5. Bank Account Number		
6. Wage period		
7.	Rate of wages payable	
a.	Basic	
b.	DA	
c.	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 register is maintained physically.

FORM-VI

Part-A

[See sub-rule (1) of rule 45]

APPLICATION UNDER SUB-SECTION (4) OF SECTION 56 FOR

COMPOSITION OF OFFENCE

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

Applicant

(Name and signature)

Dated:

PART – B

[See rule 45 (3)]

Composition Certificate

Ref: Notice No.....

Date:

This is to certify that the offence under sub-section of section 54 in respect of which Notice No._____ Dated: _____ was issued to Shri/Smt/Kum..... (Applicant), the employer of (name and registration number of establishment) has been compounded on account of remission of full amount of Rs (In words rupees _____) towards the composition of offences to the satisfaction of the said notice.

(Signature)

Name and Designation of the Officer

Date:

Place:

To:

.....(Employer/Establishment)

.....(Name and registration number)

.....(Address)

FORM-VII

(See clause (a) of sub rule (1) of rule 36)
NOMINATION FORM

1. Name of person making nomination:

(In block letters):

2. Father's/Spouse's Name:

3. Date of Birth:

4. Sex:

5. Marital Status:

6. Address:

Permanent:

Temporary:

I hereby nominate the person(s)/cancel the nomination made by me previously and nominate the person(s) mentioned below to receive any amount due to me from the employer in the event of my death:-

Name of nominee/nominees	Address	Nominee's relationship with the employee	Date of Birth	Total amount of share of accumulations in credit to be paid to each nominee	If the nominee is minor, name, relationship, and address of the guardian who may receive the amount during the minority of nominee
(1)	(2)	(3)	(4)	(5)	(6)

1. Certified that I have no family and if I acquire a family hereafter, the above nomination shall be deemed as cancelled.

2. Certified that my father/mother is/are dependent upon me.

* Strike out whichever is not applicable.

Signature or the thumb impression of the employee

CERTIFICATE BY EMPLOYER

Certified that the above declaration and nomination has been signed/thumb impressed before me by Shri/Smt/Kum employed in my

establishment after he/she has read the entry/entries or have been read over to him/her by me and got confirmed by him/her in either of the cases.

Signature of the employer or other authorised officer
of the establishment and Designation

Place:

Date:

Name and Address of the Factory/
Establishment and rubber stamp thereof

ACKNOWLEDGEMENT BY THE EMPLOYEE

Received the duplicate copy of nomination in Form-VIII filed by me and duly certified by the employer.

Date:

Signature of the Employee

FORM-VIII

[See sub rule (2) of rule 40]

(A). FORM OF NOTICE TO THE RESPONDENT TO BE ISSUED BY THE
AUTHORITY UNDER SUB SECTION (5) OF SECTION 45
(Title of the application)

To

Name

Address

Whereas (name of the applicant) has made the above said application tome under the Code on Wages, 2019, you are hereby summoned to appear before me in person or by a duly authorized representative, and required to answer all material questions relating to the application, or shall be, accompanied by some person duly authorized by you and able to answer such question on the.....Day of.....20....at.....AM/PM, to answer the claim in application and as the day fixed for the appearance is appointed for the final disposal of the application, you must be prepared to produce on that day all the witnesses

upon whose evidence and the documents upon which you intend to rely in support of your defense.

Take notice that in default of your appearance on the day mentioned here above, the application will be heard and disposed of in your absence.

Date.....

Signature of the authority with seal

(B). FORM OF NOTICE TO THE RESPONDENT TO BE ISSUED BY THE
APPELLATE AUTHORITY UNDER SUB-SECTION (1) OF SECTION 49
(see sub-rule (2) of rule 41)
(Title of the appeal)

To

Name

Address

Take notice that an appeal (copy of which is enclosed) under section 49 of the Code on Wages, 2019 has been presented by _____ (name of appellant) before this appellate authority, and that the _____ day of _____ 20____ has been fixed by this appellate authority for the hearing of the appeal.

If no appearance is made by you in person or by a duly authorized representative to act for you in this appeal, it will be heard and decided in your absence.

Date.....

Signature of the Appellate authority with seal

[See clause (iii) of sub-rule (1) of Rule 42]

[illegible]

Total number of days worked	Total number of overtime hours worked	Brief details of tour or assignment outside the work place, if any	Signature of Register keeper*
(8)	(9)	(10)	(11)

*Note: Required in case register is maintained physically.

M.V. SESHAGIRI BABU,
Secretary to Government .

---X---



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

PART I EXTRAORDINARY

No.300

AMARAVATI, FRIDAY, JUNE 12, 2026

G.250

NOTIFICATIONS BY GOVERNMENT

--X--

LABOUR, FACTORIES, BOILERS & INSURANCE
MEDICAL SERVICES DEPARTMENT
(LAB.II)

IMPLEMENTATION OF LABOUR CODES - THE INDUSTRIAL RELATIONS CODE, 2020 (CENTRAL ACT 35 OF 2020) - THE INDUSTRIAL RELATIONS (ANDHRA PRADESH) RULES, 2026 - FINAL NOTIFICATION.

**[G.O.Rt.No.111, Labour Factories Boilers & Insurance Medical Services (Lab.II),
12th June, 2026.]**

FINAL NOTIFICATION

Whereas, the draft of the Industrial Relations (Andhra Pradesh) Rules, 2026, as required under sub-section (1) of section 99 of the Industrial Relations Code, 2020 (Act 35 of 2020), were published in the Andhra Pradesh Gazette No.(627), dated: 16.03.2026 inviting objections and suggestions from all persons likely to be affected thereby within a period of thirty days from the date on which copies of the Gazette containing the said notification were made available to be public;

And whereas, the said draft notification were made available to the public on the 16th March, 2026;

And whereas, objections and suggestions received from persons and stakeholders have been duly considered by the State Government.

Now, therefore, in exercise of the powers conferred by section 99 of the Industrial Relations Code, 2020 (Act 35 of 2020) and in supersession of the previous Rules made by the State Government viz., (1) The Andhra Pradesh Industrial Disputes Rules, 1958, (2) The Andhra Pradesh Trade Unions Regulations, 1927 and (3) The

Andhra Pradesh Industrial Employment (Standing Orders) Rules, 1953 except as respects of things done or omitted to be done before such supersession, the State Government hereby makes the following rules, namely,-

CHAPTER I

PRELIMINARY

1. Short title, extent, application and commencement.—

(1) These rules may be called the Industrial Relations (Andhra Pradesh) Rules, 2026.

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

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

- (a) “code” means the Industrial Relations Code, 2020 (35 of 2020);
- (b) “Commissioner of Labour” means the head of the Labour Department and includes varied designations such as “Special Commissioner of Labour” based on the incumbent Officer;
- (c) “electronically” means any information submitted by email or uploading in the designated portal or digital payment in any mode for the purposes of the Code;
- (d) “form” means a form appended to the Schedule to these rules;
- (e) “section” means a section of the Code.
- (f) “Government” means the Government of Andhra Pradesh
- (g) “verification officer” means an Officer of the State Government appointed under rule 9, sub rule (3).

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

3. (1) For the purposes of these rules, with reference to clause (m) of section 2 in the Code, it is hereby specified that—

- (a) in relation to an industry, not being an industry referred to in sub clause (ii) thereof, carried on by or under the authority of the State Government, the officer-in-charge of the industrial establishment shall be the employer in respect of that establishment;

4. Memorandum of settlement.— (1) The settlement arrived at in the course of conciliation proceedings or a written agreement between the employer and worker

arrived at otherwise than in the course of conciliation proceeding shall be in **Form - I.**

(2) The settlement shall be signed, —

(a) by the employer or by his authorized agent, or where the employer is an incorporated company or other body corporate, by the agent, manager or other principal officer of such company or such other body corporate; and

(b) on behalf of workers, by any of the following office bearers of Trade Union, namely: —

(i) President; or

(ii) Vice-President; or

(iii) Secretary (including the General Secretary); or

(iv) Joint Secretary; or

(v) any other office bearer of the Trade Union authorized in this behalf by the President and Secretary of the Union; or

(vi) five representatives of workers duly authorized in this behalf at the meeting of the workers held for the purpose.

(3) In case of an industrial dispute between individual worker and employer, the settlement shall be signed by the employer and the worker concerned.

(4) Where the settlement is arrived at in the course of conciliation proceedings, the conciliation officer shall send a report thereof to the State Government together with a copy of the memorandum of settlement signed by the parties to the dispute.

(5) Where a settlement is arrived at between an employer and his worker otherwise than in the course of conciliation proceedings, the parties to the settlement shall jointly send a copy thereof electronically or by speed post or by registered post, to the concerned Deputy Commissioner of Labour and to the conciliation officer.

(6) The conciliation officer shall file all settlements effected under the Code in respect of industrial disputes in the area within his jurisdiction in the register maintained electronically or otherwise.

(7) The register referred to in sub-rule (6) shall contain the details including serial number, name of the industry, parties to the settlement, date of settlement,

remarks and whether settlement was arrived at after the intervention of conciliation officer or by mutual negotiation:

Provided that signature of conciliation officer on the agreement shall not be necessary where the agreement for settlement is arrived at outside conciliation:

Provided further that nothing in this rule shall prohibit a settlement between a worker or workers or Trade Union and an employer on mutually agreed terms and such settlement may be in a format other than Form I.

CHAPTER II

BI-PARTITE FORUMS

5. Works Committee, its constitution and matters related thereto.–

(1). Constitution of Works Committee: Every employer to whom an order made by the State Government under sub-section (1) of section 3 relates, shall forthwith proceed to constitute a Works Committee (hereinafter in this rule referred to as the Committee) to promote measures for securing and preserving amity and good relations between the employer and workers and, to that end, to comment upon matters of common interest or concern, in the manner specified in this rule.

(2). Number of Members: (i) The number of members constituting the Committee shall be fixed so as to afford representation to the various categories, groups and class of workers engaged in, and to the sections, shops or departments of the industrial establishment.

(ii) The total number of members of the Committee shall not exceed twenty.

(iii) The number of representatives of the workers in the Committee shall not be less than the number of representatives of the employer therein.

Provided that the industrial establishment in which women workers are employed shall have adequate representation of women workers in Works Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment.

(3). Representation of Employer: Subject to the provisions of this rule, the representatives of the employer in the Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with, or associated with, the working of the industrial establishment.

(4). Consultation with Trade Union: Where the workers of the industrial establishment are members of a registered Trade Union or Trade Unions

employer shall ask such registered Trade Union or Trade Unions to inform him in writing as to—

(a) number of the workers who are members of such registered Trade Union or Trade Unions; and

(b) if the employer has reason to believe that the information furnished to him by the registered Trade Union or Trade Unions is false, he may, after informing such registered Trade Union or Trade Unions, refer the matter to the Deputy Commissioner of Labour, who shall, after hearing the parties, decide the matter and his decision shall be final.

(5). Group of Workers' representatives: On receipt of the information called for under sub-rule (4), the employer shall provide for the choosing of worker's representative of the Committee in the following manner, namely:—

(a) in the case of a negotiating union under sub-section (2) or sub-section (3) of section 14, such negotiating union shall nominate the worker's representatives of the Committee;

(b) in the case of the negotiating council under sub-section (4) of section 14, the nomination shall be in such manner that every registered Trade Union representing in the negotiating council shall be represented in the Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;

(c) where there is no recognised negotiating union or negotiating council referred to in clauses (a) and (b), the workers of the industrial establishment shall elect amongst themselves the worker's representatives of the Committee:

Provided that the employer may, deploy an electronic platform for conducting the election process over an information technology application, online platform or such other platform to enable as to how the representatives of workers shall be elected for the Committee under this clause:

Provided further that where a registered Trade Union fails to furnish the information called for under sub-rule(4) within one month of the date on which it is so called for, then, such Trade Union shall for the purpose of this rule be treated as if it did not exist:

Provided also that where any reference has been made by the employer under sub-rule (4), the process of choosing the worker's representative relating thereto shall be held on receipt of the decision of the concerned Regional Labour Commissioner (State).

(6). Electoral Constituencies: The employer may, if he thinks fit, direct that the workers shall vote in either by groups, sections, shops or departments.

(7). Qualification of Candidates for election: Any worker, of not less than nineteen years of age and with a service of not less than one year in the industrial establishment may, if nominated as provided in this rule, be a candidate for election as a worker's representative of the Committee:

Provided that such service qualification shall not apply to the first election in an industrial establishment which has been in existence for less than a year.

Explanation.— For the purposes of this sub-rule, a worker who has put in continuous service for not less than one year in two or more industrial establishments belonging to the same employer shall be deemed to have satisfied the service qualification specified therein.

(8). Qualification for voters: All workers who are not less than eighteen years of age and who have put in not less than six months' continuous service in the industrial establishment shall be entitled to vote in the election of worker's representative of the Committee.

Explanation. — For the purposes of this sub-rule, a worker who has put in continuous service of not less than six months in two or more industrial establishments belonging to the same employer shall be deemed to have satisfied the service qualification specified therein.

(9). Fixation of schedule for Election: (i) The employer shall give a minimum time period of at least three working days for filing of nomination along with other requisite details while fixing a date as the closing date for receiving nominations from candidates for election as worker's representatives of the Committee.

(ii) The date fixed by the employer for holding the election referred to in clause (i) shall not be earlier than three days and later than fifteen days after the closing date for receiving nominations.

(iii) The date of election fixed under sub-rule (i) shall be notified at least seven days in advance to the workers concerned and such notice, which shall specify the number of seats to be elected, shall be affixed on the notice board or electronic notice board of the industrial establishment and given adequate publicity amongst the workers.

(10). Nomination of Candidates for election: (i) Every nomination for election as worker's representative of the Committee shall be made

nomination paper to be provided by employer and the copies thereof shall be supplied by the employer to the workers requiring them.

(ii) Each nomination paper referred to in sub-rule (10) shall be signed by the candidate to whom it relates and attested by at least two other voters belonging to the group, section, shop or department, which the candidate seeking elections hall represent, and shall be delivered to the employer.

(11). Scrutiny of Nomination papers: (i) On the day following the last day fixed for filing nomination papers, the nomination papers shall be scrutinized by the employer in the presence of the candidates and the attesting persons and those nominations which are not valid shall be rejected.

(ii) A nomination paper shall be held to be not valid under sub-rule (11), if—

(a) the candidate nominated is ineligible for being a candidate under sub-rule (7); or

(b) the requirements of sub-rule (10) have not been complied with:

Provided that where a candidate or an attesting person is unable to be present at the time of scrutiny, he may send a duly authorized nominee for the purpose.

(12). Withdrawal of Candidates: Any candidate whose nomination for election has been accepted may withdraw his candidature within forty-eight hours of the completion of scrutiny of the nomination papers.

(13). Voting in Election: (i) If the number of candidates who have been validly nominated for election as worker's representative of the Committee is equal to the number of seats, the candidates as such shall be forthwith declared as duly elected.

(ii) Where, in any industrial establishment, the number of candidates validly nominated for election as worker's representative of the Committee is more than the number of seats allotted to it, voting shall take place on the day fixed for election.

(14). Officers of the Committee: (i) The Committee shall have among its office-bearers a Chair person, a Vice-Chairperson, a Secretary and a Joint-Secretary.

(ii) The Chairperson of the Committee shall be nominated by the employer from amongst the employer's representatives of the Committee and he shall, as far as possible, be the head of the industrial establishment.

(iii) The Vice-Chairperson shall be elected by the members of the Committee representing the workers, from amongst themselves

Provided that in the event of equality of votes in the election of the Vice-Chairperson, the matter shall be decided by a draw of lot.

(iv) The Secretary and the Joint-Secretary of the Committee shall be elected every year.

(v) The Committee shall elect the Secretary and the Joint Secretary provided that where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be elected from amongst the representatives of the workers and *vice versa*:

Provided that the post of the Secretary or the Joint Secretary, as the case may be, shall not be held by a representative of either the employer or the workers for three consecutive years:

Provided further that the employer's representatives shall not take part in the election of the Secretary or Joint Secretary, as the case may be, and only the representatives of the workers shall be entitled to vote in elections for the post of Secretary or Joint Secretary:

Provided also that in the event of equality of votes in an election under this sub-rule, the matter shall be decided by a draw of lot.

(15). Term of Office: (i) The term of office of the members of the Committee other than a member chosen to fill a casual vacancy shall be three years.

(ii) Every member chosen to fill a casual vacancy shall hold office for the remaining period of the term of his predecessor.

(iii) The membership of any member, who fails to attend three consecutive meetings of the Committee without obtaining leave from the Committee, shall stand forfeited.

(16). Vacancies: In the event of worker's representative ceasing to be a member under clause (iii) of sub-rule (15) or ceasing to be employed in the industrial establishment or in the event of his resignation, death or otherwise, his successor shall be chosen in accordance with the provisions of this rule for the remaining period of the Committee from the same group to which the member vacating the seat belonged.

(17). Power to Co-Opt: The Committee shall have the right to co-opt persons employed in the industrial establishment having particular or special knowledge of a matter under discussion in a consultative capacity and such co-opted member shall not be entitled to vote and shall be present at meetings only for the period during which the particular question is before the Committee.

(18). Meetings: (i) The Committee may meet as often as necessary as but not less often than once in three months.

(ii) The Committee shall at its first meeting regulate its own procedure.

(19). Facilities for meetings, etc.: (i) The employer shall provide accommodation for holding meetings of the Committee and shall also provide all necessary facilities to the Committee and to its members for carrying out the work of the Committee.

(ii) The Committee shall ordinarily meet during working hours of the industrial establishment concerned on any working day and the representatives of the workers shall be deemed to be on duty while attending the meeting.

(iii) The Secretary of the Committee may with the prior concurrence of the Chairperson, put up notice regarding the functions of the Committee on the notice board of the industrial establishment.

(20). Annual Return: The employer shall submit the details of the constitution and the functioning of the Committee as a part of unified annual return provided in the rules made in this behalf under the Occupational Safety, Health and Working Condition Code, 2020 (37 of 2020).

(21). Dissolution of Works Committee: The State Government, or the officer authorised in its behalf, may after making such inquiry as it or he may deem fit, dissolve any Committee at any time, by an order for reasons to be recorded in writing, on being satisfied that the Committee has not been constituted in accordance with the provisions of this rule or that not less than two-thirds of the number of representatives of the workers have without any reasonable justification failed to attend three consecutive meetings of the Committee or that the Committee has, for any other reason, ceased to function:

Provided that where the Committee is dissolved under this sub-rule, the employer, may, and if so required by the State Government or, as the case may be, by such officer, shall take steps to re-constitute the Committee in accordance with this rule.

6. Choosing of members from employers and workers for Grievance Redressal Committee.— (1) The Grievance Redressal Committee (hereinafter in this rule referred to as the Grievance Committee) in an industrial establishment employing twenty or more workers, shall consist of equal number of members representing the employer and workers, which shall not exceed ten.

(2) The representatives of the employer in the Grievance Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with or associated with the working of the industrial establishment, preferably the heads of major departments of the industrial establishment.

(3) The worker's representative of the Grievance Committee shall be chosen in the following manner, namely: —

(a) where there is a negotiating union under sub-section (2) or sub-section (3) of section 14, such negotiating union or negotiating council, as the case may be, shall nominate the worker's representatives of the Grievance Committee;

(b) in the case of a negotiating council under sub-section (4) of section 14, the nomination shall be in such manner that every registered Trade Union representing in the negotiating council shall be represented in the Grievance Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;

(c) where there is no recognized negotiating union or negotiating council referred to the clauses (a) and (b), the workers of the industrial establishment shall choose amongst themselves the worker's representatives of the Grievance Committee:

Provided that the employer may, deploy an electronic platform for choosing worker's representatives under this clause, over an information technology application, online platform or such other like platform:

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

(4) The tenure of the members of the Grievance Committee shall be three years.

(5) Where there is no recognized negotiating union or negotiating council and if any dispute arises regarding choosing of the worker's representative to the Grievance Committee, the matter may be referred to the concerned Deputy Commissioner of Labour, who shall, after hearing the parties, decide the matter, whose decision shall be final.

7. Application in respect of any dispute to be filed before the Grievance Redressal Committee by an aggrieved worker.— (1) Any aggrieved worker may file an application stating his grievance therein and dispute before the Griev

Redressal Committee giving name, designation, worker code or token number, department where he is posted, length of his service in years, category of worker, address for correspondence, contact number, details of grievances and the relief sought there for.

(2) The application referred to in sub-rule (1) may be sent electronically or otherwise.

(3) The application referred to in sub-rule (1) shall be filed within one year from the date on which the cause of action of such dispute arose.

8. Manner of filing application for the conciliation of grievance as against the decision of the Grievance Redressal Committee to the conciliation officer.–

Any worker who is aggrieved by the decision of the Grievance Redressal Committee or whose grievance is not resolved by the said Committee within thirty days of receipt of the application, may file an application online on designated portal of the State Labour Department, or by registered post or speed post, or in person, within a period of sixty days from the date of the decision of the Grievance Redressal Committee or from the date on which the period specified in sub-section (6) of section 4 expires, as the case may be, to the conciliation officer through the Trade Union, of which he is a member:

Provided that in case of manual receipt of such application through registered post or speed post or in person, the conciliation officer shall get the same digitized and enter the particulars of the application in the online mechanism under intimation to the Trade Union and worker.

CHAPTER III

TRADE UNIONS

9. Manner of Recognition of Negotiating Union or Negotiating Council.–

(1). Matters for negotiation between negotiating union or negotiating council and employer for the workers employed in the industrial establishment under sub-section (1) of section 14.– The matters pertaining to workers which the negotiating union or the negotiating council, as the case may be, shall negotiate with the employer of the industrial establishment under sub-section (1) of section 14 are specified, as below: -

(i) classification of grades and categories of workers;

(ii) order passed by an employer under the standing orders applicable in the industrial establishment;

(iii) wages of the workers including their wage period, dearness allowance, bonus, increment, customary concession or privileges, compensatory and other allowances;

(iv) hours of work of the workers, rest days, number of working days in a week, rest intervals, working of shifts;

(v) leave with wages and holidays;

(vi) promotion and transfer policy and disciplinary procedures;

(vii) quarter allotment policy for workers;

(viii) safety, health and working conditions and related standards;

(ix) such matters pertaining to conditions of service and terms of employment of the workers which are not covered in the foregoing clauses; and

(x) any other matter which is agreed between employer of the industrial establishment and negotiating union or negotiating council, as the case may be.

(2). Criteria for recognizing a single registered Trade Union of workers as sole negotiating union of workers under sub-section (2) of section 14.-

Where there is only one registered Trade Union operating in an industrial establishment having its membership not less than 30 percent of the total workers employed in the industrial establishment, then the employer of such industrial establishment shall recognize such Trade Union as sole negotiating union of the workers.

(3). Manner of verification of membership of Trade Unions in an industrial establishment under sub-sections (3) and (4) of section 14.- (i)(a)

The Commissioner of Labour shall appoint a verification officer (as defined in Rule 2 (g)) for the purpose of verification of membership of the Trade Unions in the industrial establishment who shall not have any interest with any of the Trade Unions in the industrial establishment, whose member ship verification is to be carried out by him:

Provided that the process for recognition of the negotiating union or the negotiating council, as the case maybe, shall commence three months before the expiry of the tenure of the existing recognition period of the negotiating union or the negotiating council, as the case may be, recognized by the employer under the Code.

(b) The verification officer may utilize the services of other officers to assist him depending upon the quantum of work of membership verification.

(c) (i) The verification officer shall carry out the work of membership verification in the industrial establishment within the time as determined by the State Government.

(ii) The employer of the industrial establishment shall bear all expenses and make arrangements in connection with the verification of membership of trade unions under clause (i).

(iii) (a) The Trade Unions which satisfy the following conditions may submit an application to the employer of the industrial establishment to accord status of negotiating union or the representatives of negotiating council of the workers, as the case may be, namely:-

Such Trade Union has a valid registration under the Trade Unions Act, 1926 (16 of 1926) and continuing as such or has the registration under the Industrial Relations Code, 2020 (35 of 2020), as the case may be; and

(b) The application for recognition made by Trade Union shall be accompanied with a copy of the registration certificate, a copy of list of members, details of the membership subscription and a copy of latest annual return of the trade union submitted to the Registrar of Trade Unions.

(iv) (a) In case the negotiating union or negotiating council, as the case may be, has been constituted under the Code, the employer of the industrial establishment shall initiate action before expiry of the tenure of negotiating union or negotiating council, as the case may be, sufficiently in advance but not later than three months before the expiry of the tenure of negotiating union or negotiating council, as the case may be;

(b) The date of reckoning for the purpose of verification of membership of the trade unions shall be the 1st day of the month in which the process of verification commenced;

(c) The employer of the establishment shall forward the documents and records submitted by trade unions, to the verification officer.

(d) On receipt of the documents and records, the verification officer shall scrutinize the records and documents submitted by the trade union to ascertain the status of registration of trade unions and related matters;

(e) The verification officer shall hold meeting with representatives of employer of industrial establishment and all participating Trade Unions to decide about the process of verification of the membership of Trade Unions through secret ballot.

(f) The employer may, in consultation with the verification officer deploy an electronic process for conducting the election over an information technology application, online platform or like other platform.

(4). Verification of membership of Trade Unions through secret ballot.-

(i) The verification officer shall convene meeting of representatives of all registered Trade Unions functioning in the industrial establishment at least sixty days before the date of actual voting, to decide -

- (a) publication of voters list;
- (b) date, time, mode of voting, place of voting;
- (c) date, time and place of counting; and
- (d) other modalities relating to secret ballot.

(ii) The verification officer shall cause the minutes of the meeting to be prepared and signed by all participating Trade Unions. All participating Trade Unions shall be allotted symbols in the same meeting. If no decision could be taken regarding date, time, mode of voting, place of voting, allotment of symbols, date, time and place of counting and like other matters in the meeting, then, the decision of the verification officer shall be final and he shall publish the schedule, program and procedure of such secret ballot election.

(iii) All workers whose names are borne on the muster roll of the industrial establishment on the date of reckoning shall be eligible to cast their vote.

(iv) The voters list shall be prepared by the employer of the industrial establishment on the basis of names of the workers borne on the muster roll referred to in clause (iii) and the voters list shall contain the name, father's name, designation, worker number/identity card number issued by the employer and place of posting of the worker. The final voter list shall be published by the employer after obtaining the approval of verification officer and shall be displayed at notice board at the main entrance and website, if any, of the industrial establishment. A copy of such voters list shall also be sent to the participating Trade Unions by hand or by registered post or through electronic mode.

(v) The verification officer shall display the list of the name of the participating Trade Unions with the symbol allotted to them on the notice board at the main entrance and website, if any, of the industrial establishment within two days of finalization of the list.

(vi) The voting and counting of votes shall be held on the date, time and place fixed by the verification officer under the supervision of the verific

officer and during the counting, agents of all participating Trade Unions shall be allowed to remain present.

(vii) After final counting of votes, the result shall be declared by the verification officer. The result sheet shall contain the name of all Trade Unions participated in election, total number of votes polled and the number of votes cast in favor of each of the trade unions which participated in the election.

(5). Verification report to the employer. -The verification officer shall submit verification report along with the result sheet to the employer of industrial establishment.

(6). Recognition of Trade Union as negotiating union or constituents of negotiating council.- (i) On the basis of verification report submitted by verification officer, the employer of the industrial establishment shall grant recognition to a Trade Union as a negotiating union or a constituent of negotiating council as per provisions of subsection(3) or sub-section (4) of section 14 of the Code, as the case may be.

(ii) Any recognition either as negotiating union or the negotiating council shall be valid for three years from the date of recognition or constitution or such further period not exceeding five years, in total, as may be mutually decided by the employer and the Trade Union, as the case may be:

(7). Facilities to be provided by industrial establishment to a negotiating union or negotiating councils under sub-section (7) of section 14,- In an industrial establishment, where there is a negotiating union or negotiating council, as the case may be, the employer of such industrial establishment shall provide the following facilities to the negotiating union or negotiating council, as the case may be, namely: -

(i) notice board for the purpose of displaying information relating to activities; of negotiating union or negotiating council, as the case may be;

(ii) venue and necessary facilities for holding discussions by the negotiating union or negotiating council, as the case may be, as per schedule and agenda to be settled between employer of the industrial establishment and the negotiating union or negotiating council, as the case may be;

(iii) venue and necessary facilities for holding discussions amongst the members of the negotiating union or constituents of negotiating council, as the case may be;

(iv) facility for entrance of the office bearers of the negotiating union or negotiating council, as the case maybe, in the industrial establishment for the purposes of ascertaining the matters which are relating to working conditions of the workers;

(v) employer of the industrial establishment shall deduct subscription of the members of the Trade Union on the basis of the written consent of the worker;

(vi) when the office bearers of the negotiating union or negotiating council shall be holding meetings with the employer as per agreed schedule between employer and such employed office bearers shall be treated as on duty; and

(vii) employer of an industrial establishment, having three hundred or more workers, shall provide suitable office accommodation with necessary facilities to the negotiating union or negotiating council, as the case may be.

10. Recognition of Trade Union at State Level as per Section 27 (2) Code:

(i) Where the State Government is of the opinion that it is necessary or expedient that a Trade Union or Federation of Trade Unions to be recognised as State Level Trade Union, it may recognise such State Level Trade Unions or Federations of Trade Unions registered under the Code and which have presence in at least 1/3rd of the Districts in the State.

(ii) The State Government may notify by general or special order, the criteria and method of verification and other incidental matters, for granting the status of State Level Trade Unions or Federations of Trade Unions.

(iii) The Commissioner of Labour shall be the authority to decide any dispute arises in relation to the recognition

11. Manner of making application for adjudication of dispute before Tribunal under sub-section (1) of section 22.- Where any dispute arises between –

(i) one Trade Union and another; or

(ii) one or more workers who are members of Trade Union and the Trade Union regarding registration, administration or management or election of office bearers of the Trade Union; or

(iii) one or more workers who are refused admission as members and the Trade Union; or

(iv) where the dispute is in respect of a Trade Union which is a federation of Trade Unions and office bearer authorized in this behalf by the Trade Union, then, the aggrieved person may make application to the Tribunal having jurisdiction, in **Form II** within a period of one year from the date on which the dispute arises, electronically or by registered post or by speed post or in person.

CHAPTER IV

STANDING ORDERS

12. Model Standing Orders.– (1) The Model Standing Orders for the purposes of the Code in respect of industrial establishments in, manufacturing sector and service sector shall be those set out in Schedule-A, and Schedule-B appended to these Rules.

(2). Forwarding of information to certifying officer.– (1) If the employer adopts the model standing orders of the **Central** Government referred to in Section 29 with respect to matters relevant to his industrial establishment or undertaking, then, he shall intimate the concerned certifying officer electronically, or in person, or by speed post or by registered post, the specific date from which the provisions of the model standing orders which are relevant to his establishment or undertaking have been adopted.

(2) The model standing order adopted under sub-rule (1) shall apply to the industrial establishment, and to all its units in the country.

(3) On receipt of information under sub-rule (1), the certifying officer shall enter the details of the industrial establishment which has adopted the model standing order in the register maintained under rule 20.

(4) Where, the certifying officer observes that the industrial establishment, which has intimated adoption of model standing orders, is also engaged in activities other than for which model standing orders have been adopted, then, he may, within a period of thirty days from such receipt of intimation of model standing orders so adopted, direct such employer to include or adopt certain provisions which are relevant to his industrial establishment and indicate those relevant provisions and direct such employer to comply the same within a period of thirty days from the date of the receipt of such direction and send a compliance report only in respect of those provisions which the certifying officer has so directed to get included.

(5) If no observation is made by the certifying officer within a period of thirty days of the receipt of the information as specified in sub-rule (1), then, the model standing order shall be deemed to have been certified by the certifying officer.

(6) The provisions of the model standing orders adopted in accordance with the provisions of these rules shall remain in force with effect from the date specified in sub-rule (1).

(7) Without prejudice to the provisions of this rule, the certifying officer shall not raise any observation if the industrial establishment is engaged in activities which are wholly covered by the activities of the industrial establishment to which the standing orders apply.

13. Choosing of representatives of workers of the industrial establishment or undertaking for issuing notice by Certifying Officer where there is no Trade Union.

(1) Where there is no Trade Union as is referred to in clause (i) of sub-section (5) of section 30, then, the certifying officer or any authorized officer in his behalf, shall call a meeting of the workers to choose three representatives, to whom he shall, upon their being chosen, issue notice along with a copy of the standing order or modification, as the case may be, in English, as well as the translation thereof in the language understood by the majority of the workers, requiring comments or suggestions, if any, which the workers may desire to make to the draft standing orders to be submitted within fifteen days from the date of receipt of such notice.

(2) The Trade Union or negotiating union or constituent of negotiating council shall be given a copy of the draft standing orders or modification, as the case may be, in English, as well as the translation thereof in the language known by the majority of the workers, for seeking their comments or suggestions, if any, within fifteen days from the date of the receipt of the notice in this rule.

14. Authentication of certified standing order. — The standing orders or the modifications in the standing orders certified in pursuance of sub-section (8) of section 30 shall be authenticated by the certifying officer and shall be sent electronically, and a hard copy thereof by registered post or speed post, within seven days from the date of such authentication to all concerned, that is to say, the employer and all the registered Trade Unions or chosen representative of workers:

Provided that there shall not be any requirement of authentication under this rule in cases of deemed certification under sub-section (3) of section 30 and in cases where the employer has certified adoption of model standing orders.

15. Statement to accompany draft standing orders. - (1) The statement to be accompanied with a draft standing order shall contain, the particulars such as name of the industrial establishment or undertaking concerned, address, email address, contact number and the strength and details of workers employed therein including particulars of Trade Union, if any, to which such workers belong.

(2) The statement to be accompanied with a draft modification in an existing standing order, shall contain the particulars of such standing order which is proposed to be modified along with a tabular statement containing details of each of the relevant provision of that standing order in force and the proposed modification therein and reasons therefore.

(3) The statement referred to in sub-rules (1) and (2) shall be signed by a person authorized by the industrial establishment or undertaking.

(4) The model standing orders, if modified, shall also apply to all the units of the industrial establishment or undertaking in the country.

16. Conditions for submission of draft standing orders in similar establishment.— In case of group of employers engaged in similar industrial establishments, they may, after consultation with the concerned Trade Union, submit a joint draft of standing order under section 30 and for the purpose of proceedings specified in sub-sections (1), (5), (6), (8) and sub-section (9) thereof:

Provided that the joint draft of standing orders, in cases of group of employers engaged in similar industrial establishments, shall be drafted and submitted to the Additional Commissioner of Labour in the Office of the Commissioner of Labour, who shall, in consultation with the concerned certifying officers, certify or refuse to certify such joint draft standing orders, after recording reasons therefore:

Provided further that certifying officer shall give notice to all the concerned parties, and ensure reasonable opportunity of being heard before certifying the standing orders.

17. Disposal of appeal by appellate authority.— (1) An employer or Trade Union or the negotiating union or negotiating council, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establish

or undertaking, may prefer an appeal against the order of the certifying officer made under sub-section (5) of section 30 within sixty days of the receipt of such order, and for that purpose draw up a memorandum of appeal in a tabular form stating there in the provisions of the standing orders which are required to be altered or modified or deleted or added along with the reasons therefore, and file it electronically or in person with the appellate authority.

(2) The appellate authority shall fix a date for the hearing of the appeal and direct notice thereof to be given, —

- (a) where the appeal is filed by the employer, to Trade Union or the negotiating union or negotiating council, as the case may be, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking;
- (b) where the appeal is filed by a Trade Union or the negotiating union or negotiating council, to the employer and the negotiating union or the negotiating council or all other Trade Unions of the workers of the industrial establishment, as the case may be, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking; and
- (c) where the appeal is filed by a representative body of the workers, to the employer and other Trade Unions of the workers of the industrial establishment, or where there is no trade union of the workers in an industrial establishment or undertaking, any other worker who joins as a party to the appeal.

(3) The appellant shall furnish each of the respondents with a copy of the memorandum of appeal referred to in sub-rule(1).

(4) The appellate authority may at any stage of the proceeding call for any evidence, if it considers necessary for the disposal of the appeal.

(5) On the date fixed under sub-rule (2) for the hearing of the appeal, the appellate authority shall take such evidence as it may have called for or considers relevant, if produced, and after hearing the parties, dispose of the appeal.

18. Sending of order and maintaining of standing orders. - (1) The order of the appellate authority shall be sent electronically or otherwise within three days of the disposal of appeal to the employer or Trade Union or the negotiating uni

negotiating council or any union or representative body of the workers, as the case may be, by whom the appeal has been filed.

(2) The text of the standing orders as finally certified or deemed to have been certified or adopted model standing orders under this Chapter, shall be maintained by the employer in English and in Telugu.

(3) The certified standing orders shall be displayed in legible condition by the employer on the special board to be maintained for the purpose at the entrance or near the entrance of the industrial establishment through which majority of workers enter and may also be posted on the designated portal/website, if any, of such industrial establishment.

19. Register for filing finally certified copy of standing orders.— (1) The certifying officer shall maintain electronically, a register in **Form-III**, of all finally certified standing orders or deemed to have been certified or adopted model standing orders, of all the concerned industrial establishments, which shall, contain details of –

- (a) the unique number assigned to each standing order;
- (b) name of industrial establishment;
- (c) nature of industrial establishment;
- (d) date of certification or deemed certification or date of adoption of model standing orders by each establishment or undertaking;
- (e) the areas of operation of the industrial establishment; and
- (f) such other details as may be relevant and helpful in retrieving the standing orders and create a data base of such of all standing orders.

(2) The certifying officer shall furnish a copy of the certified standing orders or deemed certified standing orders referred to in sub-rule (1) to any person applying there for, on payment of two rupees per page of the certified standing orders or deemed certified standing orders, as the case may be.

(3) The payment of fee for getting certified standing orders may also be made through electronic mode.

20. Application for modification of standing orders.– The application for modification of an existing standing orders under sub-section (2) of section 35 shall be submitted electronically or in person or by registered post or speed post and shall contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provisions of standing order in force, and proposed modifications therein, re:

thereof and the details of registered Trade Unions operating therein, and such statement shall be signed by a person authorized by the industrial establishment or undertaking or workers or a Trade Union or other representative body of the workers, as the case may be, who has submitted such application for modification.

CHAPTER V

NOTICE OF CHANGE

21. Notice for change proposed to be effected.— (1) Any employer intending to effect any change in the conditions of service applicable to any worker in respect of any matter specified in the Third Schedule to the Code, shall give notice in **Form-IV** electronically or by registered post with acknowledgement due or in person, to such workers likely to be affected by such change and shall also upload such notice on the designated portal, if any, of the industrial establishment.

(2) The notice referred to in sub-rule (1) shall be displayed conspicuously by the employer on the notice board or on the electronic notice board at the main entrance of the industrial establishment:

Provided that when there is a registered Trade Union or registered Trade Unions or a negotiating union or negotiating council relating to the concerned industrial establishment, a copy of such notice shall also be served in the manner specified in sub-rule (1) on the secretary of such Trade Union or each of the secretaries of such Trade Unions, or secretary of the negotiating union or constituent of negotiating council, as the case may be.

CHAPTER VI

VOLUNTARY REFERENCE OF DISPUTES TO ARBITRATION

22. Form of arbitration agreement and manner of signing by parties thereto.

— (1) The employer and workers may agree to refer any industrial dispute to arbitration by entering into an arbitration agreement as provided in **Form- V**.

(2) The arbitration agreement referred to in sub-rule (1) shall be signed by the parties to the said agreement and it shall be accompanied by the consent, either in writing or electronically, of arbitrator or arbitrators.

(3) The arbitration agreement referred to in sub-rule (1) shall be signed

(i) in case of an employer, by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other officer of the company or corporation authorized for such purpose.

- (ii) in the case of workers, by the officer of the registered Trade Union authorized in this behalf or by five representatives of the workers duly authorized in this behalf at a meeting of the concerned workers held for such purpose; and
- (iii) in the case of an individual worker, by such worker himself or by an officer of the registered Trade Union, of which the worker is a member, or by another worker in the same establishment duly authorized by him in this behalf.

Explanation.— For the purposes of this rule, the term — “officer”,—

- (a) in case of an association of the employers, means any officer of such association of the employers authorized for such purpose; and
- (b) in case of a registered Trade Union, means any of the following officers of such Trade Union authorized for such purpose, namely:—
 - (i) President; or
 - (ii) Vice-President; or
 - (iii) Secretary (including the General Secretary); or
 - (iv) a Joint Secretary; or
 - (v) any other officer of such Trade Union authorized in this behalf by the President and Secretary of such Trade Union.

23. Issuing of notification.— Where an industrial dispute has been referred to arbitration and the State Government is satisfied that the persons making the reference represent the majority of each party, it shall publish a notification in this behalf in the Official Gazette and upload it on the website of the State Labour Department for the information of the employers and workers who are not parties to the arbitration agreement but are concerned in the dispute so that they may present their case before the arbitrator or arbitrators appointed for such purpose.

24. Choosing of representatives of workers where there is no Trade Union.— Where there is no Trade Union, the representative of workers to present their case before the arbitrator or arbitrators, in pursuance of clause (c) of the proviso to sub-section (5) of section 42, shall be chosen by a resolution passed by the majority of concerned workers in **Form- VI** authorizing therein to represent the case and the workers shall be bound by the acts of their representatives who have been so chosen to represent before the arbitrator or arbitrators, as the case may be.

CHAPTER VII**MECHANISM FOR RESOLUTION OF INDUSTRIAL DISPUTES**

25. Holding of conciliation proceedings, full report, and application and the manner of deciding such application. — (1) Where the conciliation officer receives any—

- (a) notice of a strike or lockout given under rule 27 or rule 28; or
 - (b) application in respect of an existing industrial dispute; or
 - (c) information regarding apprehended industrial dispute,
- then, he shall—

- (i) in case of clause (a), enter the details on the designated portal and hold conciliation proceedings and inform the concerned parties the date of sitting for such purpose;
- (ii) in case of clause (b), enter the details on the designated portal and examine the application and if he finds that such dispute pertains to the jurisdiction of Central Government, transfer the application to the concerned authority or otherwise proceed with the application and hold the conciliation in respect thereof; and
- (iii) in case of clause (c), enter the details on the designated portal and issue a fresh notice to the parties concerned declaring his intention to commence conciliation proceedings.

(2) The employer's representative and the worker's representative shall, on receipt of the notice referred to in sub-rule(1), submit their respective statements in respect of the said dispute in the first meeting of the conciliation proceedings.

(3) The conciliation officer shall, without delay, ascertain the facts and circumstances relating to the dispute and enquire into all matters affecting the merits and right settlement thereof and hold conciliation proceedings between the parties to the dispute and may do all such things as he thinks fit for the purpose of inducing the parties to come to a fair and amicable settlement of the dispute.

(4) If no settlement is arrived at in the conciliation proceedings referred to in sub-rule (3), the conciliation officer shall, within seven days from the date on which the conciliation proceedings are concluded, upload a report on designated portal of the State Labour Department and forward a copy thereof through electronic mode or by registered post or speed post or in person to the parties to the dispute and to the Government. The report shall be made accessible to the parties concerned on the said designated portal by the State Labour Department.

(5) If a settlement of the dispute or of any of the matters in dispute is arrived at in the course of the conciliation proceedings, the conciliation officer shall, apart from submitting a report thereof to the appropriate Government or an officer authorized in this behalf by that Government along with a memorandum of the settlements signed by the parties to the dispute, also upload such report and memorandum of settlement on the designated portal of State Labour Department.

(6) The report referred to in sub-rule (4) shall, *inter alia*, contain the submissions of the employer, worker or Trade Union, as the case may be, involved in the dispute and it shall also contain the efforts made by the conciliation officer to bring the parties to an amicable settlement, reasons for refusal of the parties to resolve the dispute and the conclusion arrived at by the conciliation officer.

(7) All the evidences before the conciliation officer, except the documentary evidence, shall be filed in the form of affidavit and the parties to the dispute shall also file the application or, as the case may be, reply or rejoinder thereof in the form of an affidavit.

26. Application for recovery of dues. — (1) Where any money is due from an employer to a worker or a group of workers under a settlement or an award or under the provisions of Chapter IX or Chapter X of the Code, the worker or the group of workers, as the case may be, may apply in **Form VII** for the recovery of such money due:

Provided that in the case of a person authorized in writing by the worker, or in the case of the death of the worker, the assignee or heir of the deceased worker shall make the application in **Form VIII**

(2) Where any worker or a group of workers is entitled to receive from the employer any money or any benefit which is capable of being computed in terms of money, the worker or the group of workers, as the case may be, may apply to the Tribunal having jurisdiction, in **Form IX** for the determination of the amount due or, as the case may be, the amount at which such benefit should be computed, and such Tribunal shall decide the application within a period not exceeding three months from the date on which the application is filed:

Provided that in the case of the death of a worker referred to in this sub rule, the application shall be made in **Form X** by the assignee or heir of the deceased worker.

CHAPTER VIII**STRIKES AND LOCK-OUTS****27. Number of persons by whom notice of strike shall be given, person or persons to whom such notice shall be given and manner of giving such notice.**

– (1) The notice of strike referred to in sub-section (1) of section 62 shall be given to the employer of an industrial establishment in **Form- XI**, which shall be duly signed by the Secretary of the concerned registered Trade Union or where there is no registered Trade Union, by five elected representatives of the workers giving the notice relating to the concerned industrial establishment, endorsing the copy there of electronically or by registered post or speed post to the concerned conciliation officer, and the Commissioner of Labour.

(2) The date of receipt of the notice referred to in sub-section (1) shall be the date of receiving the notice for the purposes of clause (a) of sub-rule (1) of rule 23.

(3) If the employer of an industrial establishment receives any notice of strike as referred to in sub-section (1) of section 62 from any person employed by him, then he shall, within five days from the date of receiving of such notice, intimate the same electronically to the concerned conciliation officer and the Commissioner of Labour.

28. Notice of lock-out and authority.– (1) The notice of lock-out referred to in sub-section (2) of section 62 shall be given by the employer of an industrial establishment in **Form-XII** to the Secretary of every registered Trade Union relating to such industrial establishment by registered post or speed post or electronically, endorsing a copy thereof to the concerned conciliation officer, and the Commissioner of Labour electronically.

(2) The notice referred to in sub-rule (1) shall be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment and a copy of the said notice may also be posted on the designated portal, if any, of such industrial establishment and the date of receipt of such notice by the conciliation officer shall be the date of receiving the notice for the purposes of clause (a) of sub-rule (1) of rule 25.

(3) If the employer gives to any person employed by him a notice of lock-out, then he shall, within five days from the date of such notice, intimate electronically the same to the concerned conciliation officer and the Commissioner of Labour.

CHAPTER IX**LAY-OFF, RETRENCHMENT AND CLOUSURE**

29. Service of notice before retrenchment of worker.— If any employer desires to retrench any worker employed in his industrial establishment who has been in continuous service for not less than one year under him, then, such employer shall give prior notice of such retrenchment in **Form-XIII** to the State Government and to the concerned Deputy Commissioner of Labour, Joint Commissioner of Labour concerned and the Commissioner of Labour through e-mail or, by registered or speed post, in the following manner, namely: —

- (a) where notice is given to a worker notice of retrenchment shall be sent within three days from the date on which notice is served on the worker;
- (b) where no notice is given to the worker and he is paid one month's wages in lieu thereof, notice of retrenchment shall be sent within three days from the date on which such wages are paid; and
- (c) where retrenchment is carried out under an agreement, which specifies a date for the termination of service, notice of retrenchment shall be sent so as to reach the State Government and a copy thereof to the concerned Deputy Commissioner of Labour, at least one month before such date:

Provided that if the date of termination of service agreed upon is within thirty days of the agreement, the notice of retrenchment shall be sent to State Government along with a copy thereof to the Deputy Commissioner Labour concerned within three days of the agreement.

30. Manner of giving an opportunity for re-employment to retrenched workers.— (1) The employer shall prepare a list of all workers in the particular category from which retrenchment is contemplated, arranged according to the seniority of their service in that category and cause a copy thereof to be pasted on a notice board in a conspicuous place in the premises of the industrial establishment at least seven days before the actual date of retrenchment.

(2) When any vacancy occurs in an industrial establishment and there are workers of such industrial establishment retrenched within one year prior to the proposal for filling such vacancies, then, the employer of such industrial establishment shall, if such workers are citizens of India and have given their willingness for employment, give them preference over other on the basis of their service seniority.

(3) The employer shall arrange for the display on a notice board in a conspicuous place in the premises of the industrial establishment the details of vacanci

least fifteen days before the date on which such vacancies are to be filled and shall also give intimation of those vacancies by registered post or speed post or through e-mail to every one of all the retrenched workers eligible to be considered there for, to the latest address or e-mail, given by each of them at the time of retrenchment or at any time thereafter:

Provided that when the number of such vacancies is less than the number of retrenched workers, it shall be sufficient if the intimation is given by the employer individually to the senior most retrenched workers in the list referred to in sub-rule (1) and the number of such senior-most workers being double the number of such vacancies:

Provided further that where the vacancy is of duration of less than one month there shall be no obligation on the employer to send intimation of such vacancy to individual retrenched workers:

Provided also that if a retrenched worker, without sufficient cause being shown in writing to the employer, does not offer himself for re-employment on the date or dates specified in the intimation sent to him by the employer under this sub-rule, the employer may not intimate to him the vacancies that may be filled on any subsequent occasion.

(4) Immediately after complying with the provisions of sub-rule (3), the employer shall also inform the negotiating union or the constituent of negotiating council or Trade Unions connected with the industrial establishment, of the number of vacancies to be filled and names of the retrenched workers to whom intimation has been sent under that sub-rule:

Provided that the provisions of this sub-rule need not be complied with by the employer in any case where intimation is sent to every worker mentioned in the list prepared under sub-rule (1).

31. Service of notice by employer for intended closure.- (1) If an employer intends to close down an industrial establishment, he shall give notice within the time as specified in sub-section (1) of section 74 of such closure in **Form -XIII** to the State Government and a copy thereof to the concerned Deputy Commissioner of Labour, by e-mail or registered post or speed post.

(2) A copy of the notice referred to in sub-rule (1) shall also be sent to the registered Trade Unions or authorised representatives of workers, as the case may be, operating in the Industrial establishments.

CHAPTER X**SPECIAL PROVISIONS RELATING TO LAY-OFF, RETRENCHMENT AND
CLOSURE IN CERTAIN ESTABLISHMENTS****32. Manner of making application to State Government by employer for the intended lay-off and manner of serving copy of such application to workers.–**

(1) An application for permission under sub-section (1) of section 78 shall be made by the employer in **Form-XIV** to the State Government with a copy to the concerned Deputy Commissioner of Labour stating clearly therein the reasons for the intended lay-off and a copy of such application shall be served simultaneously to the workers concerned electronically, or in person, or by registered post or speed post.

(2) The application referred to in sub-rule (1) shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance of the industrial establishment.

33. Application of permission from State Government to continue lay-off.–

The employer shall, in case of an industrial establishment being a mine specified in sub-section (3) of section 78, where the workers (other than Badli workers or casual workers) have been laid-off under sub-section (1) of the said section for reasons of fire, flood or excess of inflammable gas or explosion, within a period of thirty days from the date of commencement of such layoff, make an application to the State Government in **Form-XIV** electronically and by registered or speed post with a copy to the concerned Deputy Commissioner of Labour for permission to continue the lay-off–

- (a) specifying the number of days;
- (b) intimating the number of workers to be laid off;
- (c) the total number of workers employed in the industrial establishment;
- (d) the date of layoff; and
- (e) the reasons for continuation of such lay-off.

34. Time-limit for review.– (1) The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (4) of the section 78.

(2) The employer or any worker concerned, along with the order referred to in sub-rule (1), may make an application, within thirty days from the date on which the order is made, to the State Government for reviewing the order and that Government shall, within two months from the date on which the applicati

made, dispose of the same after providing the concerned parties an opportunity of being heard.

(3) Where the State Government decides to review the order referred to in sub-section (1) on its own motion, it may take necessary steps within one month from the date on which the order is made and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

35. Manner of making application to State Government by employer for intended retrenchment and manner of serving copy of such application to workers.— (1) An application for prior permission referred to in clause (b) of sub-section (1) of section 79 shall be made by the employer in **Form- XIV** electronically with a copy to the concerned Deputy Commissioner of Labour, stating clearly there in the reasons for the intended retrenchment and a copy of such application shall be sent to the concerned workers electronically, or in person, or by registered post or speed post.

(2) The application referred to in sub-section (1) shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

36. Time-limit for review.— (1) The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (3) of section 79.

(2) The employer or any worker concerned, along with the order referred to in sub-rule (1), may make an application within thirty days from the date on which such order is made, to the State Government for reviewing that order and that Government shall within a period of two months from the date on which such application is made, dispose of the application after providing the concerned parties an opportunity of being heard.

(3) Where the State Government decides to review the order referred to in sub-section (1), on its own motion, it may take necessary steps within one month from the date on which such order is made and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

37. Application to State Government by employer for intended closing down of an industrial establishment and manner of serving copy of such application to representatives of workers.— An employer who intends to

down an industrial establishment, to which the provisions of Chapter X of the Code apply, shall apply to the State Government in **Form XIV** electronically for prior permission with a copy to the concerned Deputy Commissioner of Labour, at least ninety days before the date on which the intended closure is to become effective, stating clearly therein the reasons for such intended closure of the industrial establishment and simultaneously a copy of such application shall also be sent to the representatives of the workers electronically and in person, or by registered post or speed post.

38. Time-limit for review.— (1) The State Government may, either on its own motion or on an application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (2) of section 80.

(2) The employer or any worker concerned may make an application along with the order referred to in sub-rule (1), within thirty days from the date on which such order is made, to the State Government for reviewing that order and that Government shall, within two months from the date on which such application is made, dispose of that application after providing the concerned parties an opportunity of being heard.

(3) Where the State Government decides to review the order referred to in sub-section (1) on its own motion, it may take necessary steps within one month from the date on which the order is made, and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

CHAPTER XI

WORKER RE-SKILLING FUND

39. Manner of utilisation of fund.— (1) Every employer who has retrenched a worker or workers in his industrial establishment under the Code, shall, within ten days from the date of such retrenchment, electronically transfer an amount equivalent to fifteen days of last drawn wages of such retrenched worker or workers into the account of the Assistant Commissioner of Labour having jurisdiction over the establishment (name of the account shall be displayed on the website of the State Labour Department).

(2) The fund so received under sub-rule (1) shall be transferred by the Office of the Assistant Commissioner of Labour electronically to each of the retrenched worker account or retrenched workers' accounts, as the case may be, within forty-five days of retrenchment to enable him utilise that amount for his re-skilling.

(3) The employer shall also submit the list containing the name of each retrenched worker, the amount equivalent to fifteen days of wages last drawn by such retrenched worker along with his bank account details, to the Office of the Assistant Commissioner of Labour, Deputy Commissioner of Labour and the Joint Commissioner of Labour having jurisdiction over the establishment.

CHAPTER XII

OFFENCES AND PENALTIES

40. Manner of composition of offence by a Gazetted Officer and the manner of making application for compounding of any offence.—

(1) The officer notified by the State Government for the purposes of compounding of offences under sub-section (1) of section 89 (hereinafter referred to as the compounding officer) shall, if he is of the opinion that any offence under the Code for which the compounding is permissible under the said section and in respect of which prosecution is not instituted, send a notice to the accused in **Form XV** consisting of three parts through the designated portal of the State Labour Department.

(2) In Part I of **Form XV**, the compounding officer shall, *inter alia*, specify—

- (a) the name of the offender and his other particulars;
- (b) the details of the offence and the section under which the offence has been committed; and
- (c) the compounding amount required to be paid towards the composition of such offence.

(3) In Part II of the **Form XV**, the compounding officer shall specify the consequences if the offence is not compounded, and Part III of the said Form shall contain the application to be filed by the accused, if he desires to compound the offence.

(4) Each notice referred to in sub-rule (1) shall have a continuous unique number containing alphabets or numerical and other details such as compounding officer concerned, industrial establishment, year, place and type of inspection for the purpose of easy identification.

(5) The accused to whom the notice referred to in sub-rule (1) is served, may send the duly filled up application in Part III of the notice, in the account specified by the compounding officer in the notice, **Form XV** to the compounding officer electronically and deposit the compounding amount electronically, or by cash, or demand draft, as the case may be, within fifteen days of the receipt

(6) Where the prosecution has already been instituted against the accused in the court of competent jurisdiction, the accused may make an application to such court to allow composition of the offence against him and that court may, after considering the application, allow composition of the offence by the compounding officer in accordance with the provisions of section 89 and procedure specified in this rule.

(7) If the accused complies with the requirement of sub-rule (5), the compounding officer shall compound the offence for the amount of money deposited by the accused and—

- (a) if the offence is compounded before the institution of prosecution, then, no complaint for prosecution shall be instituted against the accused;
- (b) if the offence is compounded pending proceeding under section 85, the compounding officer shall intimate the composition to the officer referred to in that section, who shall, after intimation, close the proceeding in respect of the accused person of such offence; and
- (c) if the offence is compounded after the institution of prosecution under sub-rule (6) with the permission of the court, then, the compounding officer shall treat the case as closed and intimate the composition of the offence to the competent court by which such composition was allowed and after receiving such intimation, the court shall discharge the accused person and close the prosecution.

(8) The compounding officer shall exercise the powers to compound offence under this rule, subject to the direction, control and supervision of the State Government.

CHAPTER XIII

MISCELLANEOUS

41. Protected workers.- (1) Every registered Trade Union connected with an industrial establishment, to which the provisions of the Code apply, shall communicate to the employer before the 30th April of every year, the names and addresses of such of the officers of such Trade Union who are employed in that establishment and who, in the opinion of such Trade Union should be recognized as protected workers.

(2) Any change in the incumbency of any officer of the Trade Union referred to in sub-rule (1) shall be communicated to the employer by such Trade Union within fifteen days of such change.

(3) The employer shall, within fifteen days of the receipt of the names and addresses from the Trade Union under sub-rule(1) and subject to the provisions of sub-section (3) and sub-section (4) of section 90, recognize such workers to be protected workers for the purposes of the said section and communicate to such Trade Union, in writing, the list of workers recognized as protected workers for a period of twelve months from the date of such communication.

(4) Where the total number of names received by the employer under sub-rule (1) exceeds the maximum number of protected workers, admissible for the industrial establishment under sub-section (4) of section 90, the employer shall recognize only such maximum number of workers as protected workers:

Provided that where there is more than one registered Trade Union in the industrial establishment, the maximum number shall be so distributed by the employer among the Trade Unions that the numbers of recognized protected workers in individual Trade Unions bear practicably the same proportion to one another as the membership figures of the Trade Unions; and the employer shall in that case intimate in writing to the President or the Secretary of each of the concerned Trade Union, the number of protected workers allotted to it:

Provided further that where the number of protected workers allotted to such a Trade Union under this sub-rule falls short of the number of officers of such Trade Union seeking protection, then that Trade Union shall be entitled to select the officers to be recognized as protected workers; and such selection shall be made by that Trade Union and communicated to the employer within five days of the receipt of written intimation of the employer in this regard.

(5) Where a dispute arises between an employer and any registered Trade Union in any matter connected with the recognition of protected workers under this rule, such dispute shall be referred to the concerned Assistant Commissioner of Labour or the Deputy Commissioner of Labour or the Joint Commissioner of Labour whose decision thereon shall be final.

42. Complaint by an aggrieved employee.— (1) Every complaint of an aggrieved employee under section 91 shall be made electronically, or by registered post or speed post in **Form-XVI** and shall be accompanied by as many copies thereof for each of the opposite parties mentioned in such complaint.

(2) Every complaint under sub-rule (1) shall be verified by the aggrieved employee making the complaint or by the authorized representative of such employee proved to the satisfaction of the conciliation officer, arbitrator, Tribunal or the Nat

Industrial Tribunal, as the case may be, to be acquainted with the facts of the case.

43. Authorisation of worker for representing in any proceeding.— Where the worker is not a member of any Trade Union, then, any member of the executive or other office-bearer of any Trade Union connected with or by any other worker employed in the industry in which the worker is employed, may be authorized in **Form-VI** by such worker to represent him in any proceeding under the Code relating to a dispute in which that worker is a party.

44. Authorisation of employer for representing in any proceeding.— Where an employer is not a member of any association of employers, then, such employer may authorize in **Form-VI**, an officer of any association of employers connected with, or by any other employer engaged in, the industry in which the employer is engaged, to represent him in any proceeding under the Code relating to a dispute in which that employer is a party.

45. Enquiry.— (1) On receipt of a complaint of the offence committed under sub-sections (3), (5), (7), (8), (9), (10), (11) and (20) of section 86 and sub-section (7) of section 89, the same shall be enquired into by an officer not below the rank of Deputy Commissioner of Labour appointed by the State Government for such purpose under sub-section (1) of section 85 (hereinafter referred to as the enquiry officer for composition of offences).

(2) On receipt of the complaint, the enquiry officer shall call upon the person or persons through a notice to be sent electronically, or by registered post or speed post and upload a copy of the same on the designated portal of the State Labour Department, to appear before him on a specified date together with all relevant documents and witnesses, if any, and shall inform the complainant of the date so specified. Where a party so desires, he may request in writing to the enquiry officer to issue notice in the enquiry only by post and also in cases where the enquiry officer feels that no electronic means of communication are available to the parties concerned, he may send such notice by registered post or speed post.

(3) If the person, to whom notice has been issued under sub-rule (2), or his representative fails to appear on the specified date, the enquiry officer may proceed to hear and determine the complaint *ex-parte*.

(4) If the complainant fails to appear on the specified date without any intimation to the enquiry officer on two consecutive dates, the enquiry officer may dismiss the complaint:

Provided that not more than three adjournments may be given on the joint application made by complainant and the opposite party:

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

(5) The authorisation to appear on behalf of any person, under sub-section (2) of section 85 shall be given by a certificate or electronic certificate, as the case may be, which shall be presented to the enquiry officer during the hearing of the complaint and shall form part of the record.

(6) Any person who intends to appear in the proceeding on behalf of complainant shall present himself before the enquiry officer and submit a brief statement in writing explaining the reason for his appearance.

(7) The enquiry officer shall record an order on the statement referred to in sub-rule (6) permitting the person referred to in that sub-rule to appear in the proceeding on behalf of complainant, and in the case of refusing such permission, the enquiry officer shall include reasons for the same, and incorporate it in the record.

(8) The complaint or other documents relevant to the complaint may be presented in person to the enquiry officer at any time during hours fixed by the enquiry officer, or may be sent to him electronically, or by registered post or speed post and the opposite party shall have the right to reply the complaint and such other documents.

(9) The enquiry 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, no such endorsement shall be necessary.

(10) The enquiry officer may refuse to entertain a complaint, if he considers that the complaint is incomplete and may ask the complainant to rectify the defects within the time specified by him for such purpose:

Provided that if the enquiry officer finds that it is not possible to rectify the defects in the complaint, he may at once return such complaint indicating the defects.

(11) Where the complaint is presented again, 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 85.

(12) The enquiry officer may, after giving the complainant an opportunity of being heard, refuse to entertain a complaint presented under sub-section (1) of section 85, if he is satisfied for reasons to be recorded in writing that—

- (a) the complainant is not entitled to present the complaint; or
- (b) the complainant has filed the complaint beyond six months from the date on which the offence complained is committed;
- (c) the complainant fails to comply the directions given by the inquiry officer under sub-section (2) of section 85.

(13) The enquiry officer shall, in all cases, mention the particulars at the time of passing of order containing the details, such as, the date of complaint, name and address of the complainant, name and address of the opposite party or opposite parties, section-wise details of the offence committed, plea of the opposite party, findings and brief statement of the evidence taken including cross examination, reasons and penalty imposed with his signature, date and place.

(14) The enquiry officer shall, in respect of procedure, be guided by the provisions of the relevant Orders of the First Schedule of the Code of Civil Procedure, 1908 (5 of 1908), with such alterations as the enquiry officer may deem fit, not affecting their substance, for adapting them to the matter before him, and save where they conflict with the express provisions of the Code or these rules.

(15) The enquiry officer shall, after the case has been heard, pass an order or give a direction on the same day or on a future date to be fixed for this purpose.

(16) Any person, who is either a complainant or an opposite party or his representative, or any person permitted under sub-rule (7) shall be entitled to inspect any complaint, or any other document filed with the inquiry officer, in a case to which he is a party or representing a party.

46. Expenses of witness.— Every person, who attends or otherwise appears on receipt of a summon, as a witness before a Tribunal or a National Industrial Tribunal or an arbitral tribunal, shall be entitled to an allowance for expenses on the same rates as applicable to witnesses in the civil court in the State where such enquiry, adjudication or arbitration, as the case may be, is being conducted.

47. Submission of a copy of certain Forms to office of Director General, Labour Bureau.— A copy each of **Form XI** (notice of strike), **Form XII** (notice of lockout), **Form XIII** (notice for intimation of retrenchment or closure to the State Government), **Form XIV** (application for permission of lay-off or retrenchment or

closure) and **Form XV** (compounding of offences), shall be shared electronically with the Director General, Labour Bureau.

48. Publication for communication.— For the purposes of communication to effect service of messages and documents under these rules, the State Government, National Industrial Tribunal, Tribunal, every employer for which the State Government is the appropriate Government, every Trade Union, negotiating union or the constituents of negotiating council and every authority referred to in these rules, shall specify their e-mail id or website or portal or any or all of them, as the case may be, in their respective letter-heads.

49. Maintenance of records, registers, forms, notice and display board.— (1) All records, registers, forms, notices, display boards and other documents which are required to be maintained under the Code and under these rules shall also be maintained in electronic manner in the required format or containing the information as is required.

(2) The records, registers, forms, notices, display boards and other documents referred to in sub-rule (1) shall comply with the requirement of retention of records and shall be produced or shown as and when required by the Inspector-cum-Facilitator or the concerned authority specified in this behalf under the Code or these rules.

50. Appointment of Commissioner.— Where it is necessary to appoint a Commissioner under sub-section (3) of section 59 for the purposes of computing the money value of a benefit referred to in sub-section (2) of the said section, the Tribunal may appoint a —

- (a) person with experience in the particular industry, trade, business or field encompassing the question referred to in sub-section (2) of the said section; or
- (b) person who had been a judge of a civil court; or
- (c) stipendiary magistrate; or
- (d) registrar or secretary of, a Tribunal constituted under any State Act or, a Tribunal or a National Industrial Tribunal constituted under the Code.

51. Fees for Commissioner, etc.— (1) The Tribunal shall, after consultation with the parties, estimate the probable duration of enquiry by the Commissioner referred to in rule 50 and fix the amount of his fees and other incidental expenses incurred by him.

(2) The Tribunal shall direct the payment of fees and other incidental expenses to the Commissioner into the nearest treasury, within a specified time, by such party or parties and in such proportion, as it may deem fit.

(3) The Commissioner shall not submit his report until the receipt of deposit into the treasury of the sum referred to in sub-rule (2) is filed before the Tribunal:

Provided that the Tribunal may, for reasons to be recorded in writing, direct that any further sum or sums be deposited into the treasury within such time and by such parties as it may deem fit:

Provided further that the Tribunal may in its discretion, extend the time for depositing such sum into the treasury.

(4) The Tribunal may, at any time, for reasons to be recorded in writing, vary the amount of the Commissioner's fees in consultation with the parties.

(5) The Tribunal may direct that the fees shall be disbursed to the Commissioner in such installments and on such date as it may deem fit.

(6) The undisbursed balance, if any, of the sum deposited under this rule shall be refunded to the respective party or parties who deposited the sum in the same proportion as that in which it was deposited.

52. Time for submission of report.- (1) Every order for the appointment of Commissioner under sub-section (3) of section 59 shall indicate a date, allowing sufficient time, for the Commissioner to submit his report.

(2) If for any reason the Commissioner anticipates that the date fixed for the submission of his report is likely to be exceeded, he shall apply, before the expiry of the said date, for extension of time setting forth grounds thereof and the Tribunal shall, after consideration, pass suitable orders on such application:

Provided that the Tribunal may, if it deems fit for sufficient cause, grant extension of time even where no application for such extension has been received from the Commissioner within the time limit allowed under sub-rule (1).

53. In the place Andhra Pradesh Trade Union Regulations, 1927 made under the Trade Unions Act. 1926 (16 of 1926) which has been repealed under Section 104 of the Code, The Andhra Pradesh Trade Union Regulations are adopted as per the *Appendix*.

FORM-I

(See rule 4)

(MEMORANDUM OF SETTLEMENT ARRIVED AT IN THE COURSE OF
CONCILIATION PROCEEDINGS OR OTHERWISE)

Names of Parties:

..... Representing employer(s);

..... Representing workers;

Short recital of the case

.....

Terms of settlement

.....

Signature of the parties

Witnesses:

(1)

(2)

*Signature of Conciliation Officer

In case the settlement arrived at between the employer and his workers otherwise than in the course of conciliation proceeding the copy of the memorandum shall be marked to the concerned Deputy Commissioner of Labour of the State.

FORM - II**(see rule 11)**

Before the State Government Industrial Tribunal -----

----- (place of the Industrial Tribunal having jurisdiction where dispute arises)

(A) Name and Address of Applicant(s)

Versus

(B) Name and Address of Opposite party(ies)

Brief facts of the dispute (statement regarding specific issues of dispute may be mentioned) which are connected with and relevant to the dispute under sub-section (1) of Section 22 of Industrial Relation Code, 2020 (35 of 2020).

Prayer:

The applicant(s) pray(s) that instant application may be admitted for adjudication and request(s) to pass appropriate award in the matter.

Name and signature of the worker(s) or
Officer of Trade union, raising the dispute

FORM III

(See rule 19)

(REGISTER FOR CERTIFIED STANDING ORDERS)

PART I

Industrial Establishment

Unique and continuous number	Name of the industrial establishment	Nature of the industrial establishment	Whether standing order is (a) model standing order, or (b) deemed standing order or (c) certified standing order	Date of adoption or date of deemed authentication or date of certification / authentication of standing order
(1)	(2)	(3)	(4)	(5)

Date of filing appeal	Date and nature of decision	Amendment made on appeal, if any	Date of the dispatch of the copy of	Any other relevant detail

			standing orders as settled on appeal	
(6)	(7)	(8)	(9)	(10)

Part-II

Should contain the certified copy of the Standing Orders electronically.

FORM- IV

(See rule 21)

(NOTICE OF CHANGE OF SERVICE CONDITIONS PROPOSED BY AN EMPLOYER)

Name of employer.....

Address.....

Dated the day of 20.....

In accordance with sub-section (1) of section 40 of the Industrial Relations Code, 2020 (35 of 2020), I/We hereby give notice to all concerned that it is my/our intention to effect the change/changes specified in the annexure, with effect from in the conditions of service applicable to workers in respect of the matters specified in the Third Schedule to the said Code.

Signature.....

Designation

ANNEXURE

(Here specify the change/changes intended to be effected)

Copy forwarded to:

1. The Secretary of registered Trade Union, if any.
2. Concerned Deputy Commissioner of Labour.

FORM-V

(See rule 22)

(AGREEMENT FOR VOLUNTARY ARBITRATION)**Between**

.....Name of the parties representing employer (s)

And

..... Name of the parties representing worker

It is hereby agreed between the parties to refer the following dispute to the arbitration of
..... [here specify the name(s) and address(es) of the arbitrator (s).

- (i) Specific matters in dispute.
- (ii) Details of the parties to the dispute including the name and address of the establishment or under taking involved.
- (iii) Name of the worker in case he himself is involved in the dispute or the name of the union, if any, representing the worker or workers in question.
- (iv) Total number of workers employed in the undertaking affected.
- (v) Estimated number of workers affected or likely to be affected by the dispute.

*We further agree that the majority decision of the arbitrators) shall be binding on us in case the arbitrator(s)are equally divided in their opinion they shall appoint another person as umpire whose award shall be binding on us.

The arbitrator (s) shall make his (their) award within a period of
(here specify the period agreed upon by the parties) from the date of publication of this agreement in the Official Gazette by the State Government or within such further time as is extended by mutual agreement between us in writing. In case, the award is not made within the period afore mentioned, the reference to the arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitrator.

Signature of the parties Representing employer/ any officer of the Trade Union /
Representing worker /workers.

Witnesses:

1.
2.

Copy to: (i) The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned].

(ii) The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department , Government of Andhra Pradesh, AP Secretariat, Velagapudi, Guntur District.

FORM- VI

(See rules 24, 43 and 44)

(AUTHORISATION BY A WORKER, GROUP OF WORKERS, EMPLOYER OR GROUP OF EMPLOYERS TOBE REPRESENTED IN A PROCEEDING BEFORE THE AUTHORITY UNDER THE INDUSTRIALRELATIONS CODE, 2020).

Before the Authority

(Here mention the authority concerned)

In the matter of:. (mention the name of the proceeding)

.....workers

Versus.....Employer

I/we hereby authorize Shri / Shrimati/Kumari to represent me/us in the above matter.

Dated this.....day of.....20.....

Signature of person(s) nominating the representative(s)

Address Accepted.

FORM- VII

(See rule 26)

(APPLICATION UNDER SUB-SECTION (1) OF SECTION 59 OF THE INDUSTRIAL RELATIONS
CODE,2020)

To,

(1) The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department, Government of Andhra Pradesh, AP Secretariat, VELAGAPUDI, Guntur Dt.

(2) The Deputy Commissioner of Labour (here insert the name of the District).

Sir,

I/We have to state that I am/we are entitled to receive from M/s a sum of Rs.....(in words) on account of under the provisions of Chapter IX and X of the Industrial Relations Code,2020 (35 of 2020) /in terms of the award dated the..... given by..... /in terms of the settlement dated the arrived at between the said M/s and their worker through..... the duly elected representatives.

I/We further state that I/we served the management with a demand notice by registered post on for the said amount which the management has neither paid nor offered to pay to me/us even though a fortnight has since elapsed. The details of the amount have been mentioned in the statement hereto annexed.

I/We request that the said sum may kindly be recovered for the management under sub-section (1) of section59 of the Industrial Relations Code, 2020 (35 of 2020) and paid to me/us as early as possible.

Signature of the applicant(s)

Address(es)

Station:

Date:.

ANNEXURE

[(Here indicate the details of the amount(s) claimed.)]

FORM- VIII

(See rule 26)

(APPLICATION BY A PERSON AUTHORISED BY A WORKER OR BY THE ASSIGNEE OR HEIR OF A DECEASED WORKER UNDER SUB-SECTION (1) OF SECTION 59 OF THE INDUSTRIAL RELATIONS CODE, 2020)

To

(1) The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department, Government of Andhra Pradesh, AP Secretariat, VELAGAPUDI, Guntur Dt.

(2) The Deputy Commissioner of Labour (here insert the name of the District).

Sir,

I Shri/Shrimati/Kumari.....have to state that Shri/Shrimati/ Kumari..... is/was entitled to receive from M/s..... a sum of Rs.(in words) on account of..... under the provisions of Chapter IX and X of the Industrial Relations Code, 2020 (35 of 2020) /in terms of the award dated the..... given by/in terms of the settlement, dated the..... arrived at between the said M/s..... and their worker through..... the duly elected representatives.

I further state that I served the management with a demand notice by registered post on.....for the said amount which the management has neither paid nor offered to pay to me even though a fortnight has since elapsed. The details of the amount have been mentioned in the statement hereto annexed.

I request that the said sum may kindly be recovered from the management under sub-section (1) of section 59 of the Industrial Relations Code, 2020 (35 of 2020), and paid to me as early as possible.

I have been duly authorised in writing by.....(here insert the name of the worker) to make this application and to receive the payment of the aforesaid amount due to him.

I am the assignee/heir of the deceased worker and am entitled to receive the payment of the aforesaid amount due to him.

Station.....

Signature of the authorized person/assignee/heirs

Date.....

Address.....

ANNEXURE

(Here indicate the details of the amount claimed.)

FORM- IX

(See rule 26)

(APPLICATION UNDER SUB-SECTION (2) OF SECTION 59 OF THE INDUSTRIAL RELATIONS
CODE,2020)

Before the State Government Industrial Tribunal at.

Between.....

1. Applicant(s)

and.

1. Opposite Party (Employer)

(1) Name of the applicant(s)

(2) Name of the employer

The petitioner(s) a worker of M/s.
.....of.....The petitioner(s) undersigned,
worker/workers of is/are entitled to receive from the said M/s.
..... the money /benefits mentioned in the statement hereto
annexed.

It is prayed that the Tribunal may be pleased to determine the amount
/amounts due to the petitioner (s).

Signature or Thumb Impression (s) of the applicant(s)

Address (es)

Place.....

Date.....

ANNEXURE

(Here set out the details of the money due or the benefits accrued together with the
case for their admissibility.)

FORM- X

[See rule 26]

(APPLICATION BY A PERSON WHO IS AN ASSIGNEE OR HEIR OF A DECEASED
WORKER UNDER SUB SECTION(2) OF SECTION 59 OF THE INDUSTRIAL
RELATIONS CODE, 2020)

Before the State Government Industrial Tribunal at
Between

(i) Name of the applicant/applicants

(ii) Name of the employer

I am/We are the assignee(s) of the deceased worker and am/are entitled to
make an application on his behalf.

Shri/Smt..... former worker of M/s
of.....is entitled to receive from the said M/s..... the
money/benefits mentioned in the statement hereto annexed;

It is prayed that the Tribunal be pleased to determine the amount/amounts
due to the deceased worker.

Name and Address of worker.....

Signature of the assignee/heirs

Address (es)

Place.....

Date.....

ANNEXURE

(Herein set out the details of the money due or the benefits accrued together with
the case for their admissibility).

FORM-XI

(See rules 27 and 47)

(NOTICE OF STRIKE TO BE GIVEN BY UNION (NAME OF UNION)/ GROUP OF WORKERS)
Name of five elected representatives of workers

Dated the.....day of.....20.....

To

(The name of the employer).

Dear Sir/Sirs,

In accordance with the provisions contained in sub-section (1) of section 62 of the Industrial Relations Code, 2020 (35 of 2020) I/We hereby give you notice that I propose to call a strike / we propose to go on strike on.....20....., for the reasons explained in the annexure.

Yours faithfully,

(Secretary of the Union)

Five representatives of the workers duly elected at a meeting held on (date), vide resolution attached.]

ANNEXURE

Statement of the Case.

Copy to:

- 1) The Assistant Commissioner of Labour of the area
- 2) The Deputy Commissioner of Labour concerned
- 3) The Joint Commissioner of Labour concerned
- 4) The Commissioner of Labour, Andhra Pradesh, Vijayawada
- 5) The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department, Government of Andhra Pradesh, AP Secretariat, VELAGAPUDI, Guntur Dt.
- 6) The Labour Bureau, Simla, Himachal Pradesh

FORM -XII

(See rules 28 and 47)

(NOTICE OF LOCK-OUT TO BE GIVEN BY AN EMPLOYER OF AN INDUSTRIAL ESTABLISHMENT)

Name of employer

Address.....

Dated the.....day of.....20.....

In accordance with the provisions of 62(5) of the Industrial Relations Code, 2020 (35 of 2020) , I/we hereby give notice to all concerned that it is my/our intention to effect lock out in.....department(s), section(s) of my/our establishment with effect from.....for the reasons explained in the annexure.

Signature.....

Designation.....

ANNEXURE

1.	Statement of reasons

Copy forwarded to:

- 1) The Assistant Commissioner of Labour of the area
- 2) The Deputy Commissioner of Labour concerned
- 3) The Joint Commissioner of Labour concerned
- 4) The Commissioner of Labour, Andhra Pradesh, Vijayawada
- 5) The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department, Government of Andhra Pradesh, AP Secretariat, VELAGAPUDI, Guntur Dt.
- 6) The Director General, Labour Bureau, Simla, Himachal Pradesh

FORM -XIII

(See rules 29, 31 and 47)

(NOTICE OF INTIMATION OF RETRENCHMENT/ CLOSURE TO BE GIVEN BY AN EMPLOYER TO THE STATE GOVERNMENT UNDER THE PROVISIONS OF CHAPTER IX OF THE INDUSTRIAL RELATIONS CODE, 2020 AND RULES MADE THERE UNDER)

(To be submitted online. In case of exigencies, on paper in the prescribed format below)

Name of Industrial Establishment /Undertaking/ Employer

Labour Identification Number

Dated.....

(Note: The intimation for Closure/Retrenchment to the appropriate government shall be served sixty days and thirty days before commencement of Closure/Retrenchment respectively)

To,

The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department, Government of Andhra Pradesh, AP Secretariat, VELAGAPUDI, Guntur Dt.

1. *(Retrenchment) (a) Under section 70(C) of the Industrial Relations Code, 2020 (35 of 2020), I/ we* hereby intimate you that I*/we* have decided to retrench..... workers** out of a total of Workers** with effect from..... (DD/MM/YYYY)

or

(Closure) (b) Under section 74(1) of the Industrial Relations Code, 2020 (35 of 2020), I / we hereby intimate you that I*/we* have decided to close down,.....(name of the industrial establishment or undertaking) with effect from..... (DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the undertaking is..... (number of workers)

2. The reason for Retrenchment / Closure is.....

.....

.....

3. * The worker(s)* concerned were given on the..... (DD/MM/YYYY) one month's notice in writing as required under section 70(a)*/ section 75(1)* of the Industrial Relations Code, 2020 (35 of 2020).

or

* The worker(s) concerned have been given on the..... (DD/MM/YYYY) one month's pay in lieu of the notice as required under section 70(a)*/ section 75(1)* of the Industrial Relations Code, 2020 (35 of 2020) .

4. * I*/We* hereby declare that the worker(s) concerned have been*/will be* paid all their dues along with the compensation due to them under section 70* / section 75* of the Industrial Relations Code, 2020 (35 of 2020) before or on the expiry of the notice period.

or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I*/we* will pay all the dues along with the compensation due to them under concerned laws.

5. (Retrenchment) I/we* hereby declare that the worker(s) concerned have been* / will be* retrenched in compliance to the section 71 and section 72 of the Industrial Relations Code, 2020 (35 of 2020).

6. I*/ we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details thereof have been Annexed.

7. I*/ we* hereby declare that the above information given by me*/us* in this notice and the Annexures enclosed herewith true, I*/ we* am*/ are* solely responsible for its accuracy and no facts/ materials has been suppressed in the matter.

Yours faithfully,

(Name of Employer/ ***Authorised Representative with Seal)

(* Strike off which is not applicable.)

(** Indicate number in figures and words both)

(***Copy of Authorisation letter issued by the employer shall be enclosed)

Copy to :

- 1) The Assistant Commissioner of Labour of the area
- 2) The Deputy Commissioner of Labour concerned
- 3) The Joint Commissioner of Labour concerned
- 4) The Commissioner of Labour, Andhra Pradesh, Vijayawada
- 5) The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department, Government of Andhra Pradesh, AP Secretariat, VELAGAPUDI, Guntur Dt.
- 6) The Director General, Labour Bureau, Simla, Himachal Pradesh

- 7) To the Registered Unions/ Authorised Representatives of Workers operating in the establishments or undertakings.

FORM- XIV

(See rules 32, 33, 35,37 and 47)

(APPLICATION FOR PERMISSION OF LAY-OFF/ CONTINUATION OF LAY-OFF/ RETRENCHMENT/CLOSURE TO BE GIVEN BY AN EMPLOYER / INDUSTRIAL ESTABLISHMENT /UNDERTAKING TO THE STATE GOVERNMENT UNDER THE PROVISIONS OF CHAPTER X OF THE INDUSTRIAL RELATIONSCODE, 2020 AND RULES MADE THEREUNDER)

(To be submitted online. In case of exigencies on paper in the specified format below)

Name of Industrial Establishment or Undertaking or Employer.....

Labour Identification Number.....

Dated.....

(Note: The application to the State Government shall be served as indicated below:

Lay-off : at least 15 days before the intended Lay-off

Continuation of Lay-off – at least 15 days before the expiry of earlier Lay-off

Retrenchment – at least 60 days before the intended date of retrenchment

Closure – at least 90 days before the intended date of closure)

To,

The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department, Government of Andhra Pradesh, AP Secretariat, VELAGAPUDI, Guntur Dt.

1. *(Lay-off) (a). Under section 78(2) of the Industrial Relations Code, 2020 (35 of 2020), I*/we* hereby apply for “permission to lay-off workers** out of total of workers** employed in my*/our* establishment (details to be given in Annexure-I) with effect from (DD/MM/YYYY).

or

(Continuation of lay-off) (b) Under section 78(3) of the Industrial Relations Code, 2020 (35 of 2020), I/we*hereby apply for permission to continue the Lay-off workers** out of total of laid off workers** in my*/our* establishment (details to be given in Annexure-I) with effect from (DD/MM/YYYY).

or

(Retrenchment) (c) Under section 79(2) of the Industrial Relations Code, 2020 (35 of 2020), I/we* hereby apply for permission for intended retrenchment of..... workers out of total of workers** employed in my*/our* establishment (details to be given in Annexure-I) with effect from (DD/MM/YYYY).

or

(Closure) (d) Under section 80(1) of the Industrial Relations Code, 2020 (35 of 2020), I / we hereby inform you that I*/we* intended to close down the undertaking..... (name of the industrial establishment or undertaking or employer) (details to be given in Annexure-I) with effect from.....(DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the under taking is..... (number of workers)

* (Lay-off/Continuation of Lay-off) The worker(s) concerned were given on (DD/MM/YYYY) notice in writing as required under section 78(2)* / section 78(3)* of the Industrial Relations Code, 2020 (35 of 2020).

or

(Retrenchment/ Closure) The worker(s) concerned were given on..... (DD/MM/YYYY) three month's notice in writing as required under section 79/ section 80* of the Industrial Relations Code, 2020 (35 of 2020).

or

(Retrenchment/ Closure) The worker(s) have been given on..... (DD/MM/YYYY) three month's pay in lieu of notice as required under section 79/ section 80* of the Industrial Relations Code, 2020 (35 of 2020).

2. The details of affected worker(s) is at Annexure II.

3. (Retrenchment) I*/we* hereby declare that the workers concerned will be retrenched in compliance to the Section 71 and section 72 of the Industrial Relations Code, 2020 (35 of 2020).

4. *I/We* hereby declare that the worker(s) concerned have been*/will be* paid all the dues and compensation due to them under section 67, read with section 78(10)* / section 79* / section 80* of the Industrial Relations Code, 2020 (35 of 2020) before or on the expiry of the notice period.

or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I/we* will pay all the dues along with the compensation due to them under concerned laws.

5. I/ we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details there of have been annexed herewith.

6. I/ we hereby declare that the above information given by me/ us* in this notice and enclosures is/ are* true, I/ we am/ are solely responsible for its accuracy and no facts/ materials has been suppressed in the matter.

The permission sought for may please be granted.

Yours faithfully,

(Name of Employer / ***Authorised Representative with Seal)

(* Strike off which is not applicable.)

(** Indicate number in figures and word both)

(***Copy of authorisation letter issued by the employer shall be enclosed)

Copies to

- 1) The Assistant Commissioner of Labour of the area
- 2) The Deputy Commissioner of Labour concerned

3) The Joint Commissioner of Labour concerned

4) The Commissioner of Labour, Andhra Pradesh, Vijayawada

ANNEXURE I

(Please give replies against each item)

1	Name of the undertaking with complete postal address, email, mobile and land line.	
2	Status of undertaking— (i) Whether State public sector/State public sector/ like other, (ii) Whether a private limited company/ partnership firm/ partnership firm (ii) Whether the undertaking is licensed/registered and if so, name of licensing/registration authority and licence/registration certificate numbers.	
3	(a) Corporate Identification Number (b) Goods and Service Tax Identification Number (GSTIN)	
4	(i) Annual production, item wise for preceding three years- (ii) Production figures, month-wise, for the preceding twelve months,	
5	Audit report of the legal entity that own the establishment/ undertaking including Balance sheets, profit and loss accounts for the last three years.	To be annexed
6	Names of the inter-connected companies or companies under the same management.	
7	Details of lay-off/ retrenchment resorted to in the last three years including the periods of such lay-offs/ retrenchment the number of workers involved in each such lay-off/ Retrenchment / continuation of lay off	
8	Any other relevant details which have bearing on lay-off/ continuation of lay off/ retrenchment/ closure.	

ANNEXURE II
(Details of affected workers)

Sl. No	UAN/ CMPFO	Name of the Worker	Category (Highly Skilled / Skilled/ Semiskilled / Unskilled)	Date from which in service in/with the said establishment /Undertaking/ Employer	Wage as on date of Application	Remark
1						
2						
3						

FORM-XV

(See rules 40 and 47)

(NOTICE TO THE EMPLOYER/PERSON WHO COMMITTED AN OFFENCE FOR THE FIRST TIME , FOR COMPOUNDING OF OFFENCE UNDER SECTION 89 OF THE INDUSTRIAL RELATIONS CODE, 2020 READ WITH RULE 41)

The undersigned, the Compounding Officer, for the purposes of section 89 of the Industrial Relation Code, 2020 (35 of 2020), hereby intimates you that the allegation has been made against you for committing offence for the violation of various provision of this Code as per the details given below:—

PART - I

1. Name and Address of the offender Employer/person-
2. Address of the Establishment
4. Particulars of the offence
5. Section of the Code under which the offence is committed
.....
6. Compounding amount required to be paid towards composition of the offence.....

PART - II

You are advised to deposit the above mentioned amount within fifteen days from the date of receipt of this notice for compounding the offence as per section 89 of the Industrial Relations Code, 2020 (35 of 2020) read with rule 41, along with an application duly filled in part – III of this notice.

In case you fail to deposit the said amount within the time so specified, no further opportunity shall be given to you and necessary steps shall be taken for filing of prosecution under section 87 of the said Code shall be issued.

(Signature of the Compounding Officer)

Date:

Place:

PART – III

(Application under sub-section (4) of section 89 of the Industrial relations Code, 2020 read with rule 41 for compounding of offence)

1. Name of applicant (name of the employer/person who committed the offence under the Industrial Relations Code 2020 (35 of 2020) to be mentioned.....

2. Address of the applicant

3. Particulars of the offence

.....

4. Section of the Code under which the offence has been committed

.....

5. Details of the compounding amount deposited (electronically generated receipt to be attached).....

6. Details of the prosecution, if filed for the violation of above mentioned offences may be given.....

7. Whether the offence is first offence or the applicant had committed any other offence prior to this offence, if committed, then, full details of the offence

.....

8. Any other information which the applicant desires to provide

.....

Applicant

(Name and signature)

Dated:

Place:

Form- XVI

(See rule 42)

(COMPLAINT UNDER SECTION 91 OF THE INDUSTRIAL RELATIONS CODE, 2020)

Before the Conciliation officer/ Arbitrator/ Tribunal or, National Industrial Tribunal -----, In the matter of:.....

Reference No.....

A..... Complainant(s);

Versus

B..... Opposite Party(ies).

Address:

The petitioner(s) begs/beg to complain that the Opposite Party(ies) has/have been guilty of a contravention of the provisions of section 90 of the Industrial Relations Code, 2020 as shown below:

(Here set out briefly the particulars showing the manner in which the alleged contravention has taken place and the grounds on which the order or act of the management is challenged.)

The complainant(s) accordingly prays/pray that the Conciliation officer/ Arbitrator/ Industrial Tribunal or National Industrial Tribunal may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

The number of copies of the complaint and its annexure required under rule 43 of the Industrial Relations Code, 2020(35 of 2020) are submitted herewith.

Dated this.....day of.....20..... Signature of the Complainant(s)

Verification

I do solemnly declare that what is stated in paragraph..... above is true to my knowledge and that what is stated in paragraphs..... above is stated upon information received and believed by me to be true. This verification is signed by me at..... on day of.....20.....

Signature or Thumb impression of the person verifying.

Schedule-A [see Rule 12] –

Manufacturing Sector

Draft Model Standing Orders

[See Section 29(1) and Rule 12]

1. Definition.- (1) In these Model Standing Orders, unless there is anything repugnant to the subject or the context,-

- (a) “aadhar” means the aadhar referred to in Section 142 of the Code on Social Security, 2020 (36 of 2020)
- (b) “code” means the Industrial Relations Code, 2020 (35 of 2020);
- (c) “form” means a form set out in Schedule appended to these standing orders;

(d) “habitual” means with respect to indiscipline, a worker shall be habitual if the worker commits any misconduct three or more times in preceding twelve months; and

(e) “standing order” with its grammatical variation and cognate expressions, means the standing order of these model standing orders.

(2) The words or expressions used in these model standing orders and not defined therein but defined in the Industrial Relations Code, 2020 (35 of 2020) shall have the respective meanings assigned to them in the definitions in the Code.

2. (1) Classification of Worker.- For the purposes of these standing orders, the workers are classified as below, namely:-

- (a) Permanent;
- (b) Temporary;
- (c) Apprentices;
- (d) Probationers;
- (e) Badlis;
- (f) Fixed Term Employment; and
- (g) Casual

(2) A Permanent worker is a worker who has been engaged on a permanent basis in an industrial establishment and includes any person who has satisfactorily completed a probationary period of six months in the same or another occupation in the industrial establishment including breaks due to sickness, accident, leave, lockout, strike (not being an illegal strike) or involuntary closure of the industrial establishment.

(3) A Temporary Worker is a worker who has been engaged for work which is of an essentially temporary nature likely to be finished within a limited period.

(4) Apprentice means a person who is undergoing apprenticeship training in pursuance of a contract of apprenticeship under the Apprenticeship Act, 1961 (52 of 1961).

(5) A Probationer is a worker who is provisionally employed to fill a permanent vacancy in a post and has not completed six months service therein. The period of probation can be extended further period up to three months after assessing the performance of the probationer for the post, he has been appointed for. If a permanent employee is employed as a probationer in a new post he may, at any time during the probationary period of six months, be reverted to his old permanent post.

(6) A badli is a worker who is appointed against the post of a permanent worker or probationer who is temporarily absent.

(7) "Fixed term employment" means the engagement of a worker on the basis of a written contract of employment with the employer for a fixed period:

Provided that—

(a) his hours of work, wages, allowances and other benefits shall not be less than that of a permanent worker doing the same work or work of similar nature;

(b) he shall be eligible for all statutory benefits available to a permanent worker proportionately according to the period of service rendered by him even if his period of employment does not extend to the qualifying period of employment required in the statute;

(c) he shall be eligible for gratuity, if he renders service under the contract for a period of one year; and

(d) for every completed year of service or part thereof in excess of six months, the employer shall pay gratuity to the worker at the rate of fifteen days' wages, based on rate of wages last drawn by the worker concerned as referred to in sub-section (2) of section 53 of the Code on Social Security, 2020 (Central Act No.36 of 2020).

Explanation.- For removal of doubt, it is clarified that the termination of service of a worker as a result of completion of tenure of fixed term employment shall not be included within the meaning of —retrenchment— as defined under clause (zh) of section 2 of the Industrial Relations Code, 2020 (35 of 2020).

(8) "Casual" worker is a worker who has been either engaged for work which is of an essentially casual nature or whose employment is of a casual nature.

3. Identity Badge or Card.- (1) All workers belonging to any categories under the Industrial Relations Code, 2020(Central Act No.35 of 2020) shall be issued an identity badge or card bearing his full name, designation, employee number, blood group, contact number, emergency contact person and his number, and a recent photograph.

(2) A worker should always wear his identity badge or card during the working hours of the industrial establishment and produce the same to the authorized security guard or personnel to allow him the right of entry and stay in the premises of the industrial establishment.

(3) Such identity badge or card shall not be transferable to any other persons or workers. Safe custody of the identity badges or cards shall be ensured by the concerned workers.

(4) Every worker, who ceases to be in employment of the industrial establishment, shall surrender his identity badge to the Department Head or the officer of the industrial establishment designated for such purpose.

4. Publication of Working Timings.- (1) The periods of hours of work for all categories of workers shall be exhibited on the notice board or Electronic Notice Board and on the Human Resource Portal of the industrial establishment, if any, from time to time in Hindi, English and in the local language in which majority of workers in industrial establishment are conversant.

(2) Any change in periods of hours of work, number of shifts, shift timings, work on all the days of the week with staggered weekly holidays system or like other matters, shall also be displayed on notice board or electronic notice board of the industrial establishment.

5. Publication of Holidays, Pay days and Wage rates.- (1) Notices specifying the days observed by the industrial establishment as holidays, and pay days shall be posted on the electronic notice board or notice board and website or Human Resource portal/ IT Application of the industrial establishment, if any.

(2) A list of national and festival Holidays shall be displayed on the Electronic notice board or notice board and website or Human Resource portal of the industrial establishment, if any.

6. Publication of wage rates.- Wage rates payable to all categories of workers shall be displayed on the Electronic notice board or notice board and website or Human Resource portal of the industrial establishment, if any, in Hindi, English and local language in which majority of workers in industrial establishment are conversant.

7. Shift working:- (1) More than one shift may be worked in a department or departments or any section of a department of the industrial establishment at the discretion of the employer. If more than one shift is worked, the worker shall be liable to be transferred from one shift to another. No shift working shall be discontinued without twenty one days' notice being given in writing to the workers prior to such discontinuance:

Provided that no such notice shall be necessary if the closing of the shift is under an agreement with the workers affected. If as a result of the discontinuance

of the shift working, any worker is to be retrenched, such retrenchment shall be effected in accordance with the provisions of the Industrial Relations Code, 2020 (35 of 2020) and the rules made there under. If shift working is re-started, the workers shall be given notice and re-employed in accordance with the provisions of the said Code and the said rules.

(2) Whenever an additional shift is started, or shifts are restarted or discontinued or altered, twenty- one days prior notice, shall be given to the affected workers:

Provided that no notice shall be required in case of emergent situation which requires change of shift or shift working, otherwise than in accordance with Standing Order, in consultation with Grievance Redressal Committee in pursuant of clause (c) section 40 of the Industrial Relations Code, 2020 (35 of 2020):

Provided further that no notice shall be required, if such change is effected in accordance with the orders of the State Government or State Government, as the case may be, or in pursuance of any settlement or award as envisaged in clause (d) of section 40.

8. Notice of changes in shift working.--Any notice of discontinuance or of re-starting of a shift working required by this Standing Order, shall be in Form-(i) appended to these standing orders and shall be served in the following manner, namely :-

- (a) The notice shall be displayed conspicuously by the employer on a notice-board or electronic notice board and Human Resource portal of the industrial establishment if any; and
- (b) Where any registered trade union of workers exists, then, a copy of the notice referred to in clause (a) shall also be served electronically or by registered post to the Secretary of such union.

9. Attendance and Late Coming.- (1) All workers shall be at work at the time fixed and notified under paragraph 5. Worker attending late will be liable for deduction provided for in the Code on Wages, 2020 (Central Act No.29 of 2019).

(2) All workers shall comply with the regulations related to hours of work for the time being in force.

(3) Workers shall register their attendance at the start of the shift and at the close of the shift after and before change of uniform, if any, respectively.

(4) Workers shall use identity card or biometrics or any other system as has been notified to register their attendance.

- (5) No worker shall use or punch the Identity badge or Card other than his own under any circumstances.
- (6) Any worker, reporting late than the scheduled time for reporting shall not be permitted to enter his department or section, unless permitted by the express permission of the manager, or any other officer, duly authorized for such purpose.
- (7) A worker shall be deemed absent, if he fails to attend duty, unless he has obtained written permission for such absence from the manager or the Officer authorized in this behalf.
- (8) A worker who comes late and remains absent will be liable to deduction of wages as provided under the Code on Wages, 2019 (Central Act No. 29 of 2019).
- 10. Leave.-** (1) Holidays with pay will be allowed as provided for in the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No. 37 of 2020), and other holidays in accordance with law, contract, custom and usage applicable.
- (2) Leave cannot be claimed as matter of right.
- (3) A worker who desires to obtain leave of absence shall apply to the employer or any other officer of the industrial establishment specified in this behalf by the employer at least seven days in advance from the date of proposed date of leave. The employer or any other officer of the industrial establishment, who is responsible for issuing the order, shall issue the same within a week of its submission or two days prior to the commencement of the leave applied for, whichever is earlier. If the leave has been applied and the leave is to commence on the date of the application or within three days thereof, then the worker shall mention the reason for late submission of application for leave. The order on such leave shall be given on the same day. If the leave is refused or postponed, the fact of such refusal or postponement and the reasons there for shall be communicated to him in writing or electronic mode.
- (4) Where the worker after proceeding on leave desires an extension thereof, he shall apply to the employer or the officer specified in this behalf by the employer, who shall send a reply either granting or refusing extension of leave to the worker in writing or electronic mode, and if such reply is likely to reach him before the expiry of the leave originally granted to him.
- (5) Leave with wages and allowances shall be granted to all the workers in accordance with the law as applicable to the industrial establishment and under Standing Orders.

(6) No employee while on leave shall take up any employment or any vocation for profit or gain.

11. Casual Leave.- A worker may be granted casual leave of absence with wages not exceeding ten days in the aggregate in a calendar year. Such leave shall not be for more than three days at a time except in case of sickness. Such leave is intended to meet special circumstances which cannot be foreseen. Ordinarily, the previous permission of the head of the department or the controlling authority in the industrial establishment shall be obtained before such leave is taken, but when this is not possible, the head of the department or the controlling authority shall, as soon as may be practicable, be informed in writing or through electronic mode of the absence from and of the probable duration of such absence.

12. Payment of Wages. –

- (1) The employer shall pay or cause to be paid wages to the worker, engaged on—
- (i) daily basis, at the end of the shift;
 - (ii) weekly basis, on the last working day of the week, that is to say, before the weekly holiday;
 - (iii) fortnightly basis, before the end of the second day after the end of the fortnight;
 - (iv) monthly basis, before the expiry of the seventh day of the succeeding month.
- (2) All wages shall be paid in current coin or currency notes or by cheque or by crediting the wages in the bank account of the worker or by the electronic mode. Provided, the employer shall pay the wages only by cheque or by crediting the wages in his bank account if specified through notification by appropriate government, under the Code on Wages, 2019
- (3) Where a worker has been—
- (i) removed or dismissed from service; or
 - (ii) retrenched or has resigned from service, or became unemployed due to closure of the establishment, the wages payable to him shall be paid within two working days of his removal, dismissal, retrenchment or, as the case may be, his resignation.
- (4) Every employer shall issue wage slips to the worker in such form and manner as prescribed in Code on Wages, 2019.
- (5) There shall be no deductions from the wages of the worker, except those as are authorized under the Code on Wages, 2019.

(6) All fines and all realisations from the wages of the worker shall be carried out in accordance with the section 19 of the Code on Wages, 2019.

(7) Notice specifying wage period and payment date shall be exhibited on the notice board or electronic board and on the Human Resource portal/IT Application in Hindi, English and regional language familiar to the majority of workers.

13. Service Record:- (1) Matters relating to service card, certification of service, change of residential address of workers and record of their age shall form part of service record and –

(i) Every industrial establishment shall maintain a service card in respect of each worker electronically or in manual form, wherein particulars of that worker shall be recorded with the knowledge of that worker in Form-(ii) and it shall be updated periodically. In case of manual maintenance of service card, the record shall be duly attested by an authorized officer in this behalf together with date.

(ii) Every worker shall be entitled to a service certificate, specifying the nature of work, designation and the period of employment (indicating the days, months, years) at the time of discharge, termination, retirement or resignation from service to be issued by an employer within 10 days of such instance;

(iii) A worker shall notify the employer immediately on engagement, the details of his residential address, mobile number, e-mail, emergency contact name and number, nominees for claiming dues in case of death and there after promptly communicate to his employer any change of his residential address. In case, the worker has not communicated to his employer the change in his residential address, his last known address shall be treated by the employer as his residential address for sending any communication;

(iv) Every worker shall indicate his exact date of birth to the employer or the officer authorized by him in this behalf, at the time of entering service in the industrial establishment. The employer or the officer authorized by him in this behalf may before the date of birth of a worker is entered in his service card, require him to supply, -

- (a) his matriculation or school leaving certificate granted by the Board of Secondary Education or equivalent certificate granted by similar educational authority; or
- (b) a certified copy of his date of birth as recorded in the registers of a municipality, local authority or Panchayat or Registrar of Births; or
- (c) a copy of Aadhaar, if agreed by the worker; and

- (d) in the absence of either of the aforesaid three categories of certificate, the employer or the officer authorised by him in this behalf may require the worker to supply, a certificate from a Government Medical Officer not below the rank of an Assistant Surgeon indicating the probable age of the worker:

Provided that the cost of obtaining such certificate is borne by the employer;

- (v) where it is not practicable to obtain a certificate from a Government Medical Officer, an affidavit sworn, either by the workman or his parents, or by a near relative, who is in a position to know about the workman's actual or approximate date of birth, before a first Class Magistrate or Oath Commissioner, as evidence in support of the date of birth given by him.

(2) The date of birth of a worker, once entered in the service card of the industrial establishment shall be the sole evidence of his age in relation to all matters pertaining to his service including fixation of the date of his retirement from the service of the industrial establishment. All formalities regarding recording of the date of birth shall be finalized within three months of the date of the appointment of a worker.

(3) Cases, where date of birth of any worker had already been decided before the date these standing orders come into force shall not be reopened under these standing orders.

Note.- Where the exact date of birth of a worker is not available and the year of birth is only established, then, the 1st July of the said year shall be taken as the date of birth.

14. Confirmation.- The employer shall, in accordance with the terms and conditions stipulated in the letter of appointment, confirm the eligible worker and issue a letter of confirmation to him. Whenever, a worker is confirmed, an entry with regard to the confirmation shall also be made in his service card within a period of thirty days from the date of such confirmation.

15. Age of retirement.- The age of retirement or superannuation of a worker shall be such as may be agreed upon between the employer and the worker under a written agreement or as specified in a settlement or award which is binding on both the worker and the employer. Where there is no such agreed age, retirement or superannuation shall be on completion of fifty eight years of age by the worker.

16. Transfer.- (1) There shall be a transfer policy of the industrial establishment and same shall be known to all workers. The details of transfer policy shall be available on the Human Resource (HR) portal.

(2) A worker may be transferred according to the transfer policy and exigencies of work from one shop or department to another or from one station to another or from one industrial establishment to another under the same employer:

Provided that the wages, grade, continuity of service and other conditions of service of the worker shall not be adversely affected by such transfer:

Provided further that a worker shall be transferred from one job to another, which he is capable of doing:

Provided also that where the transfer involves moving from one State to another such transfer shall take place, either with the consent of the worker or where there is a specific provision to that effect in the letter of appointment and transfer policy in accordance with such provision and policy:

Provided also that unless -

(a) reasonable notice is given to such worker, and

(b) reasonable joining time is allowed in case of transfers from one station to another and the worker concerned shall be paid travelling allowance including the transport charges and fifty per cent thereof to meet incidental charges, such transfer shall not be effected.

17. Medical aid in case of accidents.- (1) Where a worker meets with an accident in the course of or arising out of his employment, the employer shall, at the employer's expense, make satisfactory arrangements for immediate and necessary medical aid to the injured worker and shall arrange for his further treatment, if considered necessary by the doctor attending on him.

(2) Wherever the worker is entitled for treatment and benefits under the Social Security Code, 2020 (36 of 2020), then, he shall be entitled for treatment and benefits under that Code.

18. Medical Examination.- (1) Wherever the recruitment rules or any contract of appointment or Fixed Term Employment specify medical examination of a worker, on his first appointment, the employer shall at the employer's expense make arrangements for medical examination.

(2) All workers to be employed in the industrial establishment shall be required to clear the medical examination by the Medical Authority nominated by the industrial establishment for such purpose, at the time of first appointment.

(3) The industrial establishment may at any time direct any worker to undergo medical examination by any Medical Officer nominated to ascertain workers' fitness relatable to satisfactory performance of his job. The term "Medical Officer" shall have same meaning as it has in sub-section (1) of section 42 of Occupational Safety, Health and Working Condition Code, 2020 (37 of 2020).

(4) A worker who comes to know that he has contracted any infectious or contagious disease shall immediately notify the concerned Manager of such a happening and shall remain away from work until permitted to return on work by the Manager concerned and during such period, the worker shall be treated on leave to the extent of days he has leave with wages to his credit. Disciplinary action may be taken against a worker if he deliberately suppresses the fact of his suffering from an infectious or contagious disease and such a conduct on the part of the worker shall amount to misconduct within the meaning of these Standing Orders.

19. Secrecy.- No worker shall take any papers, books, drawings, photographs, instruments, apparatus, documents or any other property either in electronic form or physical form, of an industrial establishment out of the work premises except with the written permission of his immediate superior, nor shall he in any way pass or cause to be passed or disclose or cause to be disclosed any information or matter concerning the manufacturing process, trade secrets and confidential documents of the industrial establishment to any unauthorized person, company or corporation without the written permission of the employer. Disciplinary action may be taken against a worker if he does not comply with the provisions in this paragraph and such a conduct on the part of the worker shall amount to misconduct within the meaning of these Standing Orders.

20. Exclusive Service.- A worker shall not at any time work against the interest of the industrial establishment in which he is employed and shall not take any employment in addition to his job in the industrial establishment, which may adversely affect the interest of his employer, but, the employer may permit him to take up additional job, assignment with conditions or without conditions and the worker shall obtain prior permission of the employer.

21. Stoppage of work. - (1) The employer may, at any time, in the event of fire, catastrophe, break-down of machinery or stoppage of power supply, disaster, pandemic, epidemics, civil commotion or other cause beyond his control , stop any

section or sections of the industrial establishment, wholly or partially for any period or periods without notice.

(2) In the event of such stoppage during working hours, the workers affected shall be notified by notices put upon the notice board or electronic notice board or on the Human Resource Portal/IT application or through any other electronic medium of the industrial establishment, if any, as soon as practicable, when the work will be resumed and whether they are to remain or leave their place of work. The worker shall not ordinarily be required to remain for more than two hours after the commencement of the stoppage. If the period of detention does not exceed one hour the worker so detained shall not be paid for the period of detention. If the period of detention exceeds one hour, the workers so detained shall be entitled to receive wages for the whole of the time during which they are detained as a result of the stoppage. In case of piece rate workers, the average daily earning for the previous month shall be taken to be the daily wage. No other compensation will be admissible in case of such stoppages. Wherever practicable, reasonable notice shall be given of resumption of normal work.

(3) In cases of temporary stoppage of work on account of failure of plant or reasons as specified in paragraph (1) or a temporary curtailment of production of goods and services, the period of unemployment shall be treated as compulsory leave either with or without pay, as the case may be, but where workers have to be stopped for an indefinitely long period, their employment may be terminated after giving them due notice or pay in lieu thereof.

(4) The employer may in the event of a strike affecting either wholly or partially any section or department of the industrial establishment close down either wholly or partially such section or department and any other section or department affected by such closing down, then, the fact of such closure shall be notified by notices put on the notice board or electronic notice board or on the Human Resource portal of the industrial establishment, if any, as soon as practicable. The workers concerned shall also be notified by a general notice, prior resumption of work, as to when work will be resumed.

22. Termination of Employment-

(1) Subject to the provisions of the Industrial Relations Code, 2020 (35 of 2020) and the rules framed there under, for terminating employment of a permanent worker, prior notice of one month shall be given or the worker shall be paid wages in lieu of such notice period and in case of remaining workers as specified in sub-

paragraph (3), the notice period shall be regulated as provided in that sub-paragraph.

(2) No temporary worker whether monthly rated, weekly rated or piece rated, and no probationer or badli or fixed term employment or casual worker as a result of non-renewal of contract or employment or on its expiry, shall be entitled to any notice or pay in lieu thereof, if his services are terminated:

Provided that the services of a temporary worker shall not be terminated as a punishment unless he has been given an opportunity of explaining the charges of misconduct alleged against him in the manner specified in this behalf under these standing orders.

(3) Where the employment of any worker is terminated, the wages earned by him and other dues, if any, shall be paid before the expiry of the second working day from the day on which his employment is terminated.

23. Disciplinary action for misconduct.-(1) A worker may be suspended by the employer pending investigation or enquiry into complaints or charges of misconduct against him. Such investigation or enquiry, or where there is an investigation followed by enquiry, both the investigation and enquiry shall be ordinarily completed within ninety days from the date of suspension. The worker shall be paid subsistence allowance during the period of suspension which shall be subject to the worker not taking any employment elsewhere during the period of suspension.

(2) The amount of subsistence allowance payable to such worker shall be as under, namely:-

(a) at the rate of fifty percent of wages which the worker was entitled to immediately preceding the date of such suspension, for the first ninety days of suspension; and

(b) at the rate of seventy-five per cent of such wages for the remaining period of suspension, if the delay in completion of disciplinary proceedings against such worker is not directly attributable to the conduct of such worker.

(3) For the purposes of this standing order, the following shall denote misconduct, namely:-

(a) theft, fraud, or dishonesty in connection with the employer's business or property;

(b) taking or giving of bribes or an illegal gratification whatsoever in connection with the employer's business or his own interests;

- (c) wilful insubordination or disobedience, whether alone or in conjunction with another or others, or of any lawful or reasonable order of a superior. The order of the superior should normally be in writing;
- (d) habitual late attendance and habitual absence without leave or without sufficient cause;
- (e) drunkenness, fighting or riotous, disorderly or indecent behaviours while on duty at the place of work;
- (f) habitual neglect of work;
- (g) causing wilful damage to work in progress or to property of the employer;
- (h) sleeping on duty;
- (i) malingering or slowing down work;
- (j) acceptance of gifts from subordinate employees;
- (k) conviction in any Court of Law for any criminal offence involving moral turpitude;
- (l) continuous absence without permission and without satisfactory cause for more than ten days;
- (m) giving false information regarding one's name, age, father's name, qualification or previous service at the time of the employment;
- (n) leaving work without permission or sufficient reason;
- (o) threatening, abusing or assaulting any superior or co-worker;
- (p) preaching of, or inciting to, violence;
- (q) abetment of or attempt to abetment of any of the aforesaid acts of misconduct;
- (r) going on illegal strike either singly or with other workers without giving 14 day's previous notice;
- (s) disclosing to any unauthorized person of any confidential information in regard to the working or process of the industrial establishment which may come into the possession of the worker in the course of his work;
- (t) refusal to accept any charge-sheet or order or notice communicated in writing;
- (u) failure or refusal to wear or use any protective equipment given by the employers;
- (v) claiming false bill for reimbursement; and
- (w) "sexual harassment" as defined in clause (n) of section 2 of the Sexual Harassment of Women at Workplace(Prevention, Prohibition and Redressal)

Act, 2013 (14 of 2013) and includes the circumstances specified in sub-section (2) of section 3 of the said Act.

Note:- The words defined in the Bharatiya Nyaya Sanhita, 2023 and used in this sub-paragraph shall have the same meaning as defined in such Code.

(4) (a) Where a disciplinary proceeding against a worker is contemplated or is pending or where criminal proceedings against him in respect of any offence are under investigation or trial and the employer is satisfied that it is necessary or desirable to place the worker under suspension, he may, by order in writing, suspend him with effect from such date as may be specified in the order. A statement setting out in detail the reasons for such suspension shall be supplied to the worker within a week from the date of suspension.

(b) In the enquiry, the worker shall be entitled to appear in person or to be represented by an office-bearer of a Trade Union of which he is a member or a co-worker of his choice.

(c) The proceedings of the enquiry shall be recorded in Hindi or in English or the language of the State where the industrial establishment is located, whichever is preferred by the worker.

(d) The proceedings of the inquiry shall be completed within a period of ninety days:

Provided that the period of ninety days may, for reasons to be recorded in writing, be extended for such further period as may be deemed necessary by the inquiry officer.

(e) If on the conclusion of the enquiry or, as the case may be, of the criminal proceedings, the worker has been found guilty of the charges framed against him and it is considered, after giving the worker concerned a reasonable opportunity of making representation on the penalty proposed, that an order of dismissal or suspension or fine or stoppage of annual increment or reduction in rank would meet the ends of justice, the employer shall pass an order accordingly:

Provided that when an order of dismissal is passed under this clause, the worker shall be deemed to have been absent from duty during the period of suspension and shall not be entitled to any remuneration for such period, and the subsistence allowance already paid to him shall not be recovered:

Provided further that where an order imposing fine or stoppage of annual increment or reduction in rank is passed under this clause, the worker shall be

deemed to have been on duty during the period of suspension and shall be entitled to the same wages as he would have received if he had not been placed under suspension, after deducting the subsistence allowance paid to him for such period:

Provided also that in the case of a worker to whom the provisions of clause (2) of article 311 of the Constitution apply, the provisions of that article shall be complied with.

(f) If on the conclusion of the inquiry, or as the case may be, or the criminal proceedings, the worker has been found not to be guilty of any of the charges framed against him, he shall be deemed to have been on duty during the period of suspension and shall be entitled to the same wages as he would have received if he had not been placed under suspension after deducting the subsistence allowance paid to him for such period.

(g) The payment of subsistence allowance under this sub-paragraph shall be subject to the worker concerned not taking up any employment during the period of suspension.

(5) In awarding punishment under sub-paragraph (4), the authority imposing the punishment shall take into account any gravity of the misconduct, the previous record, if any, of the worker and any other extenuating or aggravating circumstances that may exist. A copy of the order passed by the authority imposing the punishment shall be supplied to the worker concerned.

(6) (a) A worker aggrieved by an order imposing punishment under sub-paragraph (4) may within twenty-one days from the date of receipt of the order, appeal to the appellate authority specified under clause (b).

(b) The employer shall, for the purposes of Clause (a) specify the appellate authority.

(c) The appellate authority, after giving an opportunity to the worker of being heard shall pass order as he thinks proper on the appeal within fifteen days of its receipt and communicate the same to the worker in writing:

Provided that where there is a complaint of sexual harassment the internal complaint committee constituted for such purpose in each industrial establishment for inquiring into such complaints, shall, notwithstanding anything contained in this paragraph, be deemed to be the inquiring authority appointed by the employer for the purpose of these standing orders and the internal complaint committee shall hold the inquiry under this paragraph, unless separate procedure

has been specified by the employer for the complaint committee for holding such inquiry into the complaints of sexual harassment, as far as practicable.

(7) The constitution of internal complaints committee shall be in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

(8) The internal complaint committee referred to in sub-paragraph (7) shall make and submit every year an annual report, to the employer and the District Officer [as defined under the Sexual Harassment of Women at Workplace(Prevention, Prohibition and Redressal) Act, 2013] and the appropriate Government, of the complaints and action taken.

(9) The employer shall include in it's the annual report of his organisation the number of cases filed, if any, and their disposal under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

24. Grievance Redressal and Complaints.- All complaints or grievances arising out of employment including those relating to unfair treatment or wrongful exaction on the part of the employer or his agent, shall be submitted to the Manager or person specified in this behalf with the right to appeal to the employer. In addition, for resolution of disputes arising out of individual grievances, an application in respect of such dispute may be filed before the Grievance Redressal Committee by any aggrieved worker in the manner as provided under the Industrial Relations Code, 2020 and the rules framed there under within one year from the date on which the cause of action of such dispute arises.

25. Liability of Employer and Workers.- The employer of the industrial establishment shall be responsible for the proper and faithful observance of the Standing Orders. The workers shall also observe the Standing Orders truly and faithfully.

26. Forwarding of information to the certifying officer under sub-section (3) of section 30 on adoption of model standing order by an industrial establishment.- (1) If the employer adopts the model standing order of the State Government referred to in section 29 of the Industrial Relations Code, 2020 (35 of 2020), he shall intimate the concerned certifying officer electronically the specific date from which the provisions of the model standing orders have been adopted.

(2) The model standing order adopted under sub-paragraph (1) in respect of an industrial establishment shall also be applicable to all other industrial units of the establishment irrespective of location.

(3) (a) On receipt of information under sub-paragraph (1), the certifying officer shall enter the details of the industrial establishment who has adopted the Model Standing Order in the register maintained under rule 15 of the Industrial Relations (State) Rules, 2020.

(b) In the event, the certifying officer observes that the industrial establishment which has intimated adoption of Model Standing Orders under clause (a) is also engaged in activities (that is to say that the industrial establishment is also engaged in mines or service sector, or both) other than for which Model Standing Orders have been adopted, then, he shall within a period of thirty days from such receipt of intimation of Model Standing Orders so adopted may give his observation, if any, that the employer is also required to include or adopt provisions relating to the industrial establishment engaged in mines or service sector, or both, then the certifying officer shall indicate so and convey such observations to the employer and direct him to comply with such directions within a period of thirty days from the date of the receipt of such direction and to send the compliance report to the certifying officer.

(c) The provisions of the Model Standing Orders so adopted under this paragraph shall remain in force with effect from the date specified in sub-paragraph (1).

Explanation.- For removal of doubt, it is clarified that certifying officer shall not raise any observation in the event the industrial establishment is engaged in activities which are wholly covered by the activities of the industrial establishment to which the Standing Orders apply.

27. Exhibition of Standing Orders.- A copy of these Standing Orders in Hindi, English and in the local language in which majority of workers in a factory are conversant with, shall be displayed on the notice board or electronic notice board and Human Resource portal of the industrial establishment, if any.

Form (i)
(See Modal Standing Order 8)
Notice of discontinuance/re -starting of a shift working to be given by the /an employer.
Name of employer.....

Address.....
Date the day of 20.....
In accordance with Standing Order No.....of the Standing Orders certified and approved in respect of my/our industrial establishment, I/we hereby give notice to all concerned that it is my/our intention to discontinue/restart the shift working specified in the Annexure with effect from.....
Signature..... Designation.....
Annexure (here specify the particulars of change in the shift working proposed to be effected).
Copy forwarded to:- (1) The Secretary of registered trade union, if any. (2) The Assistant Labour Commissioner (State) (3) The Regional Labour Commissioner (State) Zone. (4) The Chief Labour Commissioner (Central), New Delhi.]
Note: The notice should be sent by speed post or registered post or on the designated email of the endorsee.

Form (ii)	
(See Model Standing Order No. 13)	
Service Card	
Name of Estt. / Factory	

Identity Badge No. /Token No.					
1.	Register Serial No				
2.	Name				
3.	Permanent Account Number (PAN),				
4.	Universal Account Number (UAN)				
5.	Category of worker (unskilled, semiskilled, skilled or highly skilled),				
6.	Details of family members				
7.	Aadhaar number, if consented by the worker				
8.	Specimen Signature/Thumb Impression				
9.	Father's or Mother's or Spouse name				
10.	Gender				
11.	Date of Birth				
12.	Place of Birth				
13.	Date of Joining				
14.	Details of Medical certificate at the time of joining				
15.	Educational and other qualifications				
16.	Language which the worker can read				
17.	Language which the worker can write				
18.	Language which the worker can speak				
19.	Height				
20.	Identification Marks				
21.	Department				
22.	Mobile number and email				
23.	Permanent Address				
24.	Local Address				
25.	Quarter No.				
26.	Provident Fund Account No.				
27.	Nominee for Gratuity				
28.	Nominee for pension, if any				
29.	Employees State Insurance No.				
30.	Training courses attended (details)				
31.	Eligibility for higher jobs				
32.	Proficiency tests passed.				
33.	EMPLOYMENT HISTORY				
Depart ment	Token No.	Designation	Scale of Pay	Joined	Left (Reason)
1	2	3	4	5	6
34. ABSENCE PERIODS					
	Form	To	Reason	Medical reports regarding suitability for continued employment	
(i) Sick Leave					

(ii) Earned Leave					
(iii) Any other Leave					
35.	Maternity Benefit				
36.	Employee's Compensation				
	Details of accidents :				
37.	Details of Disciplinary Action				
38.	Promotions				
	(i) Details (ii) Awards (iii) Issue of Certificate of commendation				
39.	Date of superannuation				
40.	Any other matter				

Signature or Thumb impression of the person verifying.

[Schedule- B (See Rule 12)] – Service Sector**Draft Model Standing Orders****[See Section 29(1) and Rule 12]**

1. Definition.- (1) In these Model Standing Orders, unless there is anything repugnant to the subject or the context,-

(a) ‘aadhaar’ means the aadhaar referred to in Section 142 of the Code on Social Security, 2020 (36 of 2020)

(b) ‘code’ means the Industrial Relations Code, 2020 (35 of 2020);

(c) ‘form’ means a form set out in Schedule appended to these standing orders;

(d) ‘habitual’ means with respect to indiscipline, a worker shall be habitual if the worker commits any misconduct three or more times in preceding twelve months; and

(e) ‘standing order’ with its grammatical variation and cognate expressions, means the standing order of these model standing orders.

(2) The words or expressions used in these model standing orders and not defined therein but defined in the Industrial Relations Code, 2020 (Central Act No. 35 of 2020) shall have the respective meanings assigned to them in the definitions in the Code.

2. (1) Classification of Worker.- For the purposes of these standing orders, the workers are classified as below, namely:-

(a) Permanent;

(b) Temporary;

(c) Apprentices;

(d) Probationers;

(e) Badlis;

(h) Fixed Term Employment; and

(i) Casual

(2) A ‘Permanent worker’ is a worker who has been engaged on a permanent basis in an industrial establishment and includes any person who has satisfactorily completed a probationary period of six months in the same or another occupation in the industrial establishment including breaks due to sickness, accident, leave, lockout, strike (not being an illegal strike) or involuntary closure of the industrial establishment.

(3) A ‘Temporary Worker’ is a worker who has been engaged for work which is of an essentially temporary nature likely to be finished within a limited period.

(4) 'Apprentice' means a person who is undergoing apprenticeship training in pursuance of a contract of apprenticeship under the Apprenticeship Act, 1961 (Central Act No. 52 of 1961).

(5) A 'probationer' is a worker who is provisionally employed to fill a permanent vacancy in a post and has not completed six months 'service therein. The period of probation can be extended further period up to three months after assessing the performance of the probationer for the post, he has been appointed for. If a permanent employee is employed as a probationer in a new post he may, at any time during the probationary period of six months, be reverted to his old permanent post.

(6) A 'badli' is a worker who is appointed against the post of a permanent worker or probationer who is temporarily absent.

(7) "Fixed term employment" means the engagement of a worker on the basis of a written contract of employment with the employer for a fixed period:

Provided that—

(a) his hours of work, wages, allowances and other benefits shall not be less than that of a permanent worker doing the same work or work of similar nature;

(b) he shall be eligible for all statutory benefits available to a permanent worker proportionately according to the period of service rendered by him even if his period of employment does not extend to the qualifying period of employment required in the statute;

(c) he shall be eligible for gratuity, if he renders service under the contract for a period of one year; and

(d) for every completed year of service or part thereof in excess of six months, the employer shall pay gratuity to the worker at the rate of fifteen days_ wages, based on rate of wages last drawn by the worker concerned as referred to in sub-section (2) of section 53 of the Code on Social Security, 2020 (Act No.36 of 2020).

Explanation.- For removal of doubt, it is clarified that the termination of service of a worker as a result of completion of tenure of fixed term employment shall not be included within the meaning of "retrenchment" as defined under clause (zh) of section 2 of the Industrial Relations Code, 2020 (Act No.35 of 2020).

(8) "Casual" worker is a worker who has been either engaged for work which is of an essentially casual nature or whose employment is of a casual nature.

3. Identity Badge or Card.- (1) All workers belonging to any categories under the Industrial Relations Code, 2020(Act No. 35 of 2020) shall be issued an identity badge or card bearing his full name, designation, employee number, blood group, contact number, emergency contact person and his number, and a recent photograph.

(2) A worker should always wear his identity badge or card during the working hours of the industrial establishment and produce the same to the authorized security guard or personnel to allow him the right of entry and stay in the premises of the industrial establishment.

(3) Such identity badge shall not be transferable to any other persons or workers. Safe custody of the identity badges or cards shall be ensured by the concerned workers.

(4) Every worker, who ceases to be in employment of the industrial establishment or is suspended from services, shall surrender his identity badge or card to the Department Head or the officer of the industrial establishment designated for such purpose.

4. Publication of Working Timings.- (1) The periods of hours of work for all categories of workers shall be exhibited on the notice board or Electronic Notice Board and on the Human Resource Portal/IT Application of the industrial establishment, if any, from time to time in Hindi, English and in local language in which majority of workers in the industrial establishment are conversant.

Provided that in case of IT Sector, the working hour shall be as per agreement or conditions of appointment between employer and workers.

(2) Any change in periods of hours of work, number of shifts, shift timings, work on all the days of the week with staggered weekly holidays system or like other matters, shall also be displayed on notice board or electronic notice board of the industrial establishment.

5. Publication of Holidays, Pay days and Wage rates.- (1) Notices specifying the days observed by the industrial establishment as holidays, and pay days shall be posted on the electronic notice board or notice board and website or Human Resource portal/IT Application of the industrial establishment, if any.

(2) A list of national and festival Holidays shall be displayed on the Electronic notice board or notice board and website or Human Resource portal of the industrial establishment, if any.

Explanation: If a worker is required to work on any Holidays, he/she shall be given benefits as per prevalent law(s) applicable to workers.

6. Publication of wage rates.- Wage rates payable to all categories of workers shall be displayed on the electronic notice board or notice board and website or Human Resource portal of the industrial establishment, if any, in Hindi, English and local language in which majority of workers in industrial establishment are conversant.

7. Shift working.- (1) More than one shift may be worked in a department or departments or any section of a department of the industrial establishment at the discretion of the employer. If more than one shift is worked, the worker shall be liable to be transferred from one shift to another. No shift working shall be discontinued without twenty one days' notice being given in writing to the workers prior to such discontinuance:

Provided that no such notice shall be necessary if the closing of the shift is under an agreement with the workers affected or mutually agreed between employer and worker. If as a result of the discontinuance of the shift working, any worker is to be retrenched, such retrenchment shall be effected in accordance with the provisions of the Industrial Relations Code, 2020 (Act No. 35 of 2020) and the rules made there under. If shift working is re-started, the workers shall be given notice and re-employed in accordance with the provisions of the said Code and the said rules.

(2) Whenever an additional shift is started, or shifts are restarted or discontinued or altered, twenty- one days prior notice, shall be given to the affected workers:

Provided that no notice shall be required in case of emergent situation which requires change of shift or shift working, otherwise than in accordance with Standing Order, in consultation with Grievance Redressal Committee in pursuant of clause (c) section 40 of the Industrial Relations Code, 2020 (Act No. 35 of 2020):

Provided further that if there is an agreement between employer and worker regarding change of shift, then no prior notice is required to given by the management/employer.

Provided also that no notice shall be required, if such change is effected in accordance with the orders of the Central Government or State Government, as the case may be, or in pursuance of any settlement or award as envisaged in clause (d) of section 40 of the Industrial Relations Code, 2020(Act No.35 of 2020).

8. Notice of changes in shift working.- Any notice of discontinuance or of re-starting of a shift working required by this Standing Order, shall be in Form-(i) appended to these standing orders and shall be served in the following manner, namely :-

- (a) The notice shall be displayed conspicuously by the employer on a notice-board or electronic notice board and Human Resource portal of the industrial establishment if any; and
- (b) Where any registered trade union of workers exists, then, a copy of the notice referred to in clause (a) shall also be served electronically or by registered post to the Secretary of such union.

9. Work from home, remote location and virtual workplace.- Subject to conditions of appointment or agreement between employer and workers, employer may allow a worker to work from home, remote location and virtual workplace for such period or periods as may be determined by employer.

10. Attendance and Late Coming.- (1) All workers shall be at work at the time fixed and notified under paragraph 5. Worker attending late will be liable for deduction provided for in the Code on Wages, 2019 (Act No. 29 of 2019).

(2) All workers shall comply with the regulations related to hours of work for the time being in force.

(3) Workers shall register their attendance at the start of the shift and at the close of the shift after and before change of uniform, if any, respectively.

(4) Workers shall use identity card or biometrics or any other system as has been notified to register their attendance.

(5) No worker shall use or punch the Identity badge or Card other than his own under any circumstances.

(6) Any worker, reporting late than the scheduled time for reporting shall not be permitted to enter his department or section, unless permitted by the express permission of the manager, or any other officer, duly authorized for such purpose.

(7) A worker shall be deemed absent, if he/she fails to attend duty, unless he has obtained written permission for such absence from the manager or the Officer authorized in this behalf.

(8) A worker who comes late and remains absent will be liable to deduction of wages as provided under the Code on Wages, 2019 (Act No.29 of 2019).

11. Leave.- (1) Holidays with pay will be allowed as provided for in the Occupational Safety, Health and Working Conditions Code, 2020 (Act No. 29 of 2020).

2020), and other holidays in accordance with law, contract, custom and usage applicable.

(2) Leave cannot be claimed as matter of right.

(3) A worker who desires to obtain leave of absence shall apply to the employer or any other officer of the industrial establishment specified in this behalf by the employer at least seven days in advance from the date of proposed date of leave. The employer or any other officer of the industrial establishment, who is responsible for issuing the order, shall issue the same within a week of its submission or two days prior to the commencement of the leave applied for, whichever is earlier. If the leave has been applied and the leave is to commence on the date of the application or within three days thereof, then the worker shall mention the reason for late submission of application for leave. The order on such leave shall be given on the same day. If the leave is refused or postponed, the fact of such refusal or postponement and the reasons there for shall be communicated to him in writing or electronic mode.

(4) Where the worker after proceeding on leave desires an extension thereof, he shall apply to the employer or the officer specified in this behalf by the employer, who shall send a reply either granting or refusing extension of leave to the worker in writing or electronic mode, and if such reply is likely to reach him before the expiry of the leave originally granted to him.

(5) Leave with wages and allowances shall be granted to all the workers in accordance with the law as applicable to the industrial establishment and under Standing Orders.

(6) No employee while on leave shall take up any employment or any vocation for profit or gain.

12. Casual Leave.- A worker may be granted casual leave of absence with wages not exceeding ten days in the aggregate in a calendar year. Such leave shall not be for more than three days at a time except in case of sickness.

Such leave is intended to meet special circumstances which cannot be foreseen. Ordinarily, the previous permission of the head of the department or the controlling authority in the industrial establishment shall be obtained before such leave is taken, but when this is not possible, the head of the department or the controlling authority shall, as soon as may be practicable, be informed in writing or through electronic mode of the absence from and of the probable duration of such absence.

13. Payment of Wages. –

- (1) The employer shall pay or cause to be paid wages to the worker, engaged on—
- (i) daily basis, at the end of the shift;
 - (ii) weekly basis, on the last working day of the week, that is to say, before the weekly holiday;
 - (iii) fortnightly basis, before the end of the second day after the end of the fortnight;
 - (iv) monthly basis, before the expiry of the seventh day of the succeeding month.
- (2) All wages shall be paid in current coin or currency notes or by cheque or by crediting the wages in the bank account of the worker or by the electronic mode. Provided, the employer shall pay the wages only by cheque or by crediting the wages in his bank account if specified through notification by appropriate government, under the Code on Wages, 2019
- (3) Where a worker has been —
- (i) removed or dismissed from service; or
 - (ii) retrenched or has resigned from service, or became unemployed due to closure of the establishment, the wages payable to him shall be paid within two working days of his removal, dismissal, retrenchment or his resignation, as the case may be.
- (4) Every employer shall issue wage slips to the worker in such form and manner as prescribed in Code on Wages, 2019.
- (5) There shall be no deductions from the wages of the worker, except those as are authorized under the Code on Wages, 2019.
- (6) All fins and all realisations from the wages of the worker shall be carried out in accordance with the section 19 of the Code on Wages, 2019.
- (7) Notice specifying wage period and payment date shall be exhibited on the notice board or electronic board and on the Human Resource portal/IT Application in Hindi, English and regional language familiar to the majority of workers.

14. Service Record.- (1) Matters relating to service card, certification of service, change of residential address of workers and record of their age shall form part of service record and –

- (i) Every industrial establishment shall maintain a service card in respect of each worker electronically or in manual form, wherein particulars of that worker shall be recorded with the knowledge of that worker in Form-(ii) and it shall be updated

periodically. In case of manual maintenance of service card, the record shall be duly attested by an authorized officer in this behalf together with date.

(ii) Every worker shall be entitled to a service certificate, specifying the nature of work, designation and the period of employment (indicating the days, months, years) at the time of discharge, termination, retirement or resignation from service to be issued by an employer within 10 days of such instance;

(iii) A worker shall notify the employer immediately on engagement, the details of his residential address, mobile number, e-mail, emergency contact name and number, nominees for claiming dues in case of death and thereafter promptly communicate to his employer any change of his residential address. In case, the worker has not communicated to his employer the change in his residential address, his last known address shall be treated by the employer as his residential address for sending any communication;

(iv) Every worker shall indicate his exact date of birth to the employer or the officer authorized by him in this behalf, at the time of entering service in the industrial establishment. The employer or the officer authorized by him in this behalf may before the date of birth of a worker is entered in his service card, require him to supply,-

- (a) his matriculation or school leaving certificate granted by the Board of Secondary Education or equivalent certificate granted by similar educational authority; or
- (b) a certified copy of his date of birth as recorded in the registers of a municipality, local authority or Panchayat or Registrar of Births; or
- (c) a copy of Aadhaar, if agreed by the worker; and
- (d) in the absence of either of the aforesaid three categories of certificate, the employer or the officer authorised by him in this behalf may require the worker to supply, a certificate from a Government Medical Officer not below the rank of an Assistant Surgeon indicating the probable age of the worker:

Provided that the cost of obtaining such certificate is borne by the employer;

(v) where it is not practicable to obtain a certificate from a Government Medical Officer, an affidavit sworn, either by the workman or his parents, or by a near relative, who is in a position to know about the workman's actual or approximate date of birth, before a first Class Magistrate or Oath Commissioner, as evidence in support of the date of birth given by him.

(2) The date of birth of a worker, once entered in the service card of the industrial establishment shall be the sole evidence of his age in relation to all matters pertaining to his service including fixation of the date of his retirement from the service of the industrial establishment. All formalities regarding recording of the date of birth shall be finalized within three months of the date of the appointment of a worker.

(3) Cases, where date of birth of any worker had already been decided before the date these standing orders come into force shall not be reopened under these standing orders.

Note.- Where the exact date of birth of a worker is not available and the year of birth is only established, then, the 1st July of the said year shall be taken as the date of birth.

15. Confirmation.- The employer shall, in accordance with the terms and conditions stipulated in the letter of appointment, confirm the eligible worker and issue a letter of confirmation to him. Whenever, a worker is confirmed, an entry with regard to the confirmation shall also be made in his service card within a period of thirty days from the date of such confirmation.

16. Age of retirement.- The age of retirement or superannuation of a worker shall be such as may be agreed upon between the employer and the worker under a written agreement or as specified in a settlement or award which is binding on both the worker and the employer. Where there is no such agreed age, retirement or superannuation shall be on completion of fifty eight years of age by the worker.

17. Transfer.- (1) There shall be a transfer policy of the industrial establishment and same shall be known to all workers. The details of transfer policy shall be available on the Human Resource (HR) portal.

(2) A worker may be transferred according to the transfer policy and exigencies of work from one shop or department to another or from one station to another or from one industrial establishment to another under the same employer:

Provided that the wages, grade, continuity of service and other conditions of service of the worker shall not be adversely affected by such transfer:

Provided further that a worker shall be transferred from one job to another, which he is capable of doing:

Provided also that where the transfer involves moving from one State to another such transfer shall take place, either with the consent of the worker or

where there is a specific provision to that effect in the letter of appointment and transfer policy in accordance with such provision and policy:

Provided also that unless -

(a) reasonable notice is given to such worker, and

(b) reasonable joining time is allowed in case of transfers from one station to another and the worker concerned shall be paid travelling allowance including the transport charges and fifty per cent thereof to meet incidental charges, such transfer shall not be effected.

(3) Subject to the provisions contained in paragraph (1) and (2), the employer may, transfer, depute or assign a worker to any other assignment, team, department or office (whether in India or abroad) of the employer or any affiliates / client of the employer.

18. Medical aid in case of accidents.- (1) Where a worker meets with an accident in the course of or arising out of his employment, the employer shall, at the employer's expense, make satisfactory arrangements for immediate and necessary medical aid to the injured worker and shall arrange for his further treatment, if considered necessary by the doctor attending on him.

(2) Wherever the worker is entitled for treatment and benefits under the Social Security Code, 2020 (Act No.36 of 2020), then, he shall be entitled for treatment and benefits under that Code.

19. Medical Examination.- (1) Wherever the recruitment rule or any contract of appointment or Fixed Term Employment specify medical examination of a worker, on his first appointment, the employer shall at the employer's expense make arrangements for medical examination.

(2) All workers to be employed in the industrial establishment shall be required to clear the medical examination by the Medical Authority nominated by the industrial establishment for such purpose, at the time of first appointment.

(3) The industrial establishment may at any time direct any worker to undergo medical examination by any Medical Officer nominated to ascertain workers' fitness relatable to satisfactory performance of his job. The term "Medical Officer" shall have same meaning as it has in sub-section (1) of section 42 of Occupational Safety, Health and Working Condition Code, 2020 (Act No.37 of 2020).

(4) A worker who comes to know that he has contracted any infectious or contagious disease shall immediately notify the concerned Manager of such a happening and shall remain away from work until permitted to return on work by

the Manager concerned and during such period, the worker shall be treated on leave to the extent of days he has leave with wages to his credit. Disciplinary action may be taken against a worker if he deliberately suppresses the fact of his suffering from an infectious or contagious disease and such a conduct on the part of the worker shall amount to misconduct within the meaning of these Standing Orders.

20. Secrecy.- No worker shall take any papers, books, drawings, photographs, instruments, apparatus, documents or any other property either in electronic form or physical form, of an industrial establishment out of the work premises except with the written permission of his immediate superior, nor shall he in any way pass or cause to be passed or disclose or cause to be disclosed any information or matter concerning the manufacturing process, trade secrets and confidential documents of the industrial establishment to any unauthorized person, company or corporation without the written permission of the employer. Disciplinary action may be taken against a worker if he does not comply with the provisions in this paragraph and such a conduct on the part of the worker shall amount to misconduct within the meaning of these Standing Orders.

21. Exclusive Service.- A worker shall not at any time work against the interest of the industrial establishment in which he is employed and shall not take any employment in addition to his job in the industrial establishment, which may adversely affect the interest of his employer, but, the employer may permit him to take up additional job, assignment with conditions or without conditions and the worker shall obtain prior permission of the employer.

22. Stoppage of work. - (1) The employer may, at any time, in the event of fire, catastrophe, break-down of machinery or stoppage of power supply, disaster, pandemic, epidemics, civil commotion or other cause beyond his control, stop any section or sections of the industrial establishment, wholly or partially for any period or periods without notice.

(2) In the event of such stoppage during working hours, the workers affected shall be notified by notices put upon the notice board or electronic notice board or on the Human Resource Portal/IT application or through any other electronic medium of the industrial establishment, if any, as soon as practicable, when the work will be resumed and whether they are to remain or leave their place of work. The worker shall not ordinarily be required to remain for more than two hours after the commencement of the stoppage. If the period of detention does not exceed

one hour the worker so detained shall not be paid for the period of detention. If the period of detention exceeds one hour, the workers so detained shall be entitled to receive wages for the whole of the time during which they are detained as a result of the stoppage. In case of piece rate workers, the average daily earning for the previous month shall be taken to be the daily wage. No other compensation will be admissible in case of such stoppages. Wherever practicable, reasonable notice shall be given of resumption of normal work.

(3) In cases of temporary stoppage of work on account of failure of plant or reasons as specified in paragraph (1) or temporary curtailment of production of goods and services, the period of unemployment shall be treated as compulsory leave either with or without pay, as the case may be, but where workers have to be stopped for an indefinitely long period, their employment may be terminated after giving them due notice or pay in lieu thereof.

(4) The employer may in the event of a strike affecting either wholly or partially any section or department of the industrial establishment close down either wholly or partially such section or department and any other section or department affected by such closing down, then, the fact of such closure shall be notified by notices put on the notice board or electronic notice board or on the Human Resource portal of the industrial establishment, if any, as soon as practicable. The workers concerned shall also be notified by a general notice, prior resumption of work, as to when work will be resumed.

23. Termination of Employment:

(1) Subject to the provisions of the Industrial Relations Code, 2020 (Act No.35 of 2020) and rules framed there under, for terminating employment of a permanent worker, prior notice of one month shall be given or the worker shall be paid wages in lieu of such notice period and in case of remaining workers as specified in subparagraph (3), the notice period shall be regulated as provided in that subparagraph.

(2) No temporary worker whether monthly rated, weekly rated or piece rated, and no probationer or badli or fixed term employment or casual worker as a result of non-renewal of contract or employment or on its expiry, shall be entitled to any notice or pay in lieu thereof, if his services are terminated:

Provided that the services of a temporary worker shall not be terminated as a punishment unless he has been given an opportunity of explaining the charges

of misconduct alleged against him in the manner specified in this behalf under these standing orders.

(3) Where the employment of any worker is terminated, the wages earned by him and other dues, if any, shall be paid before the expiry of the second working day from the day on which his employment is terminated.

24. Disciplinary action for misconduct.-(1) A worker may be suspended by the employer pending investigation or enquiry into complaints or charges of misconduct against him. Such investigation or enquiry, or where there is an investigation followed by enquiry, both the investigation and enquiry shall be ordinarily completed within ninety days from the date of suspension. The worker shall be paid subsistence allowance during the period of suspension which shall be subject to the worker not taking any employment elsewhere during the period of suspension.

(2) The amount of subsistence allowance payable to such worker shall be as under, namely:-

- (a) at the rate of fifty percent of wages which the worker was entitled to immediately preceding the date of such suspension, for the first ninety days of suspension; and
- (b) at the rate of seventy-five per cent of such wages for the remaining period of suspension, if the delay in completion of disciplinary proceedings against such worker is not directly attributable to the conduct of such worker.

(3) For the purposes of this standing order, the following shall denote misconduct, namely:-

- (a) theft, fraud, or dishonesty in connection with the employer's business or property;
- (b) taking or giving of bribes or an illegal gratification whatsoever in connection with the employer's business or his own interests;
- (c) wilful insubordination or disobedience, whether alone or in conjunction with another or others, or of any lawful or reasonable order of a superior. The order of the superior should normally be in writing;
- (d) habitual late attendance and habitual absence without leave or without sufficient cause;
- (e) drunkenness, fighting or riotous, disorderly or indecent behaviours while on duty at the place of work;

- (f) habitual neglect of work;
- (g) causing willful damage to work in progress or to property of the employer;
- (h) sleeping on duty;
- (i) malingering or slowing down work;
- (j) acceptance of gifts from subordinate employees;
- (k) conviction in any Court of Law for any criminal offence involving moral turpitude;
- (l) continuous absence without permission and without satisfactory cause for more than ten days;
- (m) giving false information regarding one's name, age, father's name, qualification or previous service at the time of the employment;
- (n) leaving work without permission or sufficient reason;
- (o) threatening, abusing or assaulting any superior or co-worker;
- (p) preaching of, or inciting to, violence;
- (q) abetment of or attempt to abetment of any of the aforesaid acts of misconduct;
- (r) going on illegal strike either singly or with other workers without giving 14 day's previous notice;
- (s) disclosing to any unauthorized person of any confidential information in regard to the working or process of the industrial establishment which may come into the possession of the worker in the course of his work;
- (t) refusal to accept any charge-sheet or order or notice communicated in writing;
- (u) failure or refusal to wear or use any protective equipment given by the employers;
- (v) claiming false bill for reimbursement; and
- (w) Involvement in unauthorized access of any IT system, computer network of the employer/ customer/client.
- (x) "sexual harassment" as defined in clause (n) of section 2 of the Sexual Harassment of Women at Workplace(Prevention, Prohibition and Redressal) Act, 2013 (Act No.14 of 2013) and includes the circumstances specified in sub-section (2) of section 3 of the said Act.

Note:- The words defined in The Bharatiya Nyaya Sanhita (BNS), 2023 (Act No.45 of 2023) and used in this sub-paragraph shall have the same meaning as defined in such Code.

(4) (a) Where a disciplinary proceeding against a worker is contemplated or is pending or where criminal proceedings against him in respect of any offence are under investigation or trial and the employer is satisfied that it is necessary or desirable to place the worker under suspension, he may, by order in writing, suspend him with effect from such date as may be specified in the order. A statement setting out in detail the reasons for such suspension shall be supplied to the worker within a week from the date of suspension.

(b) In the enquiry, the worker shall be entitled to appear in person or to be represented by an office-bearer of a Trade Union of which he is a member or a co-worker of his choice.

(c) The proceedings of the enquiry shall be recorded in Hindi or in English or the language of the State where the industrial establishment is located, whichever is preferred by the worker.

(d) The proceedings of the inquiry shall be completed within a period of ninety days:

Provided that the period of ninety days may, for reasons to be recorded in writing, be extended for such further period as may be deemed necessary by the inquiry officer.

(e) If on the conclusion of the enquiry or of the criminal proceedings, as the case may be, the worker has been found guilty of the charges framed against him and it is considered, after giving the worker concerned a reasonable opportunity of making representation on the penalty proposed, that an order of dismissal or suspension or fine or stoppage of annual increment or reduction in rank would meet the ends of justice, the employer shall pass an order accordingly:

Provided that when an order of dismissal is passed under this clause, the worker shall be deemed to have been absent from duty during the period of suspension and shall not be entitled to any remuneration for such period, and the subsistence allowance already paid to him shall not be recovered:

Provided further that where an order imposing fine or stoppage of annual increment or reduction in rank is passed under this clause, the worker shall be deemed to have been on duty during the period of suspension and shall be entitled to the same wages as he would have received if he had not been placed under suspension, after deducting the subsistence allowance paid to him for such period:

Provided also that in the case of a worker to whom the provisions of clause (2) of article 311 of the Constitution apply, the provisions of that article shall be complied with.

(f) If on the conclusion of the inquiry, or as the case may be, or the criminal proceedings, the worker has been found not to be guilty of any of the charges framed against him, he shall be deemed to have been on duty during the period of suspension and shall be entitled to the same wages as he would have received if he had not been placed under suspension after deducting the subsistence allowance paid to him for such period.

(g) The payment of subsistence allowance under this sub-paragraph shall be subject to the worker concerned not taking up any employment during the period of suspension.

(5) In awarding punishment under sub-paragraph (4), the authority imposing the punishment shall take into account any gravity of the misconduct, the previous record, if any, of the worker and any other extenuating or aggravating circumstances that may exist. A copy of the order passed by the authority imposing the punishment shall be supplied to the worker concerned.

(6) (a) A worker aggrieved by an order imposing punishment under sub-paragraph (4) may within twenty-one days from the date of receipt of the order, appeal to the appellate authority specified under clause (b).

(b) The employer shall, for the purposes of Clause (a) specify the appellate authority.

(c) The appellate authority, after giving an opportunity to the worker of being heard shall pass order as he thinks proper on the appeal within fifteen days of its receipt and communicate the same to the worker in writing:

Provided that where there is a complaint of sexual harassment the internal complaint committee constituted for such purpose in each industrial establishment for inquiring into such complaints, shall, notwithstanding anything contained in this paragraph, be deemed to be the inquiring authority appointed by the employer for the purpose of these standing orders and the internal complaint committee shall hold the inquiry under this paragraph, unless separate procedure has been specified by the employer for the complaint committee for holding such inquiry into the complaints of sexual harassment, as far as practicable.

(7) The constitution of internal complaints committee shall be in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

(8) The internal complaint committee referred to in sub-paragraph (6) (7) shall make and submit every year an annual report, to the employer and the District Officer as defined under the [Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013] and the appropriate Government, of the complaints and action taken.

(9) The employer shall include in the annual report of his organization the number of cases filed, if any, and their disposal under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

25. Grievance Redressal and Complaints.- All complaints or grievances arising out of employment including those relating to unfair treatment or wrongful exaction on the part of the employer or his agent, shall be submitted to the Manager or person specified in this behalf with the right to appeal to the employer. In addition, for resolution of disputes arising out of individual grievances, an application in respect of such dispute may be filed before the Grievance Redressal Committee by any aggrieved worker in the manner as provided under the Industrial Relations Code, 2020 and the rules framed there under within one year from the date on which the cause of action of such dispute arises.

26. Liability of Employer and Workers.- The employer of the industrial establishment shall be responsible for the proper and faithful observance of the Standing Orders. The workers shall also observe the Standing Orders truly and faithfully.

27. Forwarding of information to the certifying officer under sub-section (3) of section 30 on adoption of model standing order by an industrial establishment.- (1) If the employer adopts the model standing order of the State Government referred to in section 29 of the Industrial Relations Code, 2020 (35 of 2020), he shall intimate the concerned certifying officer electronically the specific date from which the provisions of the model standing orders have been adopted.

(2) The model standing order adopted under sub-paragraph (1) in respect of an industrial establishment shall also be applicable to all other industrial units of the establishment irrespective of location.

(3) On receipt of information under sub-paragraph (1), the certifying officer shall enter the details of the industrial establishment who has adopted the M. S. S.

Standing Order in the register maintained under rule 15 of the Industrial Relations (State) Rules, 2020. In the event, the certifying officer observes that the industrial establishment which has intimated adoption of Model Standing Order is also engaged in activities other than for which Model Standing Order has been adopted then, he shall within a period of thirty days from such receipt of intimation of Model Standing Orders so adopted may give his observation, if any, that the employer is required to include or adopt certain provisions which are relevant to his industrial establishment and indicate those relevant provisions and direct the employer of the industrial establishment that he shall, within a period of thirty days from the date of the receipt of such direction comply with the direction and send compliance report only in respect of those provisions which the certifying officer observes to get included. The provisions of the Model Standing Orders so adopted shall remain in force with effect from the date specified in sub-paragraph (1).

Explanation:- For removal of doubt, it is clarified that certifying officer shall not raise any observation in the event the industrial establishment is engaged in activities which are wholly covered by the activities of the industrial establishment to which the Standing Orders apply.

28. Exhibition of Standing Orders.- A copy of these Standing Orders in Hindi, English and in the language in which majority of workers in a factory are conversant with, shall be displayed on the notice board or electronic notice board and Human Resource portal of the industrial establishment, if any.

Form (i)
(See Modal Standing Order 8)
Notice of discontinuance/re -starting of a shift working to be given by the /an employer.
Name of employer.....
Address.....
Date the day of 20.....

In accordance with Standing Order No.....of the Standing Orders certified and approved in respect of my/our industrial establishment, I/we hereby give notice to all concerned that it is my/our intention to discontinue/restart the shift working specified in the Annexure with effect from.....

Signature.....
Designation.....

Annexure

(here specify the particulars of change in the shift working proposed to be effected).

Copy forwarded to:-

- (1) The Secretary of registered trade union, if any.
- (2) The Deputy Commissioner of Labour for the area
- (3) The Joint Commissioner of Labour for the area.
- (4) The Commissioner of Labour, Andhra Pradesh, Vijayawada.

Note: The notice should be sent by speed post or registered post or on the designated email of the endorsee.

Form (ii)

(See Model Standing Order No. 14)

Service Card

Name of Estt.		
Identity Badge No. /Token No.		
1.	Register Serial No	
2.	Name	
3.	Permanent Account Number (PAN),	
4.	Universal Account Number (UAN)	
5.	Category of worker (unskilled, semiskilled, skilled or highly skilled),	
6.	Details of family members	
7.	Aadhaar number, if consented by the worker	
8.	Specimen Signature/Thumb Impression	
9.	Father's or Mother's or Spouse name	

10.	Gender				
11.	Date of Birth				
12.	Place of Birth				
13.	Date of Joining				
14.	Details of Medical certificate at the time of joining				
15.	Educational and other qualifications				
16.	Language which the worker can read				
17.	Language which the worker can write				
18.	Language which the worker can speak				
19.	Height				
20.	Identification Marks				
21.	Department				
22.	Mobile number and email				
23.	Quarter No.				
24.	Permanent Address				
25.	Local Address				
26.	Provident Fund Account No.				
27.	Nominee for Gratuity				
28.	Nominee for pension, if any				
29.	Employees State Insurance No.				
30.	Training courses attended (details)				
31.	Eligibility for higher jobs				
32.	Proficiency tests passed.				
33.	EMPLOYMENT HISTORY				
Department	Token No.	Designation	Scale of Pay	Joined	Left (Reason)
1	2	3	4	5	6
34. ABSENCE PERIODS					
	Form	To	Reason	Medical reports regarding suitability for continued employment	
(i) Sick Leave					
(ii) Earned Leave					
(iii) Any other Leave					
35.	Maternity Benefit				
36.	Employee's Compensation				
	Details of accidents :				
37.	Details of Disciplinary Action				
38.	Promotions				

	(i) Details (ii) Awards (iii) Issue of Certificate of commendation	
39.	Date of superannuation	
40.	Any other matter	

Signature or Thumb impression of the person verifying.

APPENDIX

THE ANDHRA PRADESH TRADE UNION REGULATIONS, 1927

(As adapted by the State of Andhra Pradesh)

(See rule 53)

1. (1) These regulations may be called as “the Andhra Pradesh Trade Union Regulations”.
(2) They shall extend to and be in force in the whole of the State of Andhra Pradesh
2. In these regulations, ---
(a) “Words and expressions used but not defined in these regulations shall have the meanings respectively assigned to them in the Act.
3. Every application for registration of a trade union under Section 8 shall be made in Form A.
3-A. Upon an application under Regulation 3 being made, the Registrar may require from the applications such evidence as may appear to him necessary for the purpose of ascertaining whether the applicants have been duly authorized to make the application on behalf of the trade union.
4. The register of trade unions referred to in Section 9 shall be maintained in Form B.
5. (1) The certificate of registration issued by the Registrar under Section 9 shall be in Form C.

(2) Upon an application for a copy of the certificate issued under Clause (1) being made, the Registrar may, after satisfying himself that the original certificate is lost, damage or untraceable, issue a copy thereof marked ‘duplicate’ on payment of a fee the State Government.
6. Every application for cancellation or withdrawal of registration under Section 9 shall be presented to the Registrar in Form C1. It shall be signed by the Secretary and seven more members of the trade union.
7. There shall be appended to every such application a certificate issued by the members making it to the effect that the statement contained in the application is to the best of their knowledge and belief.

8. Upon an application for the cancellation of withdrawal of registration of a trade union being presented to him, the Registrar, if he has reasons to believe, that the applications have not been duly [authorized by a resolution of the general body meeting of the members of such union to make the same may, for the purpose of ascertaining the fact require from the applications such evidence as may seem to him necessary and examine any office-bearer of such union.
9. The Registrar, shall, when he purposes to withdraw or cancel the certification of registration of a trade union under Section 9 cause to be served a notice in Form-D on the trade union through its Secretary in person or by registered post.
10. The certificate of registration issued to a trade union under Regulation 5 shall be surrendered by the Secretary of the union when the Registrar decides to withdraw or cancel such certificate under Section 9.
11. (1) The Registrar on receipt of a notice of transfer of head office of a trade union from this State shall forward to the Registrar of the State to which the head office of the Trade Union has been transferred, a copy of all the entries contained in the registrar prescribed by Regulation 4 and a copy of the rules of the Union with all amendments thereto.

(2) The Registrar of the State to which the office of the Trade Union has been transferred may thereupon enter in this Registrar the particulars relating to the trade union and certify the fact of such registration on the certificate already issued under Regulation 5. The Secretary of the Union shall present the certificate to the Registrar for this purpose.

(3) The procedure prescribed in Clause (2) shall be followed also in respect of a trade union whose head office has been transferred to this State from another State.

Provided that, if the name of the trade union, the head office of which has been transferred to this State from another State is identical with that by which any other trade union in this State has been registered or, in opinion of the Registrar, so nearly resembles such name as to be likely to confuse the public or the member of either trade union whose head office has been transferred to the State from another State to change its name any refuse to act under Clause (2) until such change has been made.
- [11-A. Notice of any change in the address of the Head Office of a trade union shall be given to the Registrar in Form-D1 within a fortnight of change.
12. [(1) When a Registrar registers a change of name under Section 24, he shall certify under his signature at the foot of the certificate issued under Regulation 5 that the new name has been registered. The Secretary shall present the certificate to the Registrar for this purpose.

[(2) Notice of any change in the name of trade union shall be sent to the Registrar in Form-D2 within the fortnight of such change].
13. [(1) Notice of every amalgamation of trade unions under Section 24 shall be sent to the Registrar in duplicate in Form-D3 within a fortnight of such amalgamation

Provided any change in the address of the head office of a trade union shall be passed by resolution at a general body meeting of the trade union.

[(2) When the amalgamated trade union is registered under sub-section (4) of the said section, it shall be assigned a new number in the register in Form-B and the Registrar shall issue a new certificate in Form-C thereof. He shall also note the fact of amalgamation against the entries, if any relating to the trade unions so amalgamated in the register in Form-B].

13-A. (1) Whenever any office-bearer or member of the Executive Committee is convicted by a Court in India of any offence involving moral turpitude and sentenced to imprisonment, the union shall give a notice in Form G to the Registrar of Trade Unions within 30 days of such conviction.

(2) The Union which fails to give such notice shall be liable for action under the provisions of the Act.

14. The fee payable for the registration of a trade union shall be as notified the Commissioner of Labour.

15. (1) On receiving a copy of the alteration made in the rules of a trade union, the Registrar, after satisfying himself that the alteration has been made in the manner laid down by the rules of the trade union and is not inconsistent with any of the provisions of the act shall register the alteration in the register of trade union prescribed under Regulation 4 and deliver to the Secretary of such trade union a copy of the alteration with a certificate appended thereto to the effect that alteration has been duly registered by him.

(2) The fee payable for registration of alteration of rules shall be as notified by the Commissioner of Labour for each set of alteration made simultaneously.

16. Any appeal under sub-section (1) of Section 10 of the Code shall be filed within (ninety days) of the date of order against which the appeal is made.

17. (1) When a registered trade union is dissolved under Section 25, notice of dissolution shall be sent to the Registrar in Form-D4.

(2) Along with the notice for dissolution under Section 25 certificate issued under Regulation 5 shall be surrendered. When the Registrar registers the dissolution, he shall send an intimation of the fact such registration under his signature to the Secretary of the trade union.

(3) Where it is necessary for the Registrar, to distribute the funds of trade union which has been dissolved, he shall divide the funds in proportion to the amounts contributed by the members on roll at the time of dissolution, by way of subscription to the several funds of the trade union during their membership. In the event of the death of a member of a trade union subsequent to the date of its dissolution but prior to the distribution of funds, the Registrar shall pay the sum payable to such member to his legal representative.

17-A. Forms B and D [and the receipt of the notice in Form D1] which are by these regulations required to be signed or initialed by the Registrar may be signed or initialed under his discretion, and on his behalf by any Gazetted Officer subordinate to him in writing for this purpose.

- 18.** The annual return to be furnished under Section 26 shall be submitted in duplicate to the Registrar on or before the (30th April) in each year and shall be in Form E.
- 18-A.** Every registered trade union shall maintain the following books and registers to facilitate the audit of its accounts: ---
- (1) Register of membership and subscriptions in Form "F";
 - (2) Register of receipts and disbursements of the General Fund Accounts;
 - (3) Minutes book to record the proceedings of all meetings;
 - (4) Register of stock, tools and plant showing the furniture fittings and valuable documents relating to the immovable property of the union.
 - (5) Machine numbered subscription receipt book.
 - (6) Register of receipts and disbursement of the political fund if there is a political fund; and
 - (7) A file of vouchers.
- 19.** (1) The annual audit of the accounts of registered trade union shall be conducted---
- (a) By an auditor authorized to audit the accounts of companies under the Companies Act, (Central Act 1 of 1956)];
 - (b) By the Examiner of Local Fund Accounts or by an auditor deputed by the Examiner of Local Fund Accounts; or
 - (c) By the Registrar of Co-operative Societies; or
 - (d) By an auditor appointed to conduct the audit of the Co-operative Societies by the Government or the Registrar of Co-operative Societies or by any Co-operative Organization recognized by the Government for this purpose; or];
 - (e) If the membership of the union did not at any time during the financial year exceed 2,500 by any person who, having held an appointment under the [Government] in any audit or accounts department, is in receipt of a pension of not less than Rs.200 per mensem; or
 - (f) If the membership of the union did not at any time during the financial year exceed 750:--
 - (i) By any person who, having held an appointment under (Government) in any audit or accounts department is in receipt of a pension of not less than Rs.75 per mensem; or
 - (ii) By any (State) Co-operative organization recognized by the Government for this purpose; or
 - (g) If the membership of the union did not, at any time during the financial year exceed 250, by any two members of the union.
- (2) Where the trade union is a federation of the unions and the unions affiliated to it any time during the financial year did not exceed 50, 15 or 5, respectively, the audit of the accounts of the federation may be conducted as if it were an union whose membership did not exceed 2,500, 750 or 250 respectively.
- (3) The threshold limit of Pension mentioned in this Regulation shall be as modified by the Commissioner of Labour from time to time.
- 19-A.** Notwithstanding anything contained in Regulation 19, any registered trade union may apply to the Registrar to arrange for the audit of the accounts of the union. On receipt of such application, the Registrar shall subject to any general or special order of the Government, arrange for an audit of the accounts. The cost of such audit arranged through the Registrar shall be borne by the Government. [A copy of the report of such audit shall be sent by the Registrar to the trade union concerned and copy filed in his office. [A copy of the report shall be furnished by the Registrar to any person on application made with Court-fee stamp of one rupee

affixed to it and accompanied by a sufficient number of copy stamp papers each of the value of as may be notified by the Commissioner of Labour.

Provided that application is made after the expiration of twelve months from the date of the report, an additional searching fee of rupees two shall be charged].

- 20.** Notwithstanding anything contained in Regulation 19, no person who, at any time during the year, entrusted with any part of the funds or securities belonging to the trade union shall be eligible to audit the accounts of that union.
- 21.** The auditor or auditors appointed in accordance with the regulations shall be given access to all the books of the trade union and shall verify the annual return with the accounts and vouchers relating thereto and shall thereafter sign the auditor's declaration appended to Form-E indicating separately on that form under his signature or their signatures a statement showing in what respect he or they find the returns to be incorrect, unvouched or not in accordance with the Act.

The particulars given in this statement shall indicate:

- (a) Every payment which appears to be unauthorized by the rules of the trade union or contrary to the provisions of the Act.
 - (b) The amount of any deficiency or loss which appears to have been incurred by the negligence or misconduct of any person; and
 - (c) The amount of any sum which ought to have been brought to account by any person.
- 22.** The audit of the political fund of registered trade union shall be carried out along with the audit of the general account of the trade union and by the same auditor or auditors.
- 23.** (1) The register of the trade unions maintained in accordance with regulation 4 shall be open to inspection by any person on payment of a fee of as notified by the Commissioner of Labour.
- (2) Any documents in the possession of the Registrar received from a registered trade union may be inspected by any person on payment of a fee as notified by the Commissioner of Labour for each document inspected.
- (3) Documents shall be open to inspection on all days which the office of the Registrar is open and within such hours as may be fixed for this purpose by the Registrar.
- (4) The Registrar shall furnish a certified copy of any of the documents specified in Clause (12) to a registered trade union or a member thereof, on application made and on payment of copying fee as notified by the Commissioner of Labour.

Provided that if such application is made after the expiration of twelve months from the date of receipt of such document in the office of the Registrar, an additional searching fee of rupees two shall be charged.

- 24.** The fees paid to the Government under these regulations shall be credited into the Government Treasury to the head of account as notified by the Commissioner of Labour.
- 25.** The Andhra Pradesh Trade Union Regulations, 1927, are hereby repealed.

Provided that anything done or any action taken there under shall be deemed to have been done or taken under these regulations.

[FORM A]

(See Regulation 3)

Section 8 of the Industrial Relations Code 2020

Application for Registration of Trade Unions

Name of the Trade Union.....
 Address.....
 Dated the.....day of 20.....

1. This application is made by the persons whose names are subscribed at the foot hereof.

2. The name of the registered Trade Union (under which it is proposed that the Trade Union, on behalf of which this application is made, shall be registered) is.....as set forth in Rule No.....

3. The address of the Head Office of the Union to which all communications and notices may be addressed is.....

4. The Union came in to existence on the day of 20.....

5. The Union is a Union of employers/workers engaged/employed in the.....industry or..... profession/or..... establishment, and has.....members.

6. The particulars required by Section 8 of the Industrial Relations Code 2020, are given in Schedule I.

7. The particulars given in Schedule II show the provision made in the rules for the matters detailed in Section 8 of the Industrial Relations Code 2020.

8. (To be struck out in case of unions which have not been in existence for one year before the date of application). The particulars required by Section 8 of the Industrial Relations Code 2020 are given in Schedule III.

9. One copy of the rules of the Union duly attested by all of us is attached to this application.

10. We have been duly authorised to make this application by.

Name	Signature	Occupation	Address
Signed			
(1)			
(2)			
(3)			
(4)			
(5)			
(6)			
(7)			

To
The Registrar of Trade Unions,
Andhra Pradesh, Vijayawada

*State here whether the authority to make this application was made by a resolution of a General Meeting of the Trade Union, or if not, in what other way it was given.

SCHEDULE-I
(See Regulation 3)
Industrial Relations Code 2020
List of Office-bearers

Name of the Trade Union.....

Office held in Union	Name	Age	Address	Occupation

SCHEDULE-II
Reference to Rules

The numbers of the rules making provisions for the several matters detailed in column(1) are given in column(2) below.

Matter (1)	Number of rules (2)
Name of the Union	
The whole of the objects for which the Union has been established.	
The whole of the purposes for which the general funds Of the Union shall be applicable.	
The maintenance of a list of members.	
The facilities provided for the inspection of the list of members by office-bearers, and members.	
The admission of ordinary members.	
The admission of honorary and temporary members.	
The conditions under which members are entitled to benefits assured by the rules.	
The conditions under which fines or forfeitures can be imposed or varied.	
The manner in which rules shall be amended, varied or rescinded.	
The manner in which the members of the executive and the other officers of the Union shall be appointed and removed.	
The safe custody of the funds.	
The annual audit of the accounts.	
The facilities for the inspection of the account books By officers and members.	
The manner in which the Union may be dissolved.	

SCHEDULE III

[This need not be filled in 'if the Union came into existence less than one year before the date of application for registration.

Statement of Liabilities and Assets on the.....day.....
20.....A.D.

Liabilities	Rs.P.	Assets	Rs.P.
Amount of General Fund		Cash	
Amount of Political Fund		In hand of Treasury	
		In hand of Secretary	
Loan From.....		In hand of	
		In the Bank	
Debts from		In the Bank	
Debts due to.....		Securities as per list below.	
Other liabilities		Unpaid subscriptions due.	
(to be specified)		Loans to	
		Immovable Property	
		Goods and furniture	
		Other assets (details to be specified)	
Total Liabilities:		Total Assets:	
List of Securities			
Particulars	Face value/Cost price	Market value	In hands of
Signed			
1.	5.		
2.	6.		
3.	7.		
4.	8.		

[CERTIFICATE]

Certified That None of the Office-bearers or Executive members appointed for the year has been convicted by any Court in India of any offence involving moral turpitude and sentenced to imprisonment.

Place:

Date:

General Secretary].

FORM B
(See Regulation 4)
Register of Trade Unions

1. Serial Number.
2. Date of Registration.
3. (a). Name of the members making the application.

(b). Occupations of the members making the application.

(c). Address of the members making the application.

4. Name of Trade Union.

5. Address of the head office of Trade Union.

6. Date of Establishment of Trade Union.

7. Office-bearers of Trade Union.

Title Name

Age.

Occupation.

Address

8. Signature of Registrar.

9. (a). Whether provision has been made for a separate fund under section 15(2) and if so from what date.

10. (a). Date of intimation for alteration of rules;

(b). Date of registration of alteration of rules and issue of a certified copy thereof;

(c). Initials of the Registrar.

11. (a). Date of Registration of Change of address for registered office;

(b). Address of the Trade Union as changed.

(c). Initials of Registrar.

12. (a). Date of Registration of change of name;

(b). Name of the Trade Union as changed;

(c). Initials of the Registrar;

13. (a). Date of registration of amalgamation;

(b). Name of the amalgamated union;

(c). Registration number of the amalgamated union;

(d). Initials of the Registrar.

14. (a). Date of application for cancellation of registration under Section 9;

(b). Date of giving notice for cancellation or withdrawal under Section 9;

(c). Date of issue of order withdrawing or cancelling registration;

(d). Initials of the Registrar.

15. (a) (1) Names of the members applying for dissolution;

(2) Occupation of the members applying for dissolution;

(3) Address of the members applying for dissolution;

(b) Date of registration of dissolution and issue of certificate to that effect;

(c) Number and date of Registrar's proceedings ordering distribution of funds under Section 25(2), if any;

(d) Initial of Registrar;

Note:- One page shall be allotted for each Union.

FORM C

[See Regulation 5(1)]

Certificate of Registration of Trade Union

No.

It is hereby certified that the.....has been registered under the Industrial Relations Code 2020 on this..... day of 20.....

SEAL

Registrar of Trade Unions

For the State of Andhra Pradesh

FORM - C1

[See Regulation 6]

Application for withdrawal or cancellation of certificate of registration

Name of Trade Union.....Registration Number.....
Address.....Dated the..... day of 20.....

To

The Registrar of Trade Unions,
Andhra Pradesh.

The above-mentioned trade union desires that its certificate of registration under the Section 9 of the Industrial Relations Code 2020, may be withdrawn or

cancelled Resolution passed at a general meeting duly held on the
day 20.....

(Here give exact true copy of the resolution)
(Signed)

If not at a general meeting, state in what manner the request has been
determined upon.]

FORM D

Office of registrar of Trade Union for the State of Andhra Pradesh.

Place:

Industrial Relations Code, 2020(35 of 2020)
Notice before withdrawal or cancellation of certificate of registry
[Section 9(5) of the Code]

Notice is hereby given to the above mentioned Trade Union that it is the
intention of the Registrar to proceed on the date of.....20.....to withdraw (or
cancel) the certificate of registration of the Trade Union, unless cause be shown to
the contrary in the meantime.

The ground of such proposed withdrawal (or cancellation) is (or mistake), or
that the Trade Union has sealed to exit or has wilfully and after notice from me
violated the provisions of the above mentioned Act, or allowed its rule..... to
continue in force which is/or inconsistent with the provisions of the Act or has
rescinded its rule..... providing for a matter, provisions for which is
required by Section 6. (The facts should be briefly specified where practicable).

Dated.....day of.....20.....

SEAL

(Signature)
Registrar of Trade Unions,
For the State of Andhra Pradesh.

The date entered here shall not be less than two months from the date of
notice.

To
The Secretary of.....

(Here enter the name of Trade Union)

[FORM - D1]

(See Regulation 11-A)

**Notice of Change of address of the head office of a
Registered Trade Union**

Name of the Trade Union..... Registration Number.....
Address..... Dated the..... day of.....20.....

To
The Registrar of Trade Unions,
Andhra Pradesh.

Notice is hereby given that the head office of the above mentioned trade union has been removed from..... and is now situated at in

(Signed)
Secretary

This part to be detached by the Registrar when the notice is registered and returned to the trade union.

SEAL

Received this day..... notice of removal to the head office of the trade union bearing Registration No.....

(Signed)
Registrar of Trade Unions

[FORM - D2]

[See Regulation 12(2)]

Notice of Change of Name

Name of trade union already registered.....
Registration No..... Address.....
Dated this..... day of.....20.....

To
The Registrar of Trade Unions.
Andhra Pradesh.

Notice is hereby given that subject to the provisions of Section 24 of the Industrial Relations Code 2020, the name of the above mentioned trade union has been changed to.....

The consent of the members was obtained by

(Signed)
Secretary

(1)
(2)
(3)
(4) members,
(5)
(6)
(7)

FORM - D3
[See Regulation 13(1)]
Notice of amalgamation of Trade Union

A. Name of registered trade union.....
 Number of registration.....

B. Name of registered trade union.....
Number of registration (and so in if more than two)

Address

Dated _____ day of _____ 19____

To
The Registrar of Trade Unions,
Andhra Pradesh,

Notice is hereby given that in accordance with the requirements of Section-24 of the Industrial Relations Code 2020, the members of the above mentioned trade unions have resolved to become amalgamated together as one trade union.

And that the following are the terms of the said amalgamation (state the terms).

And that it is intended that the trade unions shall hence forth be called the.....

Accompanying this notice is a copy of the rules intended to be hence forth adapted by the amalgamated trade union which are the rules (if so) of the.....

(To be signed by seven members and the
Secretary of each trade union,)

(Signed)
Secretary

- (1)
- (2)

- (3)
- (4) members,
- (5)
- (6)
- (7)

FORM - D4

[See Regulations 17(l)]

Notice of the dissolution of Trade Union

Name of the trade union..... Registration No.....
 Address.....
 Dated the

To
 The Registrar of Trade Union,
 Andhra Pradesh.

Notice is hereby given that the above-mentioned trade union was dissolved in pursuance of the rules thereof on the day of.....
 20.....

We have been duly authorized by the union to forward this notice on its behalf, such authorization is based on a resolution passed at a general meeting on the*

Dated.....20.....

(Signed)
 Secretary

- (1)
- (2)
- (3)
- (4) members,
- (5)
- (6)
- (7)

*Here insert the date. or if there was no such resolution state in what other way the authorisation was given]

FORM - E
[See Regulations 18]
[Form for Trade Union]

Annual Return prescribed Section 26 of the Industrial Relations Code 2020, for
the year ending [31st December, 20].

PART A

- (1) Name of the Union
- (2) Address of the Union
- (3) Registered of Head Office
- (4) Number and date of Certificate of Registration
- x(5) Classification of industry (to be shown as per Schedule of industries attached).
- (6) Classification of sector please state to which of the following 4 categories of Union belongs---
 - (a) Public Sector, Central sphere
 - (b) Public Sector, State sphere
 - (c) Private Sector, Central sphere and
 - (d) Private Sector, State sphere
- x(7) Name of the All-India Body/Federation to which affiliated
- x(8) Affiliation Number
- x(9) Affiliation fee paid during the year
- x(10) Number and date of receipt for payment of affiliation fee
- x(11) Membership fee per month
- (12) No.of members on books at the beginning of the year
- (13) No.of members admitted during the year
- (14) No.of members who left during the year
- (15) No.of member in books at the end of year
[i.e. on 31st December, 20] Male female Total
- (16) No.of members contributing to political fund
- *(17) No.of members who paid their subscription for the whole year
- (18) A copy of the rules of Trade Unions corrected upto the date of dispatch of this return is appended.
- *(19) Part B of the Return overleaf has been duly completed.

Dated the

Secretary

x If the Union falls under more than one category, the membership
claimed in each category, may be shown separately.

PART B
General Fund Account
[Income and Expenditure Statement]

Income	Rs. Ps.	Expenditure	Rs. Ps.
Balance at beginning of the year (Subscription from members including unpaid subscription due for the year)		Salaries and allowances of officers. Travelling allowance salaries, allowances and expenses of establishment.	
x (a) Subscription received		Auditors fee.	
x (b) Subscription in arrears for three months or less		Legal expenses.	
x (c) Subscription in arrears for more than three months		Expenses in conducting trade	
Donations.		Disputes	
Sale of Periodicals, books, rules, etc.		Compensation paid to members, for Loss arising out of trade disputes	
Interest on investment.		Funeral, old age, sickness, unemployment benefits, etc.	
Income from miscellaneous source (to be specified)		Cost of publishing periodicals.	
		Rent, rates and taxes.	
		Stationery, Printing and Postage	
		Expenses incurred under Section 15 of the Industrial Relations Code 2020 (to be specified).	
		Other expenses (to be specified)	
		Balance at the end of the year	
Total:		Total:	

PART C
Political Fund Account

Rs. Ps.	Rs. Ps.
Balance at beginning of the year	Payments made on the object specified Section 15 of the Industrial Relations Code 2020 (to be specified).
Contributions from members at.....	Expenses of management (to be fully specified).
Total:	Balance at the end of the year.
	Total:
	Treasurer.

PART D

Statement of Liabilities and Assets on the 31st day of December, 20.....

Liabilities	Rs. Ps.	Assets	Rs. Ps.
Amount of General Fund		Cash	
Amount of Political Fund		In hands of Treasurer	
Loans from-----		In hands of Secretary	
		In hands of-----	
		In the.....Bank	
		In the.....Bank	
		Securities as per list below	
		Unpaid subscription due for	
		*(a) the year	
		*(b) previous year	
Debts due to		Loans to	
		*(a) Officers	
		*(b) Members	
		*(c) Others	
Other liabilities (to be specified)		Immovable property, goods and	
		Furniture, other assets to be	
		Specified).	
Total Liabilities:		Total Assets:	

PART E

List of Securities

Particulars	Face Value	Cost or Price	Market price at date on which accounts have been made up	In hands of
(1)	(2)	(3)	(4)	(5)

Treasurer

Auditor's Report

We have audited the foregoing, 'General Fund Account' in Part B and the 'Political Fund Account' in Part C of the(name of the Trade Union) for the year..... And also the Statement of liabilities and assets in Part D and the List of Securities in Part E of the said Trade Union as on and report that

(i) We have obtained all the information and explanation and have had access to all the books and accounts of Trade Union which were necessary for the purposes of our audit.

(ii) The Trade Union has properly maintained its membership register and its books of accounts required by law:

(iii) (Subject to whatever remarks or qualifications the auditor wants to make) In our opinion and to the best of our information and according to the explanation given to us, the foregoing accounts, statemen

list have been properly drawn up and they give a true and correct view of income, expenditure, assets and liabilities of the Trade Union.

Note:-- If the state of the Account is such that Auditor is unable to express the opinion on the 'True and correct' aspect of the Accounts, Statement and the List, he should state his reason there for.

Auditors(s)/Chartered Accountant

The following changes of Officers have been made during the year.

Officers Relinquishing Office

Name	Office	Date of Relinquishing Office

Officers Appointed

Name	Date of Birth	Private address	Personal occupation	Title of position held in union	Date on which appointment in Column 5 was Taken up	Other officers held in addition to membership of executive with date
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Elections

Date of last election
Of office-bearers

Date of next election of
office-bearers
Secretary.

FORM FOR FEDERATION OF TRADE UNIONS

Annual Return prescribed Section 26 of the Industrial Relations Code 2020,
for the year ending 31st December, 20

PART A

- (1) Name of the Federation
- x(2) Address of the Federation
- (3) Registered Head Office
- (4) Number and date of Certificate of Registration
- x(5) Classification of Industry (to be shown as per Schedule of Industries attached).
- x(6) Classification of sector (please state to which of the following 4 categories the Federation belongs-
 - (a) Public Sector, Central sphere
 - (b) Public Sector, State sphere
 - (c) Private Sector, Central sphere
 - (d) Private Sector, State sphere)

- x(7) Name of the All-India Body to which affiliated
 x(8) Affiliated Number
 x(9) Affiliation fee paid to the All-India Body to which affiliated during the year.
 x(10) Date of payment of affiliation fee to the All-India Body
 x(11) Membership fee charged from affiliated Unions by the Federation.
 xx(12) No. of affiliated unions at beginning of the year and their membership.
 xx(13) No. of unions joining during the year and their membership.
 xx(14) No. of unions disaffiliated during the year and their membership.
 xx(15) No. of affiliated unions at the end of the year and their membership.
 (16) No. of members contributing to political fund.
 x(17) No. of unions which paid their affiliation fee for the whole year.
 (18) A copy of the rules of Federation corrected up to the date of despatch of this return is appended.
 x(19) Part B of the return overleaf has been duly completed.

Dated the.....

Secretary

x If the federation falls under more than one category, the membership claimed in each category, may be shown separately.

xx Names of unions should be shown in separate statements marked ABCD.

PART B

General Fund Account

[Income and Expenditure Statement]

Income	Rs. Ps.	Expenditure	Rs. Ps.
Balance at beginning of the year (Subscription from members including unpaid subscription due for the year)		Salaries and allowances of officers. Travelling allowance salaries, allowances and expenses of establishment.	
x (a) Subscription received		Auditors fee.	
x (b) Subscription in arrears for three months or less		Legal expenses.	
x (c) Subscription in arrears for more than three months		Expenses in conducting trade	
Donations.		Disputes	
Sale of Periodicals, books, rules, etc.		Compensation paid to members, for Loss arising out of trade disputes	
Interest on investment.		Funeral, old age, sickness, unemployment benefits, etc.	
Income from miscellaneous source (to be specified)		Cost of publishing periodicals.	
		Rent, rates and taxes.	
		Stationery, Printing and Postage	

	Expenses incurred under Section 15 of the Industrial Relations Code 2020(to be specified).
	Other expenses (to be specified)
	Balance at the end of the year
Total:	Total:

PART C
Political Fund Account

	Rs. Ps.		Rs. Ps.
Balance at beginning of the year		Payments made on the objects specified in Section 15 of the Industrial Relations Code 2020(to be specified).	
Contributions from members at.....		Expenses of management (to be fully specified).	
Total:		Balance at the end of the year.	
		Total:	
		Treasurer.	

PART D
Statement of Liabilities and Assets on the 31st day of December, 20.....

Liabilities	Rs. Ps.	Assets	Rs. Ps.
Amount of General Fund		Cash	
		In hands of Treasurer	
		In hands of Secretary	
		In hands of-----	
Amount of Political Fund		In the.....Bank	
		In the.....Bank	
		Securities as per list below	
Loans from-----		Unpaid subscription due for	
		* (a) the year	
		* (b) previous year	
Debts due to		Loans to	
		* (a) Officers	
		* (b) Members	
		* (c) Others	
Other liabilities (to be specified)		Immovable property, goods and	
		Furniture, other assets to be	

Specified).

Total Liabilities:

Total Assets:

PART E

List of Securities

Particulars	Face Value	Cost or Price	Market price at date on which accounts have been made up	In hands of
(1)	(2)	(3)	(4)	(5)

Treasurer

Auditor's Report

We have audited the foregoing, 'General Fund Account' in Part B and the 'Political Fund Account' in Part C of the(name of the Trade Union) for the year ending And also the Statement of liabilities and assets in Part D and the List of Securities in Part E of the said Trade Union as on and report that---

(i) We have obtained all the information and explanation and have had access to all the books and accounts of Trade Union which were necessary for the purposes of our audit.

(ii) The Trade Union has properly maintained its membership register and its books of accounts s required by law:

(iii) (Subject to whatever remarks or qualifications the auditor wants to make) In our opinion and to the best of our information and according to the explanation given to us, the foregoing accounts, statement and list have been properly drawn up and they give a true and correct view of income, expenditure, assets and liabilities of the Trade Union.

Note:-- If the state of the Account is such that Auditor is unable to express the opinion on the 'True and correct' aspect of the Accounts, Statement and the List, he should state his reasonthere for.

Auditors(s)/Chartered Accountant

The following changes of Officers have been made during the year.

Officers Relinquishing Office

Name	Office	Date of Relinquishing Office

Officers Appointed

Name	Date of Birth	Private address	Personal occupation	Title of position held in union	Date on which appointment in Column 5 was Taken up	Other officers held in addition to membership of executive with date

(1)	(2)	(3)	(4)	(5)	(6)	(7)

Elections

Date of last election of office-bearers

Date of next election of office-bearers Secretary.

FORM F

Register of Membership and Subscription

Serial Number	Token of work number	Name	Date of admission	Occupation	Pay (Rate)	Subscription (Rate)

(1)	(2)	(3)	(4)	(5)	(6)	(7)

Subscription paid

Jan. (a)	Feb. (b)	Mar. (c)	April. (d)	May. (e)	June. (f)	Amount outstanding at the end of the year.
July. (g)	Aug. (h)	Sep. (i)	Oct. (j)	Nov. (k)	Dec. (l)	
(8)				(9)		(10)

Rs. Ps.

Rs. Ps.

FORM G

[See Regulation 13-A(l)]

Name of Trade Union:

Registration No:

Address:

To
The Registrar of Trade Unions,
Andhra Pradesh, Hyderabad.

Notice is hereby given that the under mentioned office-bearers/members of the executive committee of the union have been convicted and sentenced to imprisonment by a Court (give the name of the Court) of an offence involving moral turpitude.

- (1) Name or names of the office-bearers, member/members of executive committee convicted.
- (2) Offence
- (3) Date of conviction
- (4) Period of sentence

Action has been taken to remove the above person(s) from the post(s) held by him/ them.

Place:

Date:

General Secretary.

M.V. SESHAGIRI BABU,
Secretary to Government .

---X---

 सत्यमेव जयते	राजस्थान राजपत्र विशेषांक	RAJASTHAN GAZETTE Extraordinary
	साधिकार प्रकाशित	Published by Authority
	आषाढ 09, मंगलवार, शाके 1948- जून 30, 2026 Asadha 09, Tuesday, Saka 1948- June 30, 2026	

भाग 4 (ग)

उप-खण्ड (II)

**राज्य सरकार तथा अन्य राज्य प्राधिकारियों द्वारा जारी किये गये कानूनी आदेश
तथा अधिसूचनाएं।**

Labour and Factories & Boilers Department

NOTIFICATION

Jaipur, june 30, 2026

S.O.23 .- Whereas, the draft of the Rajasthan Occupational Safety, Health and Working Conditions Rules, 2026 was published as required by sub-section (1) of section 133, sub-section (1) of section 135 and section 137 of the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No. 37 of 2020) in the Rajasthan Gazette Extraordinary Part 4 (ga) up-khand (II) dated 03.02.2026 inviting objections and suggestions from all persons likely to be effected thereby, before expiry of forty five days from the date on which copies of the Official Gazette containing the said draft rules were made available to the public;

And whereas, copies of the Official Gazette in which the said draft rules were published and made available to the public on 03.02. 2026;

And whereas, objections and suggestions received from the public on the said draft rules were considered by the State Government;

Now, therefore in exercise of the powers conferred by section 133 and 135 of the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No. 37 of 2020), the State Government hereby makes the following rules, namely:-

CHAPTER-I
Preliminary

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

(2) They extend to the whole of the State of Rajasthan.

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

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

(a) “appendix” means appendix appended to the Schedule;

- (b) "authority" or "licensing authority" means the Chief Inspector-cum-Facilitator or any officer appointed by the State Government for the purpose of these rules;
- (c) "Board" means Rajasthan State Occupational Safety and Health Advisory Board constituted under these rules;
- (d) "Chief Inspector-cum-Facilitator" means Chief Inspector-cum-Facilitator appointed as such by the State Government under section 34;
- (e) "code" means the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No. 37 of 2020);
- (f) "confined space" means any space by reason of its construction as well as in relation to the nature of the work carried therein and where hazards to the persons entering into or working inside exist or are likely to develop during working;
- (g) "department" means Factories and Boilers Inspection Department, Government of Rajasthan in relation to factories and Labour department, Government of Rajasthan in relation to establishments other than factories;
- (h) "District Magistrate", in relation to any establishment, means the District Magistrate who is vested with the executive powers of maintaining law and order in the revenue district in which the establishment is situated:

Provided that in case of an establishment, which is situated partly in one district and partly in another, the District Magistrate for the purpose shall be the District Magistrate authorised in this behalf by the State Government;

- (i) "Factory Medical Officer" means a qualified medical practitioner appointed by occupier of factory;
- (j) "form" means a form appended to these rules;
- (k) "Government" or "State Government" means Government of Rajasthan;
- (l) "Inspector-cum-Facilitator (Medical)" means a qualified medical practitioner appointed as Medical Officer by the State Government, in the department;
- (m) "Labour Commissioner" means an officer as such or in the capacity of Additional Labour Commissioner appointed by the State Government;
- (n) "Lokseva Guarantee Adhinium" means the Rajasthan Guaranteed Delivery of Public Services Act, 2011;
- (o) "Major Accident Hazards (MAH) installations" has the same meaning as defined in the clause (ja) of rule 2 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989;
- (p) "Maintained" means maintained in an efficient state, in efficient working order and in good repair;
- (q) "Manager" means the responsible person declared by the occupier or employer for the working of the factory or establishment for the purposes of the Code;
- (r) "Non-hazardous process" means a process which is not covered under clause (za) of sub-section (1) of section 2 or under section 82 of the Code or under the Manufacture, Storage and import of Hazardous Chemical Rules, 1989;
- (s) "Qualified Nurse" means a person who possesses a qualification in nursing recognized under the Indian Nursing Council Code, 1947, and who is registered with the Rajasthan Nursing Council;

- (t) "Official Portal" means the LDMS web application of the Labour Department and the RajFAB web application of the Factories and Boilers Inspection Department or any other official website of the State Government, called by any other name, to provide a gateway for the purposes of the Code and these rules;
 - (u) "Personal protective equipment" means items of personal protective equipment conforming to the relevant National Standards specifications;
 - (v) "Registering Officer" means the Chief Inspector-cum-Facilitator or- any other officer appointed by the State Government for the purpose of these rules;
 - (w) "Schedule" means a schedule of these rules;
 - (x) "Section" means the section of the Code;
 - (y) "workplace" means all places where,-
 - (i) building workers or employees are required to be present or to go for work and which are under the control of an employer or
 - (ii) workers or employees are required to be present or to go for work and which are under the control of an occupier.
- (2) Words and expressions not defined under these rules but defined or used under the Code shall have the same meaning as assigned to them in the Code.

3. Income from the sources.- For the purpose of Explanation to clause (x) of sub-section (1) of section 2, income and sources of income shall be such as specified by the State Government, from time to time.

4. Hazardous substance.- Hazardous substance or quantity of substance under clause (zb) of sub-section (1) of section 2 shall be the substances as specified in clause (e) of rule 2 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 (MSIHC Rules) and being used in the manufacturing process except the use in the testing labs in the premises of factory or establishment.

CHAPTER-II Registration

General provisions for registration

5. General provisions for registration under section 3.- (1) The general provisions for registration are as under,-

- (a) The employer or occupier seeking registration for an establishment or factory, not already registered shall apply electronically in Form-1 on the Official Portal by giving details about the establishment, and uploading documents related to Registration of the establishment or factory, proof of Identity and address of the occupier or employer and manager specified in the Form and other documents as specified in the Official Portal. The Form shall be signed digitally or in any other manner as may be required in the Official Portal. The applicant shall be responsible for veracity of all information submitted in the application.
- (b) The Permanent Account Number (PAN) of the applicant or the establishment allotted under the Income Tax Act, 1961 or any other unique number allotted to

the factory or establishment under any other Act for the time being in force or any other particular furnished in the form, may be verified online.

- (c) Every application referred to in clause (a) shall be accompanied by a proof of payment of fees, as specified in relevant rule for such establishment or factory for the registration of the establishment or factory through Official Portal.
- (d) The certificate of registration shall be issued in Form-2 electronically, if the application received under clause (a) is complete in all respect, within such time limit as prescribed under the Loksewa Guarantee Adhinium or rules made by the Central Government under the Code, whichever is less, for such service, failing which such establishment shall be deemed to have been registered and the certificate of registration shall be auto generated:

Provided that in exceptional circumstances the State Government may, for such period, by notification, as specified therein dispense with requirement of electronic registration, in respect of establishment or class of establishment, for part or whole of the State, and submission of application in the form so provided, may be allowed.

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

(2) The registering officer under these rules may direct the employer or occupier, who fails to comply with the requirements of sub-rule (1), to comply with such requirements within the time stated therein and such occupier or employer shall thereupon comply with the directions issued by such Officer in this behalf.

(3) The employer or the occupier in respect of an establishment or factory already registered under any other central labour law for the time being in force shall update the registration particulars on the Official Portal, within six months from the date on which the Code comes into force.

(4) Any registration obtained by providing wrong information shall be liable to be cancelled provided that establishment or factory has been given an opportunity to show cause within a period of 30 days, electronically or by registered post or by speed post, as to why the certificate of registration should not be cancelled.

(5) The employer or the occupier shall quote the Registration Number on all documents prepared or completed by him in connection with the Code or the rules or the regulations or the scheme, as the case may be, and in all correspondence with the office concerned.

(6) Any change in the ownership, management or any particular furnished for registration in Form-1 submitted on the Official Portal, shall be updated on the portal by the employer or occupier within thirty days of such change.

(7) The employer of an establishment to which the provisions of the Code apply and whose business activities are in process of closure, may apply for cancellation of registration online on the Official Portal after giving complete details of the dues payable under the Code and rules made thereunder:

Provided that no such application for cancellation of registration shall be entertained unless the employer has furnished all statutory returns, paid all statutory dues payable under the Code and rules made thereunder and submitted a self-certification to that effect along with the application.

- (8) The registering officer shall maintain a register of establishment electronically in Form-3 showing the particulars of establishment in relation to which certificates of registration have been issued by him.
- (9) The employer shall, within thirty days of the commencement and completion or cessation of any work, intimate to the Inspector-cum-Facilitator having jurisdiction in the area where the proposed establishment is situated or as the case may be, the work is to be executed, intimating the actual date of the commencement and, completion of work or cessation of work, as the case may be, in Form-4 electronically and the same shall be auto-shared to Employees' Provident Fund Organization (EPFO) and Employees' State Insurance Corporation (ESIC).
- (10) All fees payable under this rule shall be credited into the Government treasury under the head of the account notified in this regard.
- (11) Every fee for an application under these rules shall be paid online on Official Portal.
- (12) If an application for the grant of registration, renewal or amendment of a registration or licence is rejected, the fees paid shall not be refunded to the applicant.
- (13) Where such application is granted, any amount paid by the applicant in excess of the prescribed fee shall be refundable only after the expiry of one year from the date of such grant or the same may be adjusted against payment of any fees due for the next succeeding year.

Provided that an establishment shall be deemed to have registered under the Rajasthan Shop and Commercial Establishment Act, 1958 if the establishment is registered under the Code.

Factories

6. Information, Registration and Licence of factories.- (1) The occupier of every factory coming within the scope of the Code, after its commencement, shall apply electronically to the Registering Officer or Authority, as the case may be, by giving details about the factory and uploading documents related to Registration of the factory and application in Form-1 and related to license of factory in Form-5 or submit an application as per the provisions of the Rajasthan Enterprises Single Window Enabling and Clearance Act, 2011, for the registration of the factory and grant of a single or common licence therefore for a period not exceeding 10 years for factories. The Form-1 and Form-5 shall be signed digitally or in any other manner as may be required on the Official Portal. The applicant shall be responsible for veracity of all information submitted in the application. Every application submitted under this sub-rule shall be accompanied with proof of payment of fee specified in sub-rule (2).

(2) Every such application shall be accompanied by online payment of the fee as specified in Fees Table-A or Fees Table-B, as the case may be, given below:- .

Fees Table-A**Scale of Fees payable per year for Registration, Licence and Renewal of Licence for the Factories other than Electricity Generating, Transforming or Transmitting Factories**

Quantity Of H.P. Installed (max.) up to	Fees in rupees and Maximum number of persons to be employed on any day during the year											
	Up to 09	10 to 20	21 to 50	51 to 100	101 to 250	251 to 500	501 to 750	751 to 1000	1001 to 1500	1501 to 2000	2001 to 3000	Above 3000
Nil	400	800	1600	3400	4800	8200	12400	18200	20600	24800	33000	41400
10	800	1600	3400	5400	8200	12400	16400	24800	30200	34200	44000	55200
50	1600	3400	5400	8200	12400	16400	24800	33000	41400	52400	57800	69000
100	3400	5400	8200	12400	16400	24800	33000	41400	52400	57800	69000	82800
250	4800	8200	12400	16400	24800	33000	41400	52400	57800	69000	82800	103400
500	8200	12400	16400	24800	33000	44000	57800	69000	82800	103400	124200	138000
1000	12400	16400	24800	33000	44000	57800	69000	82800	103400	124200	138000	151800
2000	16400	20600	30200	44000	57800	69000	82800	103400	124200	138000	151800	165600
5000	20600	24800	33000	52400	69000	82800	103400	124200	138000	151800	165600	172400
10000	24800	30200	44000	60600	82800	103400	110400	129600	151800	165600	172200	184800
15000	33000	37200	55200	74400	99200	118600	138000	157200	184800	193200	206600	220800
20000	41400	49600	71600	99200	132400	160000	165600	215200	248400	257600	276000	303600
Above 20000	92000	111200	144400	167400	187600	211600	233600	248400	257600	276000	303600	322000

In addition to fees payable per year, at the time of registration of a Factory 50% of the fees payable for a year above shall also be payable.

Fees Table-B**Scale of Fees Payable per year for Registration, Licence & Renewal of Licence by all Electricity Generating and Transforming Factories**

(a) Generating and transforming (including converting) Stations (Factories):-

	Fees payable in Rupees		
	Total Installed Generating Capacity In K.W.	Generating stations	Transforming (including converting) stations
Not exceeding	50	600	300
Not exceeding	100	1100	600
Not exceeding	150	1300	900
Not exceeding	300	1800	1100
Not exceeding	500	2300	1300
Not exceeding	750	3200	1800
Not exceeding	1000	3600	2300
Not exceeding	2500	6900	5100
Not exceeding	5000	10350	6900
Not exceeding	10000	12000	8550

Not exceeding	25000	13800	10350
Not exceeding	50000	20700	13800
Not exceeding	75000	27600	17250
Not exceeding	100000	34500	22200
Not exceeding	150000	55600	36800
Not exceeding	200000	64400	46000
Not exceeding	1000000	73600	59800
Over	1000000	138000	110400

(b) Transmitting factories: - All transmitting Stations Rs. 6900/-.

(c) In addition to fees payable per year, at the time of registration of a Factory 50% of the fees payable for a year above shall also be payable.

EXPLANATION:

1. Where an electricity generating factory includes a transmitting or converting station or plant meant for receiving, transforming, converting or transmitting or electric power supplied from a source outside the generating station and which is not meant for transforming, converting or transmitting of power generated in the generating station itself, the fees payable shall be the sum of fees payable by the generating, transforming (including converting) and transmitting stations respectively calculated separately as if they were separate factories.
2. If any generating, transforming, converting or transmitting station is situated in a factory for which licence fees has been prescribed in Fees Table-B and if it is meant for supplying power only to the said factory exclusively and is a part of the said factory the fees will be payable in accordance with Fees Table-A and not Fees Table-B and on the basis of the total rated horse power installed in the factory.

7. Late fees.- The late fee under the proviso to sub-section (1) of section 3 shall be 25 percent of the of fees payable for the licence as provided in Fees Table-A or Table-B, as the case may be, mentioned above.

8. Submission and approval of plans.- (1) No site shall be used for the location of a factory or no building in a factory be constructed, extended or taken into use as a factory or part of a factory unless previous permission in writing is obtained from the Chief Inspector-cum-Facilitator:

Provided that the occupier of a factory belonging to such class as may be specified by the State Government may submit plans certified by a third party having such qualification and experience, in such manner and recognition as may be notified by the State Government, and such plans shall be accepted by the Chief Inspector-cum-Facilitator.

Provided further that the Chief Inspector-cum-Facilitator may require amendments, if any, to such third-party-certified plans, for reasons to be recorded in writing, for the compliance with the provisions of the Code, rules, and regulations.

(2) Application for such permission shall be made in Form-6 on the Official Portal to the Chief Inspector-cum-Facilitator or in such manner as prescribed under the Rajasthan Enterprises Single Window Enabling and Clearance Act, 2011 (Act No. 7 of 2011).

(3) The occupier of a factory shall submit plans along with documents including specifications and nature as may be specified in the Official Portal.

(4) The occupier of a factory employing upto 50 workers and are involving non-hazardous process shall also submit an application in Form-7 along with Form-6 on the Official Portal.

(5) If Chief Inspector-cum-Facilitator is satisfied that the plans are in consonance with the requirements of the Code and rules and regulations made thereunder, he shall, subject to such conditions as he may specify, approve them electronically, or he may call for such other particulars as he may require to enable such approval to be given.

9. Certificate of Stability.- No manufacturing process shall be carried on in any building of a factory constructed, reconstructed 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 by a competent person in respect of each building or block of building in the Form-8 has been sent by the occupier or manager of the factory to the Chief Inspector-cum-Facilitator or any other officer authorized by him in this behalf under sub-section (6) of section 34 and accepted by him.

10. Prohibition of use of premises as factory without licence.- An occupier shall not use any premises as a factory or carry on any manufacturing process in a factory unless a licence has been issued in respect of such premises and is in force for the time being:

Provided that if a valid application for grant of licence has been submitted and the required fee has been paid on the Official Portal, the premises shall be deemed to be duly licenced until such date as the Chief Inspector-cum-Facilitator grants or renews the licence or refuses in writing to grant or renew the licence.

11. Grant of Licence.- (1) The Registering Officer or Authority, as the case may be, may, on application being made to him under sub-rule (1) of rule 6 and on payment of fees prescribed in Fees Table-A or Fees Table-B, as applicable, and on being satisfied that there is no objection to the grant of licence, shall issue electronically a single licence in Form-9 or common licence in Form-10 for a period not exceeding 10 years at a time and subject to compliance with such conditions as are specified in the licence:

Provided that, subject to the third proviso to sub-section (4) of section 119 of the Code, the Registering Officer or Authority may reject to register the factory or grant of a licence, if he is satisfied,—

- (i) that the plans of the site and building and machinery layout have not been duly approved by the Registering Officer or Authority, as the case may be,

except in the case of factory involving non-hazardous process and employing upto 50 workers;

- (ii) that the factory has not been constructed in accordance with the plans approved by the Registering Officer or Authority as the case may be, or in non-compliance with the conditions subject to which the plans are approved;
- (iii) that material requirements of the relevant provisions specified in the rule 100 or rules or regulations made under the Code or the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 in relation to the factory concerned have not been complied with;
- (iv) that there is imminent danger to human life in the factory due to explosive material or inflammable or toxic dust, gas or fumes, and effective measures, in his opinion, have not been taken to remove the danger; or
- (v) that any outcome against the safety, health and working conditions of workers if any inquiry is made under sub-section (3) of section 119.

(2) Subject to the provisions hereinafter contained with respect to cancellation and unless earlier renewed, every such licence shall remain in force until the 31st day of March next following and shall then expire.

12. Auto Renewal of Licence.- (1) An application in Form-5 for the renewal of licence for a period not exceeding 10 years for factories and payment of the fees specified in the Fees Table-A or Fees Table-B, as applicable, shall be made on the Official Portal not later than 31st January of the year in which the licence is due to expire:

Provided that where a factory commences work on or after the 1st day of February in any year, application for renewal of licence shall be made on or before the 1st day of April next following.

Provided further that, the period for which the licence is applied for is one year or more but does not exceed 10 years, the fees payable per year shall be at the rates specified in Fees Table-A or Fees Table-B.

(2) On receipt of the complete application and payment of due fees, the renewed licence shall be auto generated online on the Official Portal:

Provided that where the application for the renewal of the licence is made after the expiry of the due date specified in sub-rule (1) it shall be renewed on payment of an additional fee of 25 percent of the fee per year payable for the renewal of the licence.

(3) Every licence renewed under this rule shall remain in force upto 31st March of the year for which the licence is renewed.

13. Amendment of registration or licence.- (1) A registration or licence granted may be amended by the Authority.

(2) A licensee shall be required to have the licence amended if there is change in the name of the factory or Occupier or expansion of production or facility or if the factory, for which the licence was granted, alters the limits specified in the licence in regard to power or the number

of persons employed, or any change or addition or deletion in manufacturing process which differs from the original licence.

(3) A licensee who desires to have his licence amended shall submit application in the Form-5 on the Official Portal stating the nature of the amendment and reasons therefore.

(4) The fees for the amendment of a licence shall be one hundred rupees plus 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. The fees shall be paid through the Official Portal.

(5) The registration of factory is required to be amended if there is change in the name of the factory or Occupier or the number of persons employed differs from the original registration certificate and fees for the amendment shall be one hundred rupees.

(6) In case of any administrative or processing error on the part of Registering Officer or Authority as the case may be, no amendment fees shall be levied.

14. Change of manager.- The occupier shall submit information of change of manager electronically in Form-11 on Official Portal.

15. Revocation of licence.- The Chief Inspector-cum-Facilitator, at any time before the expiry of the period for which the license has been granted or renewed, revoke the license on any of the following grounds:-

- (i) the licensee has obtained a license by fraud or mis-representation; or
- (ii) that there is a imminent danger to the life in the factory due to explosive or inflammable dust, gas or fumes, and effective measures in the opinion of the Chief Inspector-cum-Facilitator have not been taken to remove the danger:

Provided that, before revoking any license, the licensee shall be given an opportunity of being heard.

16. Transfer of licence.- (1) The licensee may at any time before the expiry of the licence, apply for permission to transfer his licence to another person.

(2) Such application shall be made in Form-5 on the Official Portal to the Registering Officer or the Authority, as the case may be, who shall if approves of the transfer, issue such licence in Form-9.

(3) A fee of one hundred rupees plus 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 shall be charged on each such application.

(4) If a licensee dies or becomes insolvent, the person carrying on the business of such licensee shall not be liable to 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 of the licence in his own name for the unexpired portion of the original licence.

17. Closing of factory.- (1) If the occupier of a factory notifies his intention to close the operation of the factory from a specific date and submit it on Official Portal to the Registering Officer or Authority as the case may be, that the premises in respect of which licence is issued shall not be used for the working of the factory, the Registering Officer or Authority as the case may be, may suspend, if closed temporarily or cancel, if closed permanently, the licence in respect of such a factory.

(2) A licence suspended under sub-rule (1) may be renewed on receipt of an application in Form-5 on Official Portal on payment of surcharge of 10 percent of license fees, in addition to the fees specified in these rules.

18. Notice of commencement or cessation of operation under section 5.- The occupier of a factory or employer of an establishment relating to contract labour or building or other construction works shall within thirty days of the commencement or cessation of operation of the establishment, submit to the Registering Officer notice of commencement and cessation of operation in Form-4, electronically 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 factory or establishment have been made and the premises are kept free from storage of hazardous chemicals and substances.

Registration fees for Building and Other Construction Works

19. Fees and mode of payment of fees.- The fees to be paid for grant of a certificate of registration of Building and Other Construction Works establishment, other than a factory under rule 5 or for seeking any amendment in the certificate of registration, as the case may be, shall be as specified in table given below and paid through the Official Portal, namely:-

Table

Sr. No.	Number of workers proposed to be employed as building workers	Fees
(1)	(2)	(3)
1.	Up to 100	Rs. 200
2.	Exceeds 100 but does not exceed 500	Rs. 1000
3.	Exceeds 500	Rs. 2000

Registration fees for Beedi and Cigar

20. Fees and mode of payment of fees.- The fees to be paid for grant of a certificate of registration of Beedi and Cigar establishment, other than a factory, or for seeking any amendment in the certificate of registration, as the case may be, shall be as specified in table given below and paid through the Official Portal, namely:-

Table

Sr. No.	Number of workers proposed to be employed	Fees (Rs.)
(1)	(2)	(3)
1.	ten but less than twenty	250
2.	twenty but less than fifty	500
3.	fifty but less than hundred	1000
4.	hundred but less than two hundred fifty	2000
5.	two hundred fifty but less than five hundred	4000
6.	more than five hundred	5000

Registration fees for Contract work

21. Fees and mode of payment of fees.- The fees to be paid for grant of a certificate of registration of Contract work establishment, other than a factory, or for seeking any amendment in the certificate of registration, as the case may be, shall be as specified in table given below and paid through the Official Portal, namely:-

Table

Sr. No.	No. of workers	Fees Rs.
(1)	(2)	(3)
1.	10 but does not exceed 49	100
2.	50 but does not exceed 100	200
3.	101 but does not exceed 200	300
4.	201 but does not exceed 400	500
5.	More than 400	1000

Registration fees for Motor Transport undertaking

22. Fees and mode of payment of fees.- The fees to be paid for grant of a certificate of registration of Motor Transport undertaking establishment, other than a factory, or for seeking any amendment in the certificate of registration, as the case may be, shall be as specified in table given below and paid through the Official Portal, namely:-

Table

Sr. No.	Number of Motor Transport Workers to be employed	Fees (Rs.)
(1)	(2)	(3)
1.	10-24	400
2.	25-49	1000

3.	50-99	2000
4.	100-249	4000
5.	250-499	10000
6.	500-999	20000
7.	1000 and above	30000

Registration fees for News Paper Establishments

23. Fees and mode of payment of fees.- The fees to be paid for grant of a certificate of registration for News Paper establishment, other than a factory, or for seeking any amendment in the certificate of registration, as the case may be, shall be as specified in table given below and paid through the Official Portal, namely:-

Table

Sr. No.	Number of employees/working journalist to be employed	Fees (Rs.)
(1)	(2)	(3)
1.	10-24	400
2.	25-49	1000
3.	50-99	2000
4.	100-249	4000
5.	250-499	10000
6.	500-999	20000
7.	1000 and above	30000

Registration fees for Audio-Visual Workers

24. Fees and mode of payment of fees.- The fees to be paid for grant of a certificate of registration of Audio-Visual Workers establishment, other than a factory, or for seeking any amendment in the certificate of registration, as the case may be, shall be as specified in table given below and paid through the Official Portal, namely:-

Table

Sr. No.	Maximum number of Audio-Visual Workers to be employed	Fees Rs.
(1)	(2)	(3)
1.	10-24	400

2.	25-49	1000
3.	50-99	2000
4.	100-249	4000
5.	250-499	10000
6.	500-999	20000
7.	1000 and above	30000

Registration fees for other establishments

25. Fees and mode of payment of fees for other establishment, other than factory, not covered in above.- The fees to be paid for grant of a certificate of registration of any other establishment not covered under rule 19 to 24, other than a factory, or for seeking any amendment in the certificate of registration, as the case may be, shall be as specified in table given below and paid through the Official Portal, namely:-

Table

Sr. No.	Maximum number of workers to be employed	Fees Rs.
(1)	(2)	(3)
1.	10-24	400
2.	25-49	1000
3.	50-99	2000
4.	100-249	4000
5.	250-499	10000
6.	500-999	20000
7.	1000 and above	30000

Late fees for establishments other than factories

26. Late fees.- In case application for registration of establishment other than factories is not made within the time specified under sub-section (1) of section 3 of the Code, the late fee shall be twenty five percent of the fees payable for grant of certificate of registration specified under rule 19 to 25 as the case may be.

Appeal

27. Manner of appeal under section 4.- (1) The occupier or the employer aggrieved by the order of Registering Officer, may appeal against such order before the appellate officer notified by the State Government for such purpose within thirty days from the date of receipt by him of such order, electronically.

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

(3) When the appeal has been admitted, the appellate officer shall send the notice of the appeal to the registering officer, against whose order the appeal has been preferred and the registering officer shall thereupon send the records of the case to the appellate officer online electronically or by registered post 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 and any other person summoned by him for this purpose, and pronounce judgment on the appeal confirming, reversing or varying the order appealed against the appeal is preferred.

(5) If on the date fixed for hearing, the appellant does not appear, the appellate officer may dismiss the appeal for default of appearance of the appellants by sending the copy of the order of dismissal to the appellant electronically or by registered post or speed post.

(6) Where an appeal has been dismissed, the appellant may apply electronically 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 shall be communicated electronically or by registered post 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 off within a period of thirty days from the date of receipt of appeal.

CHAPTER-III

Duties of Employer and Employees

28. Annual Health Examination of employees under clause (c) of sub-section (1) of section 6.- Every employer of factory or beedi and cigar works or building & other construction work shall arrange to conduct free of cost, medical examination for every employee annually i.e. within 120 days from the commencement of the calendar year who has completed 40 years of age. The medical examination shall be conducted by a qualified medical practitioner as per proforma in the Form-12. The Medical Certificate shall be submitted by the qualified medical practitioner to the concerned employer or occupier, as the case may be, and employee.

Provided that an employer may avail facility for medical examination of the employee(s) under relevant provisions of the rules made by the Central Government under the Code on Social Security, 2020 through Employees' State Insurance Corporation (ESIC).

29. Letter of appointment to employee under clause (f) of sub-section (1) of section 6.- No employee shall be employed in any establishment or factory unless he has been issued a letter of appointment in the format given below:

Provided that, 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.

Format

- (i) Name of employee:
- (ii) Date of birth:
- (iii) Father's/Mother's name:
- (iv) Aadhar number:
- (v) Labour Identification Number (LIN) of the establishment:
- (vi) Universal Account Number (UAN) or 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) Avenue for achieving higher wages or higher position:
- (xiii) Applicability of social security Employees' Provident Fund Organisation (EPFO) and Employees' State Insurance Corporation (ESIC) benefits:
- (xiv) Broad Nature of duties to be performed:
- (xv) Any other information:

Signature**Occupier or employer or owner or agent or manager****30. Notice of accidents and dangerous occurrences under sub-section (1) section 10 and section 11.-**

(1) Where at any place in an establishment which is factory, beedi and cigar works, building or other construction work; an accident occurs which results in the death of any person, the employer or occupier or manager of the establishment shall forthwith send a notice thereof in Form-13 electronically or by speed post or registered post or by hand and also inform by telephone to the Inspector-cum-Facilitator, Chief Inspector-cum-Facilitator concerned, District Magistrate or Sub-Divisional Officer and the officer-in-charge of the nearest police station and the family members or kin of the deceased person.

(2) Where at any place in an establishment which is factory, beedi and cigar works, building or other construction work, 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-13 within twelve hours after the completion of forty eight hours, electronically to the Inspector-cum-Facilitator .

(3) Where in an establishment, there is any dangerous occurrence as specified in the schedule annexed hereto, whether causing any bodily injury or disability or not, a notice in Form-13 shall within twelve hours be sent to,-

(a) the Inspector-cum-Facilitator;

(b) District Magistrate or Sub-divisional Officer:

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 referred to in the foregoing sub-rules have been sent, the employer or occupier or manager of the establishment shall forthwith send a notice thereof by telephone and electronically to the authorities and persons mentioned in sub-rules (1) and (2) and also have this information confirmed in writing within twelve 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 the Form-13 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 classes of dangerous occurrences, whether or not they are 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.
- (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, 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 height of any excavation, loading or transport machinery;
- (x) a breakage, fracture or failure of an essential part of any machine or apparatus whereby the safety of persons may be endangered;
- (xi) a failure of any structure or installation whereby the safety of persons may be endangered; or spark generated due to electrical flash-over causing burn injury to any person; or
- (xii) a major uncontrolled emission of petroleum or chemical spillage;

31. Notice of disease under sub-section (1) and (2) of section 12.- (1) A notice in the following format shall be sent forth electronically, to the Inspector-cum-Facilitator or Chief Inspector-cum-Facilitator, by the employer or occupier or manager of an establishment in which there occurs any disease as specified under the Third Schedule to the Code.

NOTICE OF DISEASE

- (1) Name and address of the employer or Occupier or Manager
- (2) Name and address of factory or establishment:
- (3) Nature of establishment:
- (4) Details of Patient:
 - (a) Name of Patient:
 - (b) Worker 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 or occupier or manager

(2) If any qualified medical practitioner attends the person who is or has been employed in a factory or 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 stating,-

- (a) the name and full postal address of the patient,
- (b) the disease from which he believes the patient to be suffering, and
- (c) the name and address of the factory or establishment in which the patient is or was last employed.

32. Duties of employee under clause (d) and (g) of section 13.- (1) If a worker or employee comes to know of any unsafe or unhealthy condition in the workplace, he shall report the same to the occupier or employer or manager or safety officer or supervisor, as soon as practicable, electronically or in writing or telephonically and further the safety officer or manager or supervisor shall also report the same to the occupier or employer electronically or in writing as soon as practicable.

(2) The worker or employee shall not refuse undergoing training as required for the purposes of the Code and rules and regulations made thereunder.

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

CHAPTER-IV Occupational Safety and Health

34. Constitution, procedure and other matters relating to Rajasthan State Occupational Safety and Health Advisory Board.- (1) There shall be a Rajasthan State Occupational Safety and Health Advisory Board, hereinafter referred to as State Advisory Board, consisting of the following, namely:-

1.	Principal Secretary/Secretary, Labour Department Rajasthan	Chairman <i>ex-officio</i>
2.	Chief Inspector-cum-Facilitator	Member Secretary
3.	Chairman, Pollution Control Board	Member <i>ex-officio</i>
4.	Director, Medical & Health	Member <i>ex-officio</i>
5.	Labour Commissioner	Member <i>ex-officio</i>
6.	Representative of IIT Jodhpur	Member
7.	Representative of MNIT, Jaipur	Member
8.	Representative of SMS Hospital	Member
9.	2 representatives of Employers	Member
10.	2 representatives of Workers	Member
11.	4 Experts in Safety and Health	Member
12.	Such experts from different fields as decided by the State Advisory Board	Special Invitees

(2) Members of State Advisory Board referred to at serial number 9, 10, 11 and 12 shall be nominated by the State Government.

(3) The State Government may, by notification, constitute technical committees or advisory committees of the State Advisory Board including site appraisal committees, consisting of such number of members and having such qualifications, as specified by the State Government.

(4) The State Advisory Board may meet as often as necessary to discharge its functions but at least once in a year.

(5) The State Advisory Board may get reports from the committees made under sub-rule (3) and advise the State Government on such matters arising out of the administration of this Code in the State.

35. Safety committee and safety officers under section 22.- (1) Every establishment or factory employing 500 or more workers, the establishment required by general or special order under sub-section (1) of section 22, shall constitute a safety committee consisting of members as specified in rule 36.

(2) The maximum tenure of the safety committee shall be for three years. The safety committee shall meet at least once in every quarter.

(3) Safety Committee shall have the right to be adequately and suitably informed of, –

- (i) potential safety and health hazards to which the workers or employees may be exposed at workplace; and
- (ii) data on accidents as well as data resulting from surveillance of the working environment and of the health of workers or employees, conducted at such factory or establishments:

Provided that the Committee under takes to use the data on a confidential basis and solely to provide guidance and advice on measures to improve the working environment and the health and safety of the workers and employees.

36. Composition of Safety Committee.- (1) The Safety Committee shall consist of equal number of members representing the employer and the workers, which shall not exceed twenty.

(2) Representatives of the management in Safety Committee shall consist of, –

- (a) a senior official, 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 Medical Officer wherever available and the safety officer in such case shall be the Secretary of the Committee; and
- (c) A representative each from the production, maintenance and purchase departments.

(3) Representatives of the employer in the Safety Committee shall be nominated by the employer and shall, as far as possible, be officials in direct touch with or associated with the working of the establishment, preferably the heads of major departments of the establishment.

(4) Representatives of the workers in the Safety Committee shall be chosen in the following manner, namely: –

- (a) where there is a sole negotiating union or negotiating union under sub-section (2) or sub-section (3) of section 14 or a negotiating council under sub-section(4) of that section 14 of the Industrial Relations Code, 2020 (Central Act No. 35 of 2020) or

negotiating union or under said sub-section (3) negotiating council, 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 Union;

- (b) where there is no such sole negotiating union or negotiating union or negotiating council as referred to the 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 of conducting the process of choosing representative of workers over an information technology application, online platform or other platform.

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 the tenure of the members of the Safety Committee shall be three years.

Provided also that in case there is no recognized both negotiating union or negotiating council and where any dispute arises regarding choosing of the worker's representative to the Safety Committee, the matter may be referred to the Concerned Joint/Deputy/Assistant Labour Commissioner, who shall after hearing the parties decide the matter and his decision shall be final.

(5) The minutes of the meeting of the Safety Committee referred to in sub-rule (2) of rule 35 shall be recorded.

(6) The employer, occupier or manager shall, within a period of 15 days from the date of receipt of the recommendations of the Safety Committee shall take action to implement the recommendations.

(7) The minutes of the meeting shall be recorded and produced to the Inspector-cum-Facilitator on demand.

37. Functions of Safety Committee.- The functions of the Safety Committee in a factory or an establishment shall include,-

- (i) to discuss remedial measures against the unsafe conditions and practices in the factory or establishment as pointed out in the reports of safety officer or otherwise brought to the notice of the Committee and make appropriate recommendations;
- (ii) to consider, before commencement of operations in any commissioning of new electrical or mechanical installation or introduction of new technique for manufacturing process, the proposed Safety and health measures including related codes of practice and to make appropriate recommendations;

- (iii) to discuss the report of inquiry into accident, dangerous occurrences etc., and make appropriate recommendations;
- (iv) to formulate and implement appropriate Safety campaign based on analysis of accidents and dangerous occurrences;
- (v) to meet at least once in every quarter to consider the matter placed before it and any other matter that may be raised by the members and make such recommendations as it may deem fit;
- (vi) to serve as a forum for communication on Safety and occupational health matters;
- (vii) to discuss the standard operating procedures (SOP) prepared for different plant, equipment, installations and methods at the factory or establishment and make appropriate recommendations; and
- (viii) Functions and duties of the Safety Committee shall also include,-
 - (a) assisting and cooperating with the management in achieving the aims and objectives outlined in the Health and Safety Policy of the factory or establishment;
 - (b) dealing with all matters concerning health, safety and environment and to arrive at practicable solutions to problems encountered;
 - (c) creating safety awareness amongst all workers;
 - (d) undertaking educational training and promotional activities;
 - (e) 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;
 - (f) carrying out health and safety surveys;
 - (g) looking into any complaint made on the likelihood of an imminent danger to the safety and health of the workers and suggesting corrective measures;
 - (h) reviewing the implementation of the recommendations made by it; and
 - (i) suggesting ways & means to avoid recurrence of accidents.

38. Safety Officers:- (1) In an establishment or factory mentioned hereunder where appointment of Safety Officer is mandatory, the employer/occupier shall appoint safety officers, as per norms given below:-

(A) For Factories carrying on Non-Hazardous process:

S. No.	Number of workers	Number of Safety officers
(1)	(2)	(3)
1.	500 to 1000 workers	One safety officer
2.	1001 to 2000 workers	Two safety officers
3.	2001 to 5000 workers	Three safety officers
4.	More than 5000 workers	Four safety officers

(B) For factories carrying on dangerous or Hazardous process or MAH installation:

S. No.	Number of workers	Number of Safety officers
(1)	(2)	(3)
1.	250 to 500 workers	One safety officer

2.	501 to 1000 workers	Two safety officers
3.	1001 to 2000 workers	Three safety officers
4.	2001 to 5000 workers	Four safety officers
5.	More than 5000 workers	Five safety officers

(C) For Building or other construction work:

S. No.	Number of workers	Number of Safety officers
(1)	(2)	(3)
1.	250 to 500 workers	One safety officer
2.	501 to 1000 workers	Two safety officers
3.	1001 to 2000 workers	Three safety officers
4.	2001 to 5000 workers	Four safety officers
5.	More than 5000 workers	Five safety officers

39. Qualifications of the Safety officer.- (1) No person shall be eligible for appointment as a Safety Officer relating to factory or building or other construction work unless he or she, –

- (i) possesses a recognised degree in any branch of engineering or technology and has had practical experience of working in a factory or in a building or other construction work in a supervisory capacity for a period of not less than 2 years; or
- (ii) possesses a recognized degree in physics or chemistry and has had practical experience in a supervisory capacity for a period of not less than 5 years; or
- (iii) possesses a diploma from a recognised university in any branch of engineering or technology and has had practical experience of working in a factory or in a building or other construction work in a supervisory capacity for a period of not less than 5 years; and
- (iv) possesses a degree or diploma in industrial safety from a recognised institute.

(2) Notwithstanding anything contained in sub-rule (1), any person who, –

- (i) possesses a degree or diploma in engineering or technology and has had experience of not less than 5 years in a department of the Central or State Government which deals with the administration of Factory or Building and other Construction Works; or
- (ii) possesses a degree or diploma in engineering or technology and has had experience of not less than 5 years, full time, on training, education, consultancy or research in the field of accident prevention in industry or in any institution; shall also be eligible for appointment as a Safety Officer.

40. Duties of Safety Officer.- The duties of a Safety Officer shall be to advise and assist the management of factory or establishment in the fulfillment of its obligations,

statutory or otherwise, concerning prevention of personal injuries and maintaining a safe working environment. These duties shall include the following, namely:-

- (i) to advise the concerned departments in planning and organising measures necessary for the effective control of personal injuries;
- (ii) to advise 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 advise the purchasing and stores departments in ensuring high quality and availability of personal protective equipment;
- (v) to provide advice on matters related to carrying out plant safety inspections;
- (vi) to carry out plant safety inspections in order to 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;
- (vii) to render advice on matters related to reporting and investigation of industrial accident and disease;
- (viii) to investigate selected accidents;
- (ix) to investigate the cases of notifiable disease listed in the Third Schedule of the Code and dangerous occurrences reportable under the Code and rules;
- (x) to advise on the maintenance of such records as are necessary relating to accidents, dangerous occurrences and notifiable diseases;
- (xi) to organise in association with the concerned department, 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; and
- (xii) to design and conduct either independently or in collaboration with the training department, suitable training and educational programmes for the prevention of personal injuries.

41. Facilities to be provided to Safety Officer.- An occupier of the factory or employer of the establishment shall provide each Safety Officer with facilities, equipment and information as are necessary to enable him to discharge his duties effectively.

CHAPTER-V

Hours of Work and Annual Leave with Wages

42. Daily and weekly working hours under clause (b) of sub-section (1) of section 25.- (1) No worker shall be required or allowed to work in an establishment for more than forty eight hours in any week.

(2) The period of work in each day under sub-rule (1), with intervals and spread overs, shall be as notified by the State Government.

43. Interruption period allowed in running time under Explanation (a) of sub-section (1) of section 25.- A maximum of fifteen minutes interruption shall be allowed any time during which the transport vehicle is interrupted.

44. Weekly holiday.- (1) For the purpose of section 26, there shall be posted up in a conspicuous place outside the office of every establishment a notice showing the weekly holiday. 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, English and local language.

45. Compensatory holidays.- (1) Except in the case of workers engaged in any work which for technical reasons, or for such reasons as may be allowed by the Chief Inspector-cum-Facilitator, must be carried on continuously throughout the day, the compensatory holidays to be allowed under sub-section (3) of section 26 of the Code shall be so spaced that not more than two holidays are given in one week.

(2) The employer or occupier or manager of the establishment or factory 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 specified under section 26 is displayed in Form-14. 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, and

(3) 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 to be given before discharge or dismissal.

46. Wages for overtime under section 27.- (1) Where in an establishment, a worker works for more than eight hours in any day as daily wager, or for more than forty-eight hours in any week, as the case may be, he shall in respect of such overtime work be entitled to wages at the rate of twice his rate of wages and shall be paid 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 1/26th of his monthly wages and in the case of any other worker, it shall be the daily wages or earnings as the case may be.

(4) The spread over for the workers shall exceed period of work notified under sub-rule (2) of rule 42 in any one day under the following works and circumstances in respect of factory, beedi and cigar works and building or other construction work, namely:-

(a) urgent repairs;

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

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

- (d) work which for technical reasons must be carried on continuously;
- (e) engaged in making or supplying articles of prime necessity which must be made or supplied every day;
- (f) engaged in a process which cannot be carried on except during fixed seasons;
- (g) engaged in a process which cannot be carried on except at times dependent on the irregular action of natural forces;
- (h) engaged in engine-rooms or boiler-houses or in attending to power-plant or transmission machinery;
- (i) engaged in process on account of the break-down of machinery;
- (j) engaged in the loading or unloading of railway wagons or lorries or trucks;
- (k) exceptional press of work; and
- (l) engaged in any work, which is notified by the Central Government 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.

47. Circumstances for exemption from restriction on double employment in factory under section 30.- Except in the case of workers engaged in any work which for technical reasons, or for such reasons as may be allowed by the Chief Inspector-cum-Facilitator, must be carried on continuously throughout the day, no worker shall be required or allowed to work in any factory on any day on which he has already been working in any other factory.

48. Notice of periods of work under sub-section (2) of section 31.- The notice referred to in sub-section (2) of section 31 shall be displayed at conspicuous places and maintained in Form-15 and copy of such notice shall be sent to Inspector-cum-Facilitator electronically or by registered post or speed post.

CHAPTER-VI

Maintenance of Registers, Records and Returns

49. Maintenance and production of reports, registers and other records under section 33.- (1) every occupier or employer of establishment shall maintain,-

- (a) Register of workers and employees in Form-16;
- (b) Register of attendance cum-muster roll in Form-17;
- (c) Register of wages, overtime and deductions in Form-18;
- (d) Register of leave with wages in Form-19;
- (e) Registers under this chapter shall be maintained electronically or otherwise;
- (f) Entries in the registers shall be made in English and Hindi or the language understood by a majority of persons employed;

- (g) The occupier or every employer shall produce records and registers, on demand before the Inspector-cum-Facilitator or any person authorized in that behalf of the State Government; and
- (h) All the registers and other records shall be preserved in original for a period of five calendar years from the date of last entry made therein.
- (2) Every employer shall issue wage slips, electronically or manually to the employees in Form-20 as prescribed under rule 52 of the Code on Wages (Central) Rules 2026 and sub-section (3) of section 50 of the Code on Wages, 2019 before one day of payment of wages to the employee.
- (3) In respect of establishment which are required to maintain register under the rules framed under the Code on Wages 2019, 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) Register of employees;
 - (b) Register of Attendance-cum-Muster Roll;
 - (c) Register of Wages, over time and deductions; and
 - (d) Wage slip.
- (4) All registers and other records required to be maintained under the Code and 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 or at a place within a radius of three kilometers.
- (5) Returns,-
- (a) The occupier or employer to which the provisions of this Code applies on or before the 1st day of February in each year, upload a unified annual return in Form-22 prescribed under the rules made in the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No.37 of 2020) online on the official web portal, giving information as to the particulars specified in respect of the preceding year;
 Provided that during inspection, the Inspector-cum-Facilitator may require the production of accounts, books, register and other documents maintained in electronic form or otherwise.
Explanation: For the purposes of this sub-rule, the expression “electronic form” shall have the same meaning as assigned to it in clause (r) of section 2 of the Information Technology Act, 2000 (Central Act No. 21 of 2000).
 - (b) If the occupier or 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 official web portal, a further unified return in Form-22 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.
 - (c) in case of manual registers and other records, be legibly entered in ink in English and Hindi or the language understood by a majority of the persons employed;
 - (d) be preserved in original for a period of five years after the date of the last report or entry:

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

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

50. Display on notice board.- (1) Every employer or occupier shall display or caused to be displayed at the conspicuous places of the factory or establishment under his control, notice showing the name and address of the factory or establishment, hours of work, wage period, date of payment of such wages, details of accident and dangerous occurrence in the establishment for the last five years, name and address of the Inspector-cum-Facilitator having jurisdiction to such factory or establishment and date of payment of unpaid wages to such workers in Form-21 in English and Hindi language.

(2) In addition to the above the following information in English and Hindi language shall be displayed at a conspicuous place in the factory:-

- (a) Hazard identification at workplace;
- (b) Do's and don'ts in respect to hazardous substances, hazardous processes, dangerous operations, MAH installations and workplaces;
- (c) Identification of storages with name of chemicals / substances / storage capacity / hot or cold / pressure / HAZCHEM number if applicable;
- (d) Emergency contact number of factory or establishment personnel and name (at least two);
- (e) Emergency contact number of local administration; and
- (f) Fire / emergency escape route chart.

Provided that the Chief Inspector-cum-Facilitator may require any other information for safety and health at workplace and the by-laws to be displayed in English and Hindi language.

(3) The notices required to be displayed by the Code, regulations and the rules shall be maintained in a clear and legible condition.

51. Returns.- Every employer of an establishment shall send annually a return relating to such establishment in Form-22 related to category of employees, health & welfare facilities retrenchment/ layoffs, bonus, maternity benefits etc. to the Inspector-cum-Facilitator having jurisdiction so as to reach him not later than 1st February following the end of each calendar year with a copy to Director General Labour Bureau electronically.

52. Register of accident and dangerous occurrences.- The registers of accident and dangerous occurrences required by sub-clause (v) of clause (a) of section 33 of the Code shall be maintained in Form-24.

53. Register of leave with wages under clause (a) of section 33.- (1) The occupier or employer or manager of every factory or establishment shall maintain in respect of every employee thereof a record of leave with wages electronically or manually in Form-19.

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

CHAPTER-VII
Inspector-cum-Facilitator s and Other Authority

54. Qualification and experience of Chief Inspector-cum-Facilitator under sub-section (5) of section 34.- The Chief Inspector-cum-Facilitator shall be, -

- (a) in case of Factories, the Chief Inspector appointed under the Rajasthan Service of Inspector of Factories and Boilers and Inspector of Factories (Chemical) Rules, 1958.
- (b) for establishments other than factories, the Labour Commissioner or Additional Labour Commissioner, subject to direction and control of the Labour Commissioner.

55. Powers and duties of Inspector-cum-Facilitator under clause (xiv) of sub-section (1) of section 35.- (1) Inspector-cum-Facilitator shall, after every inspection, as may be deemed necessary, issue notice pointing out the non-compliance of provisions of safety, health and working conditions under the Code, and rules and regulations framed thereunder, to the employer or occupier and manager.

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

(3) Inspector-cum-Facilitator or Chief Inspector-cum-Facilitator may exercise such other powers as may be notified by the State Government in this behalf.

56. Power to take samples of any articles or substances under clause (x) of sub-section (1) of section 35.- (1) An Inspector-cum-Facilitator may take samples or substances in an establishment as per the inspection scheme mandated under the Official Portal after informing the employer of the establishment, taken in the manner hereinafter provided a sufficient sample of any substance used or intended to be used in the establishment, such use being,—

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

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

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

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

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

- (a) forthwith give one portion of the sample to the person informed under sub-section (1);
- (b) forthwith send the second portion to a Government Analyst or National Accreditation Board for Testing and Calibration Laboratories (NABL) for analysis and report thereon;
- (c) retain the third portion for production to the Court before which proceedings, if any, are instituted in respect of the substance.

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

57. Third party.- The scheme for third party having specialised qualification and experience, duties and responsibilities of experts to be empanelled under section 37 shall be as prescribed and notified by the State Government.

58. Manner of providing Alternative Employment under section 38 (1)(A)(d).- Every occupier shall provide employment to the affected worker employed by him by the order in section 38(1)(A)(a) in the other parts of the factory:

Provided that the wages for period during which alternative employment is provided wages for such period shall paid and shall not be reduced due to alternate employment.

Provided further that if the whole or a part of establishment working as factory or building and other construction site is fully closed by an order, then it shall be the duty of the employer to pay wages to the affected workers as per Code on Wages, 2019 for the number of days for which the establishment was closed.

59. 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) and who is enrolled on a Indian Medical Register or on a State Medical Register as per the provisions of the said Act.

(2) The Medical Officer shall be trained in Occupational Health course including International Labour Organisation (ILO) classification of chest Radiograph duly recognized by the central government.

60. Duties of Medical Officer under sub-section (2) of section 42.- (1) On receipt of a reference under clause (c) of sub-section (2) of section 42 of the code, the Medical Officer shall, after giving prior notice regarding date, time and place for medical examination and upon examining the worker, prepare the age and fitness certificate and deliver the same to the occupier or employer or manager of the factory or establishment and the worker concerned after retaining a copy thereof.

(2) 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.

(3) Medical Officer shall carry out such examination and furnish such report as the Central Government or State Government may direct,-

- (a) for examination and certification of workers in an establishment or factory in such dangerous occupation or processes as specified in First Schedule to the Code;
- (b) for medical supervision of any establishment or factory or class of establishment or factory where cases of chronic occupational illness have occurred due to arduous nature of any process carried on or hazardous condition of work;
- (c) in respect of any establishment or factory or class of establishment or factory or description of establishment or factory 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 or factory, where cases of illness have occurred or there is prevalence of diseases as prescribed in Third Schedule of the code.
- (e) to assess the age and issue fitness of adolescent for employment in an establishment or class of establishment.

CHAPTER-VIII

Special Provision Relating to Employment of Women

61. Employment of Women in establishment or factory 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 woman employee shall be taken in writing;
- (b) no woman 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 employee to pick-up and drop such employee at her residence;
- (d) the workplace including passage towards conveniences or facilities concerning toilet, washrooms, drinking water, entry and exit of women employee should be well-lit;
- (e) the toilet, washroom and drinking facilities should be near the workplace where such women employee are employed and suitable provisions of Closed-circuit television (CCTV) Surveillance on the way to these facilities shall be provided;
- (f) provide safe, secure and healthy working condition is provided so that no woman employee is disadvantaged in connection with her employment;
- (g) dedicated telephone numbers of the establishment shall be displayed at conspicuous places both at the establishment as well as inside the vehicles, so that any women employee can utilize them, in case of any exigency or emergency;
- (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.

62. Adequate safety of employment of women in dangerous operations under section 44.- The State Government may declare, from time to time, by notification, the class

of establishments or factory and the standards for safeguarding of women in hazardous process or in dangerous operations.

CHAPTER-IX

Contract Labour

63. Qualification and Criteria of the Contractor under sub-section (1) of section 47.- For the purposes of obtaining license, the contractor as an entity or as an individual should not be an un-discharged insolvent or convicted any time during the last two years of an offence which is criminal in nature involving offences which are liable for punishment for more than three months of imprisonment.

64. Conditions of License under 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, 2019 (Central Act No. 29 of 2019);
- (c) if the contract worker 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;
- (e) in case the contractor fails to make payment of minimum wages to the contract worker, then the Labour Commissioner or his representative, who shall cause such payment to be made to the contract workers, who have not been paid, out of the security deposit maintained under rule 70 including by invoking the bank guarantee; and
- (f) he shall intimate within fifteen days of the receipt of a contract work order about the details the contract work order and in the manner as specified in rule 72.

65. Form and manner of application for contractor license under sub-section (1) of section 48.- (1) Every application by a contractor for the grant of a license shall be made on-line electronically through Official Portal in Form-25 to the licensing authority.

(2) The application shall be accompanied, by way of uploading on the Official Portal, by the following documents, namely:-

- (a) A certificate by the principal employer in Form-26 to the effect that the applicant has establishment and that he undertakes to be bound by all the provisions of the Code and rules made thereunder in respect of the employment of contract labour by the applicant,
- (b) Work order given by the principal employer, for contract work, and
- (c) bank guarantee for an amount calculated at the rate of rupees 1000 for each of the worker to be employed as contract labour, in respect of which the application has been made.

(3) Every application referred to in sub-rule (1) shall also be accompanied by copy of treasury challan /e-challan or otherwise as proof of payment of fee prescribed in rule 68.

66. Manner of taking actions and inquiry under sub-section (3) of section 119.- In granting or refusing to grant a licence for contract work, the licensing authority shall take the following matters into account, namely:-

- (a) Whether the applicant fulfils qualification and criteria as prescribed in rule 63;
- (b) Whether a certificate of the Principal Employer in prescribed Form-26 and copy of work order is uploaded along with application;
- (c) Whether contract labour is to be employed only in the non-core activities of the establishment; and
- (d) Whether any order has been made in respect of the applicant under section 51 of the Code and if so, whether a period of three years has elapsed from the date of that order.

67. Forms, terms and conditions of license.- (1) Every license granted shall be in Form-27.

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

- (a) the license shall be non-transferable;
- (b) the number of workers employed as contract labour by the contractor shall not, on any day, exceed the maximum number specified in the license;
- (c) save as provided in these rules, the fees paid for the grant, or as the case may be, for renewal of the license shall be non-refundable; and
- (d) 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 and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed.

68. Procedure for issue of license under sub-section (2) of section 48.- (1) Before a license is issued under any rule of these rules, bank guarantee for an amount calculated at the rate of Rupees 1000/- for each of the worker to be employed as contract labour, in respect of which the application for license has been made, shall be deposited by the contractor for performance of the conditions of the license 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-25, the licensing officer may adjust the security deposit in respect of his application for new license.

(3) The fees to be paid per year, for the grant of a license shall be as specified in the Table below, namely:-

Table

S. No.	Criteria	Fees in Rupees
(1)	(2)	(3)
1.	No license is required upto 49 contract labour	Nil.
2.	50 but does not exceed 100 contract labour	1000
3.	101 but does not exceed 300 contract labour	2000
4.	301 but does not exceed 500 contract labour	3000
5.	501 but not exceeding 1000 contract labour	5000
6.	1001 but not exceeding 5000 contract labour	10000
7.	5001 but not exceeding 10000 contract labour	20000
8.	10001 but not exceeding 20000 contract labour	30000
9.	20001 and above contract labour	40000

69. Renewal of license issued under section 48.- (1) Every contractor shall apply electronically on the Official Portal to the licensing authority for renewal of the license.

(2) Every such application shall be submitted on the said Official Portal 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 per year for renewal of the license shall be the same as for the grant of license under rule 68:

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

(4) It shall be the responsibility of the authority concerned to renew license within 30 days or within such shorter period as specified by the Loksewa Guarantee Adhiniyam, for such service.

70. Refund of security deposit.- (1) On expiry of the period of license the contractor may, if he does not intend to have his license renewed further, make an application electronically to the licensing authority for the refund of the security 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.

(2) If the Licensing authority is satisfied that there is no breach of the conditions of license 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.

(3) 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.

(4) Any application for refund shall, as far as possible, be disposed off within 30 days of the receipt of the application.

71. Responsibility of 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.

(2) In case where the contract labour 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 holidays, hours of work and other conditions of service of the contract labour of the contractor shall be the same as applicable to the workers directly employed by the principal employer of the establishment on the same or similar kind of work. In case of any dispute whether the work is of similar kind, the matter be referred to the Chief Inspector-cum-Facilitator concerned, whose decision shall be final.

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

(4) All contract labour shall be made member of EPFO and ESIC subject to applicability as under respective provisions of the Code on Social Security, 2020.

(5) The contractor shall notify any change in the number of workers or conditions of work to the Licensing Authority, electronically.

72. Intimation of work order and time limit for intimation under section 50.- (1) Every contractor shall within fifteen days of the receipt of a contract work order shall 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.

(2) the details of work order shall be sent by the contractor or his authorized representative.

(3) The intimation shall be sent electronically on the Official Portal or e-mail of the Labour Commissioner or his representative as may be notified on the website of Labour Department.

73. Revocation or suspension of license under 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 the 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. On receipt of the reply if any, from the contractor within 15 days, the Licensing Authority shall examine the same and in case the licensing authority feels that the continuation of contract business by the contractor is going to lead to grave harm to the workers, he may pass a Speaking Order recording the reasons for revocation or suspension or otherwise and communicate to the contractor electronically. A copy of the Order shall be endorsed to the Labour Commissioner and district office of Labour Department.

(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 giving a Speaking Order or else the suspension may be continued.

(3) If the contractor fails to comply with the directions as in sub-rule (1), the Licensing Authority may forthwith pass an order of revocation of license, recording the reasons thereof and communicate to the contractor electronically. The copy of the order shall be endorsed electronically to the Labour Commissioner and district office of Labour Department.

74. Appeal under sub-section (1) of section 52.- The appellate authority under sub-section (1) of section 52 of the Code shall be as notified by the State Government for the purpose.

75. Responsibility of Payment of wages under 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 wages shall be disbursed through bank transfer or electronic mode only.

(4) The Wages of contract labours shall be paid without any deductions of any kind, except those specified by the Central Government by general or special order in this behalf or permissible under the Code on Wages 2019 (Central Act No. 29 of 2019), by the contractors to the contract labour.

(5) 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.

(6) Every contractor (including the contractors employing less than 50 contract labour) shall send half-yearly return in Form-23 so as to reach the concerned licensing authority, not later than 30 days from the close of the half year, electronically, that is to say January to June, July to December.

(7) In case contractor fails to make payment of wages to the contract labour within 7 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.

(8) Every principal employer of an establishment shall submit annual return in Part II of Form-22 so as to reach the authority and Labour Commissioner, so as to reach him not later than 1st February following the end of each Calendar year electronically, except in cases of contract which undertakes to produce given result.

76. Making payment of wages from the security deposit amount under sub-section (4) of section 55.- If the contractor or principal employer does not pay the wages to

the contract labour employed by him, the Labour Commissioner or his representative or the competent officer, as may be notified, 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. The contractor shall re-furnish the security deposit within a period of fifteen days or else his license will be liable to be suspended.

77. Experience Certificate under section 56.- Every concerned contractor shall issue on demand, experience certificate in Form-28 to the contract labour giving details of the period, work performed, experience gained in various fields performed by such contract labour.

78. Prohibition of employment of contract labour 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 Principal Secretary/Secretary, Labour Department, Government of Rajasthan giving reasons along with supporting documents.

CHAPTER-X

Inter-State Migrant Worker

79. Journey allowance to Inter-State Migrant Worker under section 61.- 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 Sleeper Class) or by bus or any other mode of passenger transport from the place of employment to the place of residence in the home state in the event if he has worked for a period of not less than 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. In the event of change of employer by the inter-state migrant worker during the middle of the employment period and 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 now working and the such worker has completed one hundred and eighty days in preceding twelve months including the period spent with the previous employer, then the employer shall give journey allowance.

80. Setting up of a Toll-Free helpline number to the inter-state migrant worker under Section 63.- The State Government may provide a Toll-Free help-line number to address queries and grievances of the inter-state migrant workers.

81. Study of inter-state migrant workers under section 64.- The State Government may identify the studies to be carried out to promote safety, health and welfare of inter-state migrant workers

CHAPTER-XI

Audio -Visual Worker

82. Agreement for audio-visual worker under clause (a) of sub-section (2) of section 66.- (1) The agreement between audio-visual workers and the producer shall be executed in Form-29.

(2) The agreement shall be registered with the competent authority as may be notified by the State Government.

83. Procedure for reference of disputes to a Conciliation Officer or a Tribunal under section 66.- The procedure for reference of dispute to a conciliation officer or a tribunal shall be in conformity with the Industrial Relation Code 2020 and State rules framed thereunder.

CHAPTER-XII

Beedi and Cigar Workers

84. Form of application and the payment of fees under sub-section (2) of section 74.- Subject to the provision of section 119 of the Code, every application under sub-section (2) of section 74 for a licence to use, or allow to be used, any place or premises as industrial premises shall be made on-line electronically through Official Portal in Form-25 to the licensing authority.

85. Manner of preparing the plan of the place or premises under sub-section (3) of section 74.- The application shall be accompanied by the Plans showing,-

- (i) the site of such place or premises, the areas therein to be used for manufacturing processes and the immediate surroundings of such place or premises, including adjacent buildings, structures, roads, drains and the like, and
- (ii) the plan, elevation and necessary cross section of the details relating to natural lighting, ventilation, means of escape in case of fire, position of the plant and machinery, if any, used aisles and passage ways in or in relation to, the various buildings which are intended to be used for manufacturing processes.

86. Other matters under clause (e) of sub-section (4) of section 74.- Before granting licence, the licensing authority shall also take into consideration whether the site of any industrial premises is proposed to be altered or whether any industrial premises has been closed, by the applicant during the period of twelve months immediately preceding the date of the application with a view to causing prejudice to the interests of the labour.

87. Fees under sub-section (6) of section 74.- The fees per year to be paid for the grant or renewal of a licence under section 74 shall be as specified in the table given below:-

TABLE

S. No.	Number of employees	Fees in Rupees for industrial premises in which power driven machinery is used	Fees in Rupees for industrial premises in which power driven machinery is not used
(1)	(2)	(3)	(4)
1.	Exceeds ten but does not exceed twenty	300	200
2.	Exceeds twenty but does not exceed fifty	700	500
3.	Exceeds fifty but does not exceed hundred	1500	1000
4.	Exceeds hundred but does not exceed two hundred and fifty	3000	2500
5.	Exceeds two hundred and fifty	5500	5000

88. Renewal of license under the second proviso to sub-section (6) of section 74.-

- (1) Every employer shall apply electronically on the portal to the licensing authority for renewal of the license.
- (2) Every such application shall be submitted on the said portal at least 30 days prior to expiry of license period but not before 90 days of such expiry of license.
- (3) The fee chargeable for renewal of the license per year shall be the same as for the grant of license under rule 87:

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

89. Period.- It shall be the responsibility of the authority concerned to renew or refuse to renew license within 30 days or within such shorter period as prescribed under Loksewa Guarantee Adhinium, for such service.

90. Form and terms and conditions of licence.- (1) A licence under section 74 shall be issued electronically in Form-27.

(2) Every licence granted or renewed under section 74 shall be subject to the following conditions, namely:-

- (a) the manufacturing process shall be carried on only in that part of the industrial premises specified for the purpose in the licence;
- (b) the maximum number of employees employed in the industrial premises shall not on any day exceed the number specified in the licence;

- (c) power driven machinery not specified in the licence shall not be used in the manufacturing process in the premises;
- (d) except with the prior permission in writing of the competent authority the industrial premises shall not be extended and except with the like permission no structural alteration shall be made in any building on such premises;
- (e) the licence shall not be transferable; and
- (f) except as provided in these rules the fees paid for the grant, or, as the case may be, renewal of the licence shall be non-refundable.

91. Time of filing appeal and fees under section 75.- (1) The employer aggrieved by the order of Licensing Officer, may appeal against such order before the appellate officer appointed by the State Government for the purpose within thirty days from the date of receipt by him of such order, electronically.

(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 called the register of appeals.

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

(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.

(5) If on the date fixed for hearing, the appellant does not appear, the appellate officer may dismiss the appeal for default of appearance of the appellants by sending the copy of the order to the applicant electronically.

(6) Where an appeal has been dismissed, the appellant may apply electronically to the appellate officer for the restoration of the appeal within thirty days from the date of receipt of the order 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 shall be communicated electronically or by registered post to the appellant and copy thereof shall be sent to the licensing 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.

(8) The fees payable in respect of an appeal under this rule shall be Rs. 100/-.

92. Conditions for permission and form of maintaining record of the outside work under sub-section (1) and (2) of section 76.- (1) Permission for wetting or cutting of beedi or tobacco leaves by employees outside the industrial premises may be granted on such conditions as may be specified by the State Government, from time to time.

(2) The employer shall make, through the Labour Commissioner, an application addressed to the Principal Secretary/Secretary of the Labour department on behalf of the employees to obtain permission for wetting or cutting of beedi or tobacco leaves by such employees. The

Labour Commissioner shall forward the application with his comments within a period of 15 days to the State Government. The State Government shall decide the application within a period of further thirty days. The permission so granted shall be valid only for such period as specified in the order granting permission.

(3) The employer shall maintain record of the work permitted under sub-section (1) of section 76 to be carried out outside the industrial premises in Form-30, electronically or otherwise.

(4) The employer shall, in respect of the employees who are permitted to work in their houses i.e. home-workers, maintain an up-to-date register in Form-31, electronically or otherwise.

93. Disputes relating to issue of raw materials by the employer.- (1) Any dispute between an employer and an employee or employees in relation to,-

- (a) the issue by the employer of raw materials to the employee;
- (b) the rejection by the employer of beedi or cigar or both rejected by an employee; or
- (c) the payment of wages for the beedi or cigar or both rejected by an employer;

may be referred in writing by the employer or the employee or employees to the Inspector-cum-Facilitator who shall, after making such enquiry as he may consider necessary and after giving the parties an opportunity to represent their respective cases decide the dispute and record the proceedings in Form-32.

(2) Any party to the dispute aggrieved by the decision thereon under sub-rule (1) may prefer an appeal within a period of thirty days from the date of the decision to the Licensing Authority:

Provided that the appellate authority may admit an appeal after the said period, if the appellant satisfies such authority that he had sufficient cause for not preferring the appeal within that period.

94. Supervision of distribution of raw materials.- No employer shall, if he is required to do so by an Inspector-cum-Facilitator by an order in writing, distribute except under the supervision of the Inspector-cum-Facilitator making the order or the supervision of another Inspector-cum-Facilitator, raw materials to such employee or employees and during such period as may be specified in the order.

95. Limit with regard to the rejection of Beedis or Cigars.- (1) No employer or contractor shall ordinarily reject as sub-standard or chhat or otherwise more than five per cent of the beedis or cigars, or both, received from a worker including a home worker.

(2) Where any beedi or cigar is rejected as sub-standard or chhat or otherwise on any ground other than the ground of wilful negligence of the worker, the worker shall be paid wages for the beedis or cigars so rejected at one-half of the rate at which wages are payable to him for the beedis or cigars, or both, which have not been so rejected.

96. Payment of wages to home workers.- Where raw materials are supplied to a home worker at his home, the wages due to him shall also be paid at his home:

Provided that an Inspector-cum-Facilitator may, if he considers it expedient so to do in the circumstances of any case, specify in respect of any home worker any other place or places at which wages shall be paid.

97. Maintenance of certain registers.- (1) Every employer shall provide free of cost to each home worker two books in Form-33, hereinafter referred to as the Home workers log-book and the home-worker shall keep a record in the logbook of the daily work done by him, the number of beedis or cigars supplied by him, number of standard beedis/cigars, the number of sub-standard or chhat beedis/cigars, the wages receivable and received by him for the standard beedis/cigars, sub-standard or chhat beedis/cigars. The book shall be made of good quality paper duly bound and will contain sufficient number of pages to last one year. The supply of books shall be so arranged that one book remains with the home worker at all times during the period between the two successive supplies or raw materials by the employer.

(2) Every employer shall maintain a home workers' employment register in Form-33. electronically or otherwise containing the names and particulars of all the home workers employed under him and the entries in the register shall be made and kept up-to-date on the basis of the entries in the home-workers' log books.

CHAPTER-XIII

Factories

98. Mode of submission of application under sub-section (1) and (2) of section 79.- The provisions of rule 5 to 18 shall *mutatis mutandis* apply to the application submitted under sub-section (1) and (2) of section 79.

99. Common facilities and services for joint liability of owner of premises and occupiers under section 80.- Where any premises or separate buildings are leased to different occupiers for use as separate factories, the owner of the premises and occupiers of the factories utilising such common facilities which include fire prevention and protection, access, hygiene, health, ventilation, temperature, emergency preparedness and response, canteens, shelter, rest rooms and crèches shall jointly and severally be responsible for provision and maintenance of such common facilities and services as prescribed below:-

- (i) Where in any premises separate buildings are leased to different occupiers for use as separate factories, the owner of the premises and occupiers of the factories shall jointly and severally be responsible for the provision and maintenance of common facilities and services, such as approach roads, drainage, water supply, lighting and sanitation.
- (ii) Where in any premises, independent or self-contained, floor or flats are leased to different occupiers for use as separate factories, the owner of the premises and occupiers of the factories shall jointly and severally be liable as if he were the occupier or manager of a factory, for any contravention of the provisions of the Code, rules and regulations made thereunder in respect of:-
 - (a) latrines, urinals and washing facilities in so far as the maintenance of the common supply of water for these purposes is concerned;
 - (b) fencing of machinery and plant belonging to the owner and not specifically entrusted to the custody or use of an occupier;
 - (c) safe means of access to the floors or flats or building or premises and maintenance and cleanliness of staircases and common passages;

- (d) precaution in case of fire at common place;
 - (e) maintenance of hoists and lifts at common place; and
 - (f) maintenance of any other common facilities provided in the premises.
- (iii) In respect of clause (i) and (ii), 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.
- (iv) The Chief Inspector-cum-Facilitator shall have power to issue orders to the owner of the premises in respect of the carrying out of the provisions of this rule.

100. Dangerous manufacturing process or operation under section 82.- (1) The following manufacturing process or operation when carried on in any factory are declared to be dangerous manufacturing process or operation under clause (a) of section 82:-

1. Manufacture of aerated water and processes incidental thereto.
2. Electrolytic plating or oxidation of metal articles by use of an electrolyte containing chromic acid or other chromium compounds.
3. Manufacture and repair of electric accumulators.
4. Glass manufacture.
5. Grinding or glazing of metals.
6. Manufacture and treatment of lead and certain compounds of lead.
7. Generation of gas from dangerous petroleum, as defined in the Petroleum Act, 1934 (Central Act No. 30 of 1934).
8. Cleaning or smoothing, roughening etc., of articles by a jet of sand metal shot or grit or other abrasive propelled by a blast of compressed air or steam.
9. Lining and tanning of raw hides and skins and processes incidental thereto.
10. Manufacture of chemical and processes incidental thereto.
11. Manufacture of pottery and processes incidental thereto.
12. Printing presses and type foundries-certain lead processes carried therein.
13. Manufacture of bangles and other articles from cinematograph film and toxic and inflammable solvents.
14. Compression of oxygen and hydrogen produced by the Electrolysis of water.
15. Handling and processing of Asbestos, manufacture of any article of Asbestos and any other process of manufacture or otherwise in which Asbestos is used in any form.
16. Manipulation of stone or any other material containing free silica.
17. Handling and Manipulation of corrosive (liquids and substances).
18. Manufacture or Manipulation of Carcinogenic Dye Intermediates.
19. Process of extracting vegetable oils from oil cakes in Solvent Extraction Plant.
20. Manufacture or Manipulation of manganese and its compounds.

21. Manufacture, handling and use of Benzene.
22. Carbon Disulphide Plants.
23. Manufacture and Manipulation of Dangerous Pesticides.
24. Operations involving high Noise levels.
25. Manufacture of Rayon by Viscose Process.
26. Highly Flammable Liquid and Flammable Compressed Gases.
27. Operation in Foundries.
28. Fireworks Manufacturing and Match Factories.

(2) The provisions specified under clause (b), (c) and (d) of section 82 and in the Schedules annexed hereto shall apply to any class or description of factories wherein dangerous manufacturing process or operation specified in each Schedule are carried out.

(3) Notwithstanding the provision specified in the schedules appended to this rule, the Inspector-cum-Facilitator may, by issue of orders in writing to the manager or occupier or both, direct them to carry out such measures, and within such time, as may be specified in such order with a view to removing conditions dangerous to the health of the workers, or to suspend any process, where such process constitutes, in the opinion of the Inspector-cum-Facilitator, imminent danger of poisoning or toxicity.

(4) Any register or record of medical examination and tests connection therewith required to be carried out under any of the schedules annexed hereto in respect of any workers shall be kept readily available to the Inspector-cum-Facilitator and shall be preserved till the expiry of one year after the workers ceases to be in employment of the factory or for the time period specifically prescribed in any of the Schedule below, whichever is higher.

(5) No pregnant woman shall be employed in any part of a factory wherein or near thereby a dangerous manufacturing process or operation is carried out. However, before employing any woman other than pregnant women in a factory wherein dangerous manufacturing process or operation is carried out, the occupier shall ensure that engineering control is installed, safety training, prescribed medical examination, specialised Personal Protective Equipment, as may be notified by the State Government, are provided.

(6) The Permit to work system shall inter alia include the observance of the following precautions while carrying out any specified work to be subjected to the permit to work system:-

- (a) all work subject to the permit to work system shall be carried out under the supervision of a knowledgeable and responsible person;
- (b) all parts of plant or machinery or equipment on which permit to work system is carried out, shall remain isolated from other parts throughout the period of permit to work and the place of work including the parts of plant, machinery shall be rendered safe by cleaning, purging washing etc.;
- (c) all work subject to the permit to work system shall have predetermined work procedures which integrate safety with the work. Such procedures shall be

reviewed whenever any change occurs in material or equipment so that continued safety is ensured;

- (d) persons who are assigned to carry out the permit to work system shall be physically fit in all respects taking into consideration the demands and nature of the work before entering into the confined space. Such persons shall be adequately informed about the correct work procedures as well as the precautions to be observed while carrying out the permit to work system;
 - (e) adequate rescue arrangements wherever considered necessary and adequate first aid, rescue and resurrector arrangements shall be available in good working condition near the place of work while carrying out the permit to work system for use in emergency;
 - (f) adequate rescue arrangements wherever considered equipment shall be used while carrying out the 'permit to work system';
 - (g) after completion of work subject to the 'permit to work system', the person responsible shall remove all the equipment and tools and restore to the original condition so as to prevent any danger while carrying out a regular process; and
 - (h) Alternate power supply arrangements shall be made and interlocked with the normal power supply system so as to ensure constant supply of power to the facilities and equipment meant for compliance with requirements of the schedules made under this rule.
- (7) There shall be provided and maintained in a cleanly state and in good repair for the use of all persons employed in dangerous operation process,-
- (a) a wash place under cover with either,-
 - (i) a trough with a smooth impervious surface fitted with a waste pipe, without plug and of sufficient length to allow of at least 60 cms. for every ten such persons employed at any one time and having a constant supply of water taps of jets above the trough at intervals of not more than 60 cms.; or
 - (ii) at least one wash basin for every ten such persons employed at any one time, fitted with a waste pipe and plug and having a constant supply of clean water;
 - (iii) a sufficient supply of clean towels made of suitable materials renewed daily; and
 - (iv) a sufficient supply of soap or other suitable cleansing materials.
 - (b) there shall in addition be provided means of washing facilities if required by notice in writing from the Chief Inspector-cum-Facilitator .
- (8) Before each meal and before the end of the day's work, at least ten minutes, in addition to the regular meal times, shall be allowed for washing to each worker or employee:
- Provided that if there be one basin or 60 cms. of trough for each such person this sub-rule shall not apply.

(9) Sufficient bath accommodation to the satisfaction of the Chief Inspector-cum-Facilitator shall be provided along with sufficient supply of soap and clean towels.

(10) No food, drink, Paan and supari or tobacco shall be consumed or brought by any worker into any work-room in which any dangerous operation process is carried on.

(11) The occupier of all the factories carrying out processes covered under section 82, shall provide,-

(a) for all the workers working in a shift, mess room facility, which are well ventilated and provided with sitting facilities along with the provision of drinking water; and

(b) such facilities shall include suitable arrangements for cleaning and washing and shall be maintained in clean and hygienic conditions.

(12) The occupier of every factory carrying out any process covered under section 82 shall provide,-

(a) for all the workers employed in the process, cloak room facilities with lockers. Each worker shall be provided with locker; and

(b) the cloak room facilities shall be located as far as possible near to the facilities provided for washing. If it is not possible to locate the washing facilities the cloak room facilities shall have adequate and suitable arrangements for cleaning & washing.

(13) The occupier of every factory having licence of more than 100 workers and to which this rule applies, shall,-

(a) employ a qualified medical practitioner having qualification, training and experience in conducting a thorough Medical check-up against the hazards likely to creep in such type of process; and

(b) provide to the said medical practitioner the necessary facilities for the purpose referred to in clause (a);

(14) The record of medical examination and appropriate tests carried out by the said medical practitioner shall be maintained in a Health Register, which shall be kept readily available for Inspection by the Inspector-cum-Facilitator.

(15) Workers employed in processes covered under this rule shall be medically examined by a Medical Practitioner or Medical Officer in the following manner:-

(a) Once before employment, to ascertain physical suitability of the person to do the particular Job;

(b) Once in a period of 12 months or less as defined in the schedule, to ascertain the health status of the workers;

(c) The details of pre-employment and periodical medical examinations carried out as aforesaid shall be recorded in Health Register and maintained;

- (d) Any finding of the Medical Practitioner revealing any abnormality or unsuitability of any person employed in the process shall immediately be reported to the occupier. If the Factory Medical Practitioner is of the opinion that the worker so examined is required to be suspended from the process for health protection, he will advise the occupier accordingly, who shall not employ the said worker in the same process. However, the worker so suspended from the process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the Medical Practitioner, in which case the person affected shall be suitably rehabilitated:

Provided that the Medical Officer on his own may examine any other workers whom he feels necessary to be examined for ascertaining the suitability of his employment in the processes covered under this rule or for ascertaining the health status of any other worker and his opinion shall be final.

- (e) No person shall be newly appointed without the Certificate of Fitness granted by the Medical Practitioner. If the Medical Practitioner declares a person unfit for being appointed to work in the process covered in sub-rule (1) then such person shall have a right to appeal to the Medical Officer, whose opinion shall be final in this regard;
- (f) The worker suspended from the process owing to the circumstances covered in sub-para (d) shall be employed again in the same process only after obtaining the Fitness Certificate from the Medical Officer and after making entries to that effect in the health register.

(16) In every factory carrying out dangerous operations,-

- (a) Every worker employed in any of these processes to which this rule applies shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include such medical tests as mentioned in the Schedule related to the processes. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.
- (b) Every worker employed in the said processes shall be re-examined by a Medical Officer at least once in every twelve months. Such re-examination shall, wherever the Medical Officer considers appropriate include tests as specified in Schedules appended to this rule.
- (c) The Medical Officer after examining a worker, shall issue a Certificate of Fitness. The record of examination and re-examinations carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under clause (a) and (b) above, including the nature and results of the tests, shall also be entered by the Medical Officer in a health register.
- (d) The Certificate of fitness and the health register shall be kept readily available for Inspection by the Inspector-cum-Facilitator .

- (e) If at any time the Medical Officer is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents should also include the period for which he considers that the said person is unfit for work in the said processes.
 - (f) No person who has been found unfit to work as said in clause (e) above shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination again, certifies him fit for employment in those processes.
- (17) In all the factories carrying out dangerous operation there shall be provided and maintained in good order an Occupational Health Centre with facilities as per scale laid down hereunder:
- (a) For factories having licence upto 50 workers,-
 - (i) The services of a qualified medical practitioner, hereinafter known as Factory Medical Practitioner, available on a retainerhip basis, in his notified clinic near to the factory for seeking medical help during emergency. He will also carry out the pre-employment and periodical medical examinations.
 - (ii) A minimum of five persons trained in first aid procedures, amongst whom at least one shall always be available during the working period:
 - (iii) A fully equipped first aid box.
 - (iv) List of hazardous substance, chemicals and dangerous operations along with Material Safety Data Sheets.
 - (b) For factories employing 51 to 200 workers,-
 - (i) The occupational health centre shall have a room having a minimum floor area of 15 sq.m. with floor and walls made of smooth hard and impervious surface and shall be adequately illuminated, ventilated and equipped:
 - (ii) A part time Factory Medical Practitioner will be in overall charge of the Centre who shall visit the factory minimum twice in a week and whose services shall be readily available during emergencies.
 - (iii) There shall be one qualified and trained dresser-cum-compounder on duty throughout the working period.
 - (iv) A fully equipped first aid box.
 - (v) List of hazardous substance, chemicals and dangerous operations along with Material Safety Data Sheets.
 - (c) For factories employing above 200 workers,-

- (i) There shall be one full time Factory Medical Practitioner for factories employing up to 500 workers and one more Medical Practitioner for every 1000 workers or part thereof.
- (ii) The occupational health centre in this case shall have a minimum of 2 rooms each having a minimum floor area of 15 sq. m. each with floors and walls made of smooth, hard and impervious surface and shall be adequately illuminated, ventilated and equipped.
- (iii) There shall be one trained nurse, one dresser-cum-compounder and sweeper-cum-ward boy throughout the working period.
- (iv) The occupational Health Centre in this case shall be suitably equipped to manage medical emergencies.
- (v) List of hazardous substance, chemicals and dangerous operations along with Material Safety Data Sheets.

(18) In every factory having licence for more than 500 workers and carrying out dangerous operation, there shall be provided and maintained in good condition a fully equipped ambulance van as may be prescribed and manned by a full time driver-cum-mechanic and a helper, trained in first aid for the purposes of transportation of serious cases of accidents or sickness. The ambulance van shall not be used for any purpose other than the purpose stipulated herein and will always be available near the Occupational Health Centre.

SCHEDULE I

Manufacture of Aerated Waters and processes incidental thereto.

1. Fencing of machines.- All machines for filling bottles or siphons shall be so constructed, placed or fenced, as to prevent, as far as may be practicable, a fragment of a bursting bottle or siphons from striking any person employed in the factory,

2. Face guards and gauntlets.- (1) The occupier shall provide and maintain in good condition for the use of all persons engaged in filling bottles or siphons-

- (a) suitable face-guards to protect the face, neck and throat; and
- (b) suitable gauntlets for both arms to protect the whole hand and arms:

Provided that,-

- (i) provision of this clause shall not apply where bottles are filled by means of an automatic machine so constructed that no fragment of a bursting bottle can escape; and
- (ii) where a machine is so constructed that only one arm of the bottle at work upon it is exposed to danger, a gauntlet need not be provided for the arm which is not exposed to danger.

(2) The occupier shall provide and maintain in good condition for the use of all persons engaged in corking, crowning, screwing, wiring, foiling, capsuling, sighting or levelling bottles of siphons—

- (a) suitable face-guards to protect the face, neck and throat; and
- (b) suitable gauntlets for both arms to protect the arm and at least half of the palm and the space between the thumb and forefinger.

3. Wearing of face-guards and gauntlets.- All persons engaged in any of the processes specified in clause 2 shall, while at work in such processes, wear the face guards and gauntlets provided under the provisions of the said clause.

SCHEDULE II

Electrolytic plating or Oxidation of Metal articles by use of an Electrolytes containing chromic acid or other chromium compounds

1. Definitions.- For the purposes of this Schedule,-

- (a) "Electrolytic chromium process" means the electrolytic plating or oxidation of metal articles by the use of an electrolyte containing chromic acid or other chromium compounds.
- (b) "Bath" means any vessel used for an electrolytic chromium process or for any subsequent process.

2. Exhaust draught.- An efficient exhaust draught shall be applied to every vessel in which an electrolytic chromium process is carried on. Such draught shall be provided by mechanical means and shall operate on the vapour or spray given off in the process, as near as may be, at the point of origin. The exhaust draught appliance shall be so constructed, arranged and maintained as to prevent the vapour or spray entering into any room or place in which work is carried on.

3. Floor of work-rooms.- The floor of every room containing a bath shall be impervious to water. The floor shall be maintained in good and level condition and shall be washed down at least once a day.

4. Protective clothing.- (1) The occupier of the factory shall provide and maintain in good and clean condition, the following articles of protective clothing for the use of all persons employed on any process at which they are liable to come in contact with liquid from a bath and such clothing shall be worn by the persons concerned—

- (a) water-proof aprons and bibs; and
- (b) for persons actually working at a bath loose-fitting rubber gloves and rubber boots or other water-proof footwear.

(2) the occupier shall provide and maintain for the use of all persons employed suitable accommodation for the storage and adequate arrangements for the drying of the protective clothing.

5. Medical examination.- Every worker employed in the electrolytic chrome process shall be examined within 15 days of his first employment. Such examinations shall include tests for Chromium in urine and nasal septum perforation.

6. Cautionary placard.- A cautionary placard in the language of the majority of the workers employed shall be affixed in a prominent place in the factory where it can be easily and conveniently read by the workers.

SCHEDULE III
Manufacture and Repair of Electric Accumulators

1. Savings.- This Schedule shall not apply to the manufacture or repair of electric accumulators or parts thereof not containing lead or any compound of leads or to the repair on the premises, of any accumulator forming part of a stationery battery.

2. Definitions.- For the purposes of this Schedule,-

(a) "Lead process" means the melting of lead or any material containing lead, casting, pasting, lead burning, or any other work, including trimming, or any other abrading or cutting of pasted plates involving the use, movement or manipulation of, or contact with, any oxide of lead.

(b) "Manipulation of raw oxide of lead" means any lead process involving any manipulation or movement of raw oxides of lead other than its conveyance in a receptacle or by means of an implement from one operation to another.

3. Separation of certain processes.- Each of the following processes shall be carried on in such a manner and under such conditions, as to secure effectual separation from one another, and from any other process-

- (a) Manipulation of raw oxide of lead;
- (b) Pasting;
- (c) Drying of pasted plates;
- (d) Formation with lead burning ("tacking") necessarily carried on in connection therewith; and
- (e) Melting down of pasted plates.

4. Air space.- In every room in which a lead process is carried on, there shall be at least 14 cubic metres of air space, for each person employed therein, and in computing this air space, no height over 3.5 metres shall be taken into account.

5. Ventilation.- Every work-room shall be provided with inlets and outlets of adequate size as to secure and maintain efficient ventilation in all parts of the room.

6. Distance between workers in pasting room.- In every pasting room, the distance between the center of the working position of any paster and that of the paster working nearest to him, shall not be less than 1.5 metres.

7. Floor of work-rooms.- (1) The floor of every room in which a lead process is carried on shall be,-

- (a) of cement or similar material so as to be smooth and impervious to water;
- (b) maintained in sound condition; and
- (c) kept free from materials, plant, or other obstruction not required for, or produced in, the process carried on in the room.

(2) In all such rooms other than grid casting shops, the floor shall be cleaned daily after being thoroughly sprayed with water at a time when no other work is being carried on in the room.

(3) In grid casting shops, the floor shall be cleaned daily.

(4) Without prejudice to the requirements of sub-clause (1), (2) and (3) where manipulation of raw oxide of lead or pasting is carried on, the floor shall also be,-

- (a) kept constantly moist while work is being done;
- (b) provided with suitable and adequate arrangements for drainage; and
- (c) thoroughly washed daily by means of a hose pipe.

8. Work-benches. - The work-benches at which any lead process is carried on shall,-

- (a) have a smooth surface and be maintained in sound condition:
- (b) be kept free from all materials or plant not required for, or produced in, the process carried on there at;
- (c) all such work-benches other than those in grid casting shops shall be cleansed daily either after being thoroughly damped or by means of a suction cleaning apparatus at a time when no other work is being carried on there at;
- (d) all such work-benches in grid casting shops, shall be cleansed daily; and
- (e) every work-bench used for pasting shall,-
 - (i) be covered throughout with sheet lead or other impervious material;
 - (ii) be provided with raised edges; and
 - (iii) be kept constantly moist while pasting is being carried on.

9. Exhaust draught.- The following processes shall not be carried on without the use of an efficient exhaust draught,-

- (a) Melting of lead or materials containing lead;
- (b) Manipulation of raw oxide of lead, unless done in an enclosed apparatus so as to prevent the escape of dust into the work-room;
- (c) Pasting;
- (d) Trimming, brushing, filing or any other abrading or cutting of pasted plates giving rise to dust;
- (e) Lead burning, other than,-
 - (i) 'tacking' in the formation room;
 - (ii) chemical burning for the making of lead lining for cell cases necessarily carried on in such a manner that the application of efficient exhaust is impracticable.

Such exhaust draught shall be effected by mechanical means and shall operate on the dust or fume given off as nearly as may be at its point of origin, so as to prevent it entering the air of any room in which persons work.

10. Fumes and gases from melting pots.- The products of combustion produce in the heating of any melting pot shall not be allowed to escape into a room in which persons work.

11. Container for dross.- A suitable receptacle with tightly fitting cover shall be provided and used for dross as it is removed from every melting pot. Such receptacle shall be kept covered while in the work-room, except when dross is being deposited therein.

12. Container for lead waste.- A suitable receptacle shall be provided in every work-room in which old plates and waste material which may give rise to dust shall be deposited.

13. Racks and Shelves in drying room.- The racks or shelves provided in any drying room shall not be more than 240 cms. from the floor not more than 60 cms in width. Provided that

as regards racks or shelves set or drawn from both sides the total width shall not exceed 120 cms. Such racks or shelves shall be cleaned only after being thoroughly damped unless an efficient suction cleaning apparatus is used for this purpose.

14. Medical examination by Medical Officer.- Every worker employed in lead processes shall be examined within 15 days of his first employment. Such examination shall include tests for lead in urine and blood, ALA in urine, hemoglobin content, stippling of cells and steadiness test.

15. Protective clothing.- Protective clothing shall be provided and maintained in good repair for all persons employed in,-

- (a) manipulation of raw oxide of lead;
- (b) pasting; or
- (c) the formation room;

and such clothing shall be worn by the persons concerned. The protective clothing shall consist of a water-proof apron and water-proof footwear, and, also, as regards persons employed in the manipulation of raw oxide of lead or in pasting, head coverings. The head coverings shall be washed daily.

SCHEDULE IV **Glass Manufacture**

1. Exemption.- If the Chief Inspector-cum-Facilitator is satisfied in respect of any factory or any class of process that, owing to the special methods of work or the special conditions in a factory or otherwise, any of the requirements of this Schedule can be suspended or relaxed without danger to the persons employed therein, or that the application of this Schedule or any part thereof is for any reason impracticable, he may by certificate in writing authorise such suspension or relaxation as may be indicated in the certificate for such period and on such conditions as he may think fit.

2. Definitions.- For the purposes of this Schedule,-

- (a) "Efficient exhaust draught" means localised ventilation effected by mechanical means for the removal of gas, vapour, dust or fume so as to prevent them (as far as practicable under the atmospheric conditions usually prevailing) from escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove smoke generated at the point where such gas, vapour, fume or dust originate.
- (b) "Lead compound" means any compound of lead other than galena which when treated in the manner described below, yields to an aqueous solution of hydrochloric acid a quantity of soluble lead compound exceeding, when calculated as lead monoxide, five per cent, of the dry weight of the portion taken for analysis.

Explanation: The method of treatment shall be as follows:-

A weight quantity of the material which has been dried at 100 degree Centigrade, and thoroughly mixed shall be continuously shaken for one hour, at the common temperature with 1,000 times its weight of an aqueous solution of hydrochloric acid containing 0.25 percent, by weight of hydrogen chloride. This solution shall thereafter be allowed to stand for one hour and then filtered. The lead salt contained in the clear filtrate shall then be precipitated as lead sulphide and weighted as lead sulphate.

3. Exhaust draught.- The following process shall not be carried on except under an efficient exhausted draught or under such other conditions as may be approved by the Chief Inspector-cum-Facilitator, -

- (a) The mixing of raw materials to form a "batch".
- (b) The dry grinding, glazing and polishing of glass or any article of glass.
- (c) All processes in which hydrofluoric acid fumes or ammoniacal vapours are given off.
- (d) All processes in the making of furnace moulds or 'pots' including the grinding or crushing of used 'pots'.
- (e) All processes involving the use of a dry lead compound.

4. Floors and work-benches.- The floor and work-benches of every room in which a dry compound of lead is manipulated or in which any process is carried on giving off silica dust shall be kept moist and shall comply with the following requirements,-

The floors shall be,-

- (a) of cement or similar material so as to be smooth and impervious to water;
- (b) maintained in sound condition; and
- (c) cleansed daily after being thoroughly spread with water at a time when no other work is being carried on in the room.

The work-benches shall,-

- (a) have a smooth surface and be maintained in sound condition, and
- (b) be cleansed daily either after being thoroughly damped or by means of a suction cleaning apparatus at a time when no other work is being carried on there at.

5. Use of Hydrofluoric Acid.- The following provisions shall apply to rooms in which glass is treated with hydrofluoric acid,-

- (a) there shall be inlets and outlets of adequate size so as to secure and maintain efficient ventilation in all parts of the room;
- (b) the floor shall be covered with gutta-percha and be tight and shall slope gently down to a covered drain;
- (c) the work places shall be so enclosed in projecting hoods that openings required for bringing in the objects to be treated shall be as small as practicable; and
- (d) the efficient exhaust draught shall be so contrived that the gases are exhausted downwards.

6. Storage and transport of Hydrofluoric Acid.- Hydrofluoric acid shall not be stored or transported except in cylinders or receptacles made of lead or rubber.

7. Blow-pipes.- Every glass blower shall be provided with a separate blow-pipe bearing the distinguishing mark of the person to whom it is issued and suitable facilities shall be readily available to every glass blower for sterilizing his blow-pipe.

8. Protective clothing.- The occupier shall provide, maintain in good repair and keep in clean condition for the use of all persons employed in the process specified in clause 3 suitable protective clothing footwear and goggles according to the nature of the work and such clothing footwear, etc. shall be worn by the persons concerned.

9. Medical examination.- Every worker employed in processes specified in clause 2 shall be examined within 15 days of his first employment. Such examination shall include pulmonary function test and in suspected cases chest X-rays as well as test for lead in urine.

SCHEDULE V

Grinding or Glazing of Metals and Processes Incidental thereto

1. Definitions.- For the purposes of this Schedule,-

- (a) "Grindstone" means a grindstone composed of natural or manufactured sandstone but does not include a metal wheel or cylinder into which block of natural or manufactured sandstone are fitted;
- (b) "Abrasive wheel" means a wheel manufactured of bonded emery or similar abrasive;
- (c) "Grinding" means the abrasion, by aid of mechanical power, of metal, by means of grindstone or abrasive wheel;
- (d) "Glazing" means the abrading, polishing or finishing, by aid of mechanical power, of metal, by means of any wheel, buff, mop or similar appliance to which any abrading or polishing substance is attached or applied;
- (e) "Racing" means the turning up, cutting or dressing of a revolving grindstone before it is brought into use for the first time;
- (f) "Hacking" means the chipping of the surface of a grindstone by a hack or similar tool; and
- (g) "Rodding" means the dressing of the surface of a revolving grindstone by the application of a rod, bar or strip of metal to such surface.

2. Exceptions.- (1) Nothing in this Schedule shall apply to any factory in which only repairs are carried on except any part thereof in which one or more persons are wholly or mainly employed in the grinding or glazing of metals.

(2) Nothing in this Schedule except clause 4 shall apply to any grinding or glazing of metals carried on intermittently and at which no person is employed for more than 12 hours in any week.

(3) The Chief Inspector-cum-Facilitator may by certificate in writing, subject to such conditions as he may specify therein, relax or suspend any of the provisions of this Schedule

in respect of any factory if owing to the special methods of work or otherwise such relaxation or suspension is practicable without danger to the health or safety of the persons employed.

3. Equipment for removal of dust.- No racing, dry grinding or glazing shall be performed without,-

- (a) a hood or other appliance so constructed, arranged, placed and maintained as substantially to intercept the dust thrown off;
- (b) a duct of adequate size, air tight and so arranged as to be capable of carrying away the dust, which duct shall be kept free from obstruction and shall be provided with proper means of access for inspection and cleaning, and where practicable, with a connection at the end remote from the fan to enable the Inspector-cum-Facilitator to attach thereto any instrument necessary for ascertaining the pressure of air in the said duct; and
- (c) a fan or other efficient means of producing a draught sufficient to extract the dust:

Provided that the Chief Inspector-cum-Facilitator, may accept any other appliance that is, in his opinion, as effectual for the interception, removal and disposal of dust thrown off as a hood, duct and fan would be.

4. Restriction on employment on grinding operations.- Not more than one person shall at any time perform the actual processes of grinding or glazing upon a grindstone, abrasive wheel or glazing appliance:

Provided that this clause shall not prohibit the employment of persons to assist in the manipulation of heavy or bulky articles at any such grindstone, abrasive wheel or glazing appliance.

5. Glazing.- Glazing or other processes, except processes incidental to wet grinding upon a grindstone shall not be carried on in any room in which wet grinding upon a grindstone is done.

6. Hacking and rodding.- hacking or rodding shall not be done unless during the process either,-

- (a) an adequate supply of water is laid on at the upper surface of the grindstone; or
- (b) adequate appliances for the interception of dust are provided in accordance with the requirements of clause 3.

7. Examination of dust equipment.- (a) All equipment for the extraction or suppression of dust shall at least once in every six months be examined and tested by a competent person, and any defect disclosed by such examination and test shall be rectified as soon as practicable.

(b) A register containing particulars of such examination and test shall be kept in a form approved by the Chief Inspector-cum-Facilitator.

8. Medical Examination.- Every worker employed in grinding or glazing of metal processes incidental thereto shall be examined within 15 days of his first employment. Such examination shall include pulmonary function test and in suspected cases chest X-rays.

SCHEDULE VI**Manufacture and treatment of lead and certain compounds of lead**

1. Exemptions.- Where the Chief Inspector-cum-Facilitator is satisfied that all or any of the provisions of this Schedule are not necessary for the protection of the persons employed, he may by certificate in writing exempt any factory from all or any of such provisions, subject to such conditions as he may specify therein.

2. Definitions.- For the purposes of this Schedule,-

- (a) "Lead Compound" means any compound of lead other than galena which, when treated in the manner described below, yields to an aqueous solution of hydrochloric acid, a quantity of soluble lead compound exceeding, when calculated as lead monoxide, five percent of the dry weight of the portion taken for analysis. In the case of paints and similar products and other mixtures containing oil or fat the "dry weight" means the dry weight of the material remaining after the substance has been thoroughly mixed and treated with suitable solvents to remove oil, fats, varnish or other media.

Explanation: The method of treatment shall be as follows:-

A weighted quantity of the material which has been dried at 100 degree C and thoroughly mixed shall be continuously shaken for one hour, at the common temperature with 1,000 times its weight of an aqueous solution of hydrochloric acid containing 0.25 per cent by weight of hydrogen chloride. This solution shall thereafter be allowed to stand for one hour and then filtered. The lead salt contained in the clear filtrate shall then be precipitated as lead sulphide and weighed as lead sulphate.

- (b) "Efficient exhaust draught" means localized ventilation affected by heat or mechanical means, for the removal of gas, vapour, dust or fumes so as to prevent them (as far as practicable under the atmospheric conditions usually prevailing) from escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove smoke generated at the point where such gas, vapour, fumes or dust originate.

3. Application.- This Schedule shall apply to all factories or parts of factories in which any of the following operations are carried on:-

- (a) Work at a furnace where the reduction or treatment of zinc or lead ores is carried on.
- (b) The manipulation, treatment or reduction of ashes containing lead, the dissolve rising of lead or the melting of scrap, lead or zinc.
- (c) The manufacture of solder or alloys containing more than ten percent of lead.
- (d) The manufacture of any oxide, carbonate, sulphate, chromate, acetate, nitrate or silicate of lead.
- (e) Handling or mixing of lead tetra-ethyl.

(f) Any other operation involving the use of a lead compound.

(g) The cleaning of work-rooms where any of the operations aforesaid are carried on.

4. Requirements to be observed.- No person shall be employed or permitted to work in any process involving the use of lead compounds if the process is such that dust or fume from a lead compound is produced therein, or the persons employed therein are liable to be splashed with any lead compound in the course of their employment unless the provisions of clause 5 to 9 are complied with.

5. Exhaust draught.- Where dust, fume, gas or vapour is produced in the process, provision shall be made for removing them by means of an efficient exhaust draught so contrived as to operate on the dust, fume, gas or vapour as closely as possible to the point of origin.

6. Certificate of fitness. - A person medically examined under clause 7 and found fit for employment shall be granted by a Medical Officer a certificate of fitness and such certificate shall be in the custody of the Manager of the factory. The certificate shall be kept readily available for inspection by any Inspector-cum-Facilitator and the person granted such a certificate shall carry with him, while at work, a token giving reference to such certificate.

7. Medical Examination. - (1) The person so employed shall be medically examined by a Medical Officer within 15 days of his first employment in such process and thereafter shall be examined by the Medical Officer at intervals of not more than three months, and a record of such examinations shall be entered by the Medical Officer in the special certificate of fitness granted under clause 6.

(2) If at any time the Medical Officer is of opinion that any person is no longer fit for employment on the grounds that continuance therein would involve special danger to health, he shall cancel the special certificate of fitness of that person.

(3) No person whose special certificate of fitness has been cancelled shall be employed unless the Medical Officer, after re-examination, again certifies him to be fit for employment.

8. Protective clothing.- Suitable protective overalls and head coverings shall be provided, maintained and kept clean by the factory occupier and such overalls and head coverings shall be worn by the person employed.

9. Cleanliness of work-rooms, tools etc.- The rooms in which the persons are employed and all tools and apparatus used by them shall be kept in a clean state.

SCHEDULE VII

Generation of gas from dangerous petroleum as defined in the Petroleum Act, 1934

1. Flame traps.- The plant for generation of gas from dangerous petroleum as defined in the Petroleum Act, 1934 and associated piping and fittings shall be fitted with at least two efficient flame traps so designed and maintained as to prevent a flash back from any burner to the plant. One of these traps shall be fitted as close to the plant as possible. The plant and all pipes and valves shall be installed and maintained free from leaks.

2. Generating building or room.- All plants for generation of gas from dangerous petroleum as defined in the Petroleum Act, 1934 erected after the coming into force of the provisions specified in this Schedule, shall be erected outside the factory building proper in a separate

well-ventilated building (hereinafter referred to as the "generating building"). In the case of such plant erected before the coming into force of the provisions specified in this Schedule there shall be no direct communication between the room where such plants are erected, (hereinafter referred to as "the generating room") and the remainder of the factory building. So far as practicable, all such generating rooms shall be constructed of fire-resisting materials.

3. Fire extinguishers.- An efficient means of extinguishing petrol fires shall be maintained in an easily accessible position near the plant for generation of gas from dangerous petroleum as defined in the Petroleum Act, 1934.

4. Plant to be approved by Chief Inspector-cum-Facilitator.- Petrol gas shall not be manufactured except in a plant for generating petrol gas the design and construction of which has been approved by the Chief Inspector-cum-Facilitator .

5. Escape of petrol.- Effective steps shall be taken to prevent petrol from escaping into any drain or sewer.

6. Prohibition relating to smoking.- No person shall smoke or carry matches, fire or naked light or other means of producing a naked light or spark in the generating room or building or in the vicinity thereof and a warning notice in the language understood by the majority of the workers shall be posted in the factory prohibiting smoking and the carrying of matches, fire or naked light or other means of producing a naked light or spark into such room or building.

7. Access to petrol or container.- No unauthorised persons shall have access to any petrol or to a vessel containing or having actually contained petrol.

8. Electric fittings.- all electric fittings shall be of flame- proof construction and all electric conductors shall either be enclosed in metal conducts or be lead-sheathed.

9. Construction of doors.- All doors in the generating room or building shall be constructed to open outwards or to slide and no door shall be locked or obstructed or fastened in such a manner that it cannot be easily and immediately opened from the inside while gas is being generated and any person is working in the generating room or building.

10. Repair of containers.- No vessel that has contained petrol shall be repaired in a generating room or building and no repairs to any such vessel shall be undertaken unless live steam has been blown into the vessel and until the interior is thoroughly steamed out or other equally effective steps have been taken to ensure that it has been rendered free from petrol or inflammable vapour.

SCHEDULE VIII

Cleaning or smoothing, roughening etc. of articles by a jet of sand, metal shot or grit or other abrasive propelled by a blast of compressed air or steam

1. Definitions.- For the purposes of this Schedule,-

- (i) "Blasting" means cleaning, smoothing, roughening, or removing of any part of the surface of any article by the use as an abrasive of a jet of sand, metal shot, or grit or other material, propelled by a blast of compressed air or steam;

- (ii) "Blast enclosure" means a chamber, barrel, cabinet or any other enclosure designed for the performance of blasting therein;
- (iii) "Blasting chamber" means a blasting enclosure in which any person may enter at any time in connection with any work or other-wise; and
- (iv) "Cleaning of castings" where done as an incidental or supplemental process in connection with the making of metal castings, means the freeing of the casting from adherent sand or other substance and includes the removal of cores and the general smoothing of a casting, but does not include the free treatment.

2. Prohibition of Sand Blasting.- Sand or any other substance containing free silica shall not be introduced as an abrasive in to any blasting apparatus and shall not be used for blasting.

3. Precautions in connection with Blasting Operations.-

(1) **Blasting to be done in blasting enclosure.-** Blasting shall not be done except in a blasting enclosure and no work, other than blasting and any work immediately incidental thereto and clearing and repairing of the enclosure including the plant and appliances situated therein, shall be performed in a blasting enclosure. Every door, aperture and joint of blasting enclosure shall be kept closed and air-tight while blasting is being done therein.

(2) **Maintenance of blasting enclosure.-** Blasting enclosure shall always to be maintained in good condition and effective measures shall be taken to prevent dust escaping from such enclosures, and from apparatus connected therewith, into the air of any room.

(3) **Provisions of separating apparatus.-** There shall be provided and maintained for and in connection with every blasting enclosure, efficient apparatus for separating so far as practicable. Abrasive which has been used for blasting and which is to be used again as an abrasive, from dust or particles of other materials arising from blasting and no such abrasive shall be introduced into any blasting apparatus and used for blasting until it has been so separated.

(4) **Provision of ventilating plant.-** (a) There shall be provided and maintained in connection with every blasting enclosure efficient ventilating plant to extract, by exhaust draught effected by mechanical means, dust produced in the enclosure. The dust extracted and removed shall be disposed of by such method and in such a manner that it shall not escape into the air of any room; and

(b) every other filtering or settling device situated in a room in which persons are employed, other than persons attending to such bag or other filtering or settling device, shall be completely separated from the general air of that room in an enclosure ventilated to the open air.

(5) **Operation of ventilating plant-** The ventilating plant provided for the purpose of clause (4) shall be kept in continuous operation whenever the blasting enclosure is in use whether or not blasting is a actually taking place therein and in the case of blasting chamber, it shall be in operation even when any person is inside the chamber for the purpose of cleaning or any repair work.

4. Inspection and Examination.- (1) Every blasting enclosure shall be specially inspected by a technical person, employed in the factory, at least once every week in which it is used for blasting. Every blasting enclosure, the apparatus connected therewith and the ventilating

plant, shall be thoroughly examined and in the case of a ventilating plant tested by a competent person at least once in six months.

(2) Particulars of the result of every such inspection, examination and test shall forthwith be entered in a register which shall be kept in a register and shall be available for inspection by any workman employed in or in connection with blasting in the factory. Any defect found on any such inspection, examination or test shall be immediately reported by the person carrying out the inspection, examination or test to the occupier, manager or, other appropriate person and without prejudice to the foregoing requirements of this Schedule, shall be removed without available delay.

5. Provisions of protective helmets, gauntlets and overalls.- (1) There shall be provided and maintained for the use of all persons who are employed in a blasting chamber, whether in blasting or any work connected therewith or in cleaning such a chamber, protective helmets of National or International Standard and every such person shall wear the helmet provided for his use whilst he is in the chamber and shall not remove it until he is outside the chamber.

(2) Each protective helmet shall carry a distinguishing mark indicating the person by whom it is intended to be used and no person shall be allowed or required to wear a helmet not carrying his mark or a helmet which has been worn by another person and has not since been thoroughly disinfected.

(3) Each protective helmet when in use shall be supplied with clean and not unreasonably cold air at a rate or not less than 0.17 cubic metres per minute.

(4) Suitable gauntlets and overalls shall be provided for the use of all persons while performing blasting or assisting at blasting, and every such person shall while so engaged wear the gauntlet and overall provided.

6. Precautions in connection with cleaning and other work.- (1) Where any person is engaged upon cleaning of any blasting apparatus or blasting enclosure or of any apparatus of ventilating plant connected therewith or the surroundings thereof or upon any other work in connection with any blasting apparatus or blasting enclosure or with any apparatus or ventilating plant connected therewith so that he is exposed to the risk of inhaling dust which has arisen from blasting.

(2) In connection with any cleaning operation referred to in clause (5), and with the removal of dust from filtering or setting devices all practicable measures shall be taken to dispose of the dust in such a manner that it does not enter the air of any room. Vacuum cleaners shall be provided and used wherever practicable for such cleaning operations.

7. Medical examination.- Every worker employed in the processes referred to in clause 1 shall be examined within 15 days of this employment. Such examination shall include tests for lead in blood and urine, 'ALA' in urine, haemoglobin content, stippling of cells and steadiness test.

8. Maintenance of vacuum cleaning plant.- Vacuum cleaning plant used for the purpose of this Schedule shall be properly maintained.

9. Power to exempt or relax.- If the Chief Inspector-cum-Facilitator is satisfied that if any factory or any class of factory, the use of sand or other substance containing free silica as an

abrasive in blasting is necessary for a particular manufacture or process (other than the process incidental or supplemental to making of metal castings) and that the manufacture or process cannot be carried on without the use of such abrasive or that owing to the special conditions or special method of work or otherwise any requirement of this Schedule can be suspended either temporarily or permanently, or can be relaxed without endangering the health of the person employed or that application of any of such requirements is for any reason impracticable or inappropriate, he may, with the previous sanction of the State Government, by an order in writing exempt the said factory or class of factory from such provisions of this Schedule, to such an extent and subject to such conditions and for such period as may be specified in the said order.

SCHEDULE IX

Liming and tanning of raw hides and skins and processes incidental thereto

1. Cautionary notices.- (1) Cautionary notices as to anthrax shall be affixed in prominent positions in the factory where they may be easily and conveniently read by the persons employed.

(2) A copy of a warning notice as to anthrax shall be given to each person employed when he is engaged, and subsequently, if still employed, every year.

(3) Cautionary notices as to the effects of chrome on the skin shall be affixed in prominent positions in every factory in which chrome solutions are used and such notices shall be so placed as to be easily and conveniently read by the persons employed.

(4) Notices shall be affixed in prominent places in the factory stating the position of the "First-Aid" box or cupboard and the name of the person in-charge of such box or cupboard.

(5) If any person employed in the factory is illiterate, effective steps shall be taken to explain carefully to such illiterate person the content of the notice specified in sub- clause (1), (2), (3) and (4) and if chrome solutions are used in the factory.

2. Protective clothing.- The occupier shall provide and maintain in good condition the following articles of protective clothing:

- (a) water-proof footwear, leg covering, aprons and gloves for persons employed in processes involving contact with chrome solutions, including the preparation of such solutions:
- (b) gloves and boots for persons employed in lime yard; and
- (c) protective footwear, aprons and gloves for persons employed in processes, involving the handling of hides or skins, other than in processes specified in sub-clauses (a) and (b):

Provided that the gloves, aprons, leg coverings or boots of National or International Standards.

3. Medical examination.- Every worker employed in any of these processes to which the schedule applies shall be examined within 15 days of his first employment. Such examination

shall include skin test and dermatosis and detection of anthrax bacillus from local lesion by gram stain.

SCHEDULE X
Chemical Works
Preliminary

PART-I

1. Application.- This schedule shall apply to all manufacture and processes incidental thereto carried on in chemical works.

2. Definitions.- For the purpose of this schedule,-

- (a) "Chemical Works" means any factory or such parts of any factory as are listed in Appendix 'A' to this schedule;
- (b) "efficient exhaust draught" means localised ventilation effected by mechanical or other means for the removal of gas, vapour, fume or dust to prevent it from escaping into the air of any place in which work is carried on;
- (c) "bleaching powder" means the bleaching powder commonly called chloride of lime;
- (d) "Chlorate" means chlorate or perchlorate;
- (e) "caustic" means hydroxide of potassium or sodium;
- (f) "Chrome process" means the manufacture of chromate or bichromate of potassium or sodium or the manipulation, movement or other treatment of these substances;
- (g) "nitro or amino process" means the manufacture of nitro or amino derivatives of phenol and of benzene or its homologues, and the making of explosives with the use of any of these substances;
- (h) "toxic substances" means all those substances which when they enter into the human body, through inhalation or ingestion or absorption through skin, in sufficient quantities cause fatality or exert serious affliction of health or chronic harmful effects on the health of persons exposed to it due to its inherent chemical or biological effects. In respect of substances whose TLV as specified in rules, exceeding the concentration specified therein would make the substance toxic;
- (i) "emergency" means a situation or condition leading to a circumstance or set of circumstances in which there is danger to the life or health of persons or which could result in big fire or explosion or pollution to the work and outside environment, affecting the workers or neighbourhood in a serious manner. demanding immediate action;
- (j) "dangerous chemical reactions" means high speed reactions, run away reactions: delayed reactions, etc. and are characterised by evolution of large quantities of

heat, intense release of toxic or flammable gases or vapours; sudden pressure build-up etc.; and

- (k) "manipulation" means mixing, blending, filling, emptying, grinding, sieving, drying, packing, sweeping, handling, using etc. of substance given in appendix A;

PART-II

General requirements

Applying to all the works in Appendix 'A'

1. House-keeping.- (1) Any spillage of materials shall be cleaned up before further processing.

(2) Floors, platforms, stairways, passages and gangways shall be kept free of any obstructions.

(3) There shall be provided easy means of access to all parts of the plant to facilitate cleaning.

2. Improper use of chemicals.- No Chemicals or solvents or empty containers containing chemicals or solvents shall be permitted to be used by workers for any purposes other than in the processes for which they are supplied.

3. Cautionary notices and instructions.- (1) Cautionary notices in a language understood by the majority of workers shall be prominently displayed in all hazardous areas drawing the attention of all workers about the hazards to health, hazards- involving fire and explosion and any other hazard such as consequences of testing of material or substances used in the process or using any contaminated container for drinking or eating, to which the workers attention should be drawn for ensuring their safety and health.

(2) In addition to the above cautionary notice, arrangement shall be made to instruct and educate all the workers including illiterate workers about the hazards in the process including the specific hazards to which they may be exposed to, in the normal course of their work. Such instructions and education should also deal with the hazards involved in unauthorised and unsafe practices including the properties of substances used in the process under normal conditions as well as abnormal conditions and the precautions to be observed against each and every hazard, Further, an undertaking from the workers shall be obtained within 1 month of their employment and for old workers employed, within one month of coming into operation of the rules, to the effect that they have read the contents of the cautionary notices and instructions, understood them and would abide by them. The training and instructions to all workers and all supervisory personnel shall include the significance of different types of symbols and colours used on the labels stuck or painted on the various types of containers and pipelines.

4. Evaluation and provision of safe guards before the commencement of process.- (1) Before commencing any process or any experimental work, or any new manufacture covered under appendix 'A' the occupier shall take all possible steps to ascertain definitely all the hazards involved both from the actual operations and the chemical reactions including the dangerous chemical reactions. The properties of the raw materials used, the final product to be made, and any by-products derived during manufacture, shall be carefully studied and

provisions shall be made for dealing with any hazards including effects on workers, which may occur during manufacture.

(2) Information in writing giving details of the process, its hazards and the steps taken or proposed to be taken from the design stage to disposal stage for ensuring the safety as in sub-para (1) above should be sent to the Chief Inspector-cum-Facilitator at the earliest but in no within 60 days of commencing manufacture, handling, or storage of any of items covered under Appendix 'A' whether on experimental basis, or as pilot plant or as trial production, or as large scale manufacture.

(3) The design, construction, installation, operation maintenance and disposal of the buildings, plant and facilities shall be taken into consideration effective safe-guards against all the safety and health hazards so evaluated.

(4) The requirements under the sub-clause (1) to (3) shall not act in lieu of or in derogation to, any, other provisions contained in any act governing the work.

5. Authorised entry.- Authorised persons, only shall be permitted to enter any section of the factory or plant where any dangerous operations or processes are being carried on or where dangerous chemical, reactions are taking place or where hazardous chemicals are stored.

6. Examination of instruments and safety devices.- (1) All instruments and safety devices used in the process shall be tested before taking into use and after carrying out any repair to them and examined once in a month, by a competent employee of the factory, Records of such tests and examinations shall be maintained in a register.

(2) All instruments and safety devices used in the process shall be operated daily or as often as it is necessary, to ensure its effective and efficient working at all times.

7. Electrical installations.- All electrical installations used in the process covered in Appendix 'A' shall be of an appropriate type to ensure safety against the hazard prevalent in that area such as suitability against dust, dampness, corrosion, flammability and explosivity etc. and shall conform to the relevant ISI specifications governing their construction and use for that area.

8. Handling and storage of chemicals.- (1) The containers for handling and storage of chemicals shall be of adequate strength taking into consideration the hazardous nature of the contents. They shall also be provided with adequate labelling and colour coding arrangements to enable identification of the containers and their contents indicating the hazards and safe handling methods and shall conform to the respective ISI standards. The instructions given in the label shall be strictly adhered to. Damaged containers shall be handled only under supervision of a knowledgeable and responsible person and spillage shall be rendered innocuous in a safe manner using appropriate means.

(2) The arrangements for the storage of chemicals including charging of chemicals in reaction vessels and containers shall be such as to prevent any risk of fire or explosion or formation of toxic concentration of substances above the limits specified in rules.

(3) Without prejudice to the generally of the requirements in sub-clause (2), above, the arrangements shall have suitable ventilation facilities and shall enable the maintenance of safe levels in vessels and containers. Such arrangements shall also take into consideration, the

type of flooring and the capacity of flooring and the compatibility requirements of substances with other chemicals stores nearby.

- (4) (a) Storage of chemicals and intermediate products, which are highly unstable or reactive or explosive shall be limited to the quantities required for two months use.
- (b) Whenever the quantities laid down in the above item (a) are to be exceeded, the permission of the Chief Inspector-cum-Facilitator shall be obtained.
- (c) Notwithstanding anything contained in item (a) and (b) above, the Chief Inspector-cum-Facilitator may direct any factory carrying out processes covered in Appendix 'A' to further limit the storage of hazardous substances to quantities less than two months on considerations of safety.

(5) Standby arrangements equal to the biggest container shall always be available to transfer the toxic substance quickly into the stand by storage facility if any defect develops in any of the containers resulting in the release of toxic substances.

(6) Any storage facility constructed using non-metallic material such as fiber glass Reinforced plastics (FRP), all glass vessels etc., shall have adequate strength to withstand the stress, if any, exerted by the contents and shall be properly anchored, working platforms, access ladders, pipelines etc. used in such storage facility shall not have any support on the structure of the storage facility and shall be independently supported.

9. Facility for isolation.- The plant and equipment shall be so constructed and maintained as to enable quick isolation of plant or part of plant or equipment, with appropriate indication. One copy of the layout plan indicating the isolation facilities shall always be available with the security personnel's, the maintenance and the health and safety personnel and these isolation facilities shall be checked for its effectiveness once in a month.

10. Personal protective equipment.- (1) All workers exposed to the hazards in the processes covered by this schedule shall be provided with appropriate and approved type of personal protective equipment. Such equipment shall be in a clean sterile and hygienic condition before issue.

(2) The occupier shall arrange to inform, educate and supervise all the workers in the use of personal protective equipment while carrying out the job.

(3) As regards any doubt regarding the appropriateness of any personal protective equipment the decision of the Chief Inspector-cum-Facilitator will be final.

11. Alarm systems.- (1) Suitable and effective alarm systems giving audible and visible indications shall be installed at the control room as well as in all strategic locations where process control arrangements are available so as to enable corrective action to be taken before the operational parameters exceed the predetermined safe levels or lead to conditions conducive for an outbreak of fire or explosion to occur. Such alarm systems shall be checked daily and tested every month at least once to ensure its performance efficiency at all times.

(2) The Chief Inspector-cum-Facilitator may direct such systems to be installed in case of plants or processes where toxic materials are being used and spillage or leakage of which may cause wide spread poisoning in or around the plant.

12. Control of escape of substances into the work atmosphere.- (1) Effective arrangements such as, enclosure or by pass, or efficient exhaust draught, maintenance of negative pressure etc., shall be provided in all plants, containers, vessels, sewers drains, flues, ducts, and culverts, and burned pipes and equipment, to control the escape and spread of substances which are likely to give rise to fire or explosion or toxic hazards during normal working and in the event of accident or emergency.

(2) In the event of the failure of the arrangements for control resulting in the escape of substances in the work atmosphere immediate steps shall be taken into control the process in such a manner, that further escape is brought down to the safe level.

(3) The substances that would have escaped into the work atmosphere before taking immediate steps as required in sub-para (2), shall be rendered innocuous by diluting with air or water or any other suitable agent or by suitably treating the substances.

13. Control of dangerous chemical reactions.- Suitable provision, such as automatic and or remote-control arrangements shall be made for controlling the effects of "dangerous chemical reactions." In the event of failure of control arrangements automatic flooding or blanketing or other effective arrangements shall come into operation.

14. Testing, examination and repair of plant & equipment.- (1) All parts of plant, equipment and machinery used in the process which in the likely event of their failure may give rise to an emergent situation shall be tested by a competent person before commencing process and retested at an interval of two years or after carrying out repairs to it. The competent person shall identify the parts of the plant, equipment and machinery required to be tested as aforesaid and evolve a suitable testing procedure. In carrying out the test as mentioned above in respect of pressure vessels or reaction vessels the following precautions shall be observed, namely:-

- (a) before the test is carried out, each vessel shall be thoroughly cleaned and examined externally and as far as practicable, internally also for surface defects, corrosion and foreign matter. During the process of cleaning and removal of sludge, if any, all due precautions shall be taken against fire or explosion, if such sludge is of pyrophoric nature or contains spontaneously combustible chemicals:
- (b) as soon as the test is completed, the vessel shall be thoroughly dried internally and shall be clearly stamped with the marks and figures indicating the person by whom testing has been done, and the date of test: and
- (c) any vessel which fails to pass the test or which for any other reason is found to be unsafe for use shall be destroyed or rendered unusable under intimation to the Chief Inspector-cum-Facilitator :

(2) Specific parts of plant, equipment, machinery which in the likely event of failure may give rise to an emergent situation identified by occupier or manager shall be examined once in six months by the competent person,

(3) Records of testing an examination referred to in clause (1) and (2) shall be maintained as long as that part of the plant, equipment and machinery are in use,

(4) All repair work including alteration, modification and addition to be carried out to the plant, equipment and machinery shall be done under the supervision of a responsible person who shall evolve a procedure to ensure safety and health of persons doing the work. When repairs or modification is done on pipelines, and joints are required to be welded, but welding of joints shall be preferred, wherever necessary, the responsible person shall regulate the aforesaid work through a 'permit to work system'.

15. Staging.- (1) All staging that is erected for the purpose of maintenance work or repair work or for work connected with entry into confined spaces and used in the processes included in Appendix 'A', shall be stable, rigid and constructed out of substantial material of adequate strength. Such staging shall conform to the respective Indian standard specifications,

(2) Staging shall not be erected over any closed or open vessel unless the vessel is so constructed and ventilated to prevent exposure of persons working on the stages.

(3) All the staging constructed for the purpose of this para shall have appropriate access which are safe and shall be fitted with proper hand rails to a height of one meter and toe board.

16. Seating arrangements.- The seating arrangements provided for the operating personnel working in processes covered in Appendix 'A' shall be located in a safe manner as to prevent the risk of exposure to toxic, flammable and explosive substances evolved in the work environment in the course of manufacture or repair or maintenance, either due to failure of plant and equipment or due to the substances which are under pressure, escaping into the atmosphere.

17. Entry into or work in confined spaces.- (1) The occupier of every factory to which the provisions of this schedule apply, shall ensure the observance of the following precautions before permitting any person to enter or work inside the confined spaces—

- (a) identify all confined spaces and the nature of hazards that are encountered in such spaces. normally or abnormally, and arrange to develop the most appropriate safeguards for ensuring the safety and health of persons entering into or working inside, the confined spaces;
- (b) regulate the entry or work inside the confined spaces through a 'permit to work system' which should include the safeguards so developed as required under sub clause (a) above;
- (c) before testing the confined space for entry into or work, the place shall be rendered safe by washing or cleaning with neutralizing agents or purging with steam or inert gases and making adequate forced ventilation arrangements or such measure which will render the confined space safe;
- (d) shall arrange to carry out such test as are necessary for the purpose by a competent person and ensure that the confined space is safe for the persons to enter or work. Such testing shall be carried out as often as is necessary during the course of work to ensure its continued safety;
- (e) shall arrange to educate and train the personnel who would be required to work in confined spaces about the hazard involved in the work. He shall also keep in readiness the appropriate and approved personal protective equipment including

arrangements for rescue, resurrection and first aid, and shall arrange supervision of the work at all times by a responsible and knowledgeable person,

(2) The manager shall maintain a log book of all entry into or work in, confined space and such record shall contain the details of persons assigned for the work, the location of the work and such other details that would have a bearing on the safety and health of the persons assigned for this work. The log book so maintained shall be retained as long as the concerned workers are in service and produced to the Inspector-cum-Facilitator when demanded.

18. Maintenance work etc.- (1) All the work connected with the maintenance of plants and equipment including cleaning of empty containers which have held hazardous substances used in the processes covered in this schedule, shall be carried out under 'permit to work system' employing trained personnel and under the supervision of responsible person, having knowledge of the hazards and precautions required to deal with them.

(2) Maintenance work shall be carried out in such a manner that there is no risk to persons in the vicinity or to persons who pass by. If necessary, the place of such work shall be cordoned off or the presence of unconnected persons effectively controlled,

19. Safety sampling personnel.- The occupier shall ensure the safety of persons assigned for collecting samples by instructing them on the safe procedures, such personnel shall be provided with proper and approved personal protective equipment, if required.

20. Ventilation.- Adequate ventilation arrangements shall be provided and maintained at all times in the process area where dangerous or toxic or flammable or explosive substances could be evolved. These arrangements shall ensure that concentration, which are either harmful or could result in explosion, are not permitted to be built up in the work environment.

21. Procedures for meeting emergencies.- (1) The occupier of every factory carrying out the works covered in Appendix 'A', shall arrange to identify all types of possible emergencies that could occur in the processes during the course of work or while carrying out maintenance work or repair work. The emergencies so identified shall be reviewed every year.

(2) The occupier shall formulate a detailed plan to meet all such identified emergencies including arrangements for summoning out-side help for rescue and firefighting and arrangements for making available urgent medical facilities.

(3) The occupier shall send the list of emergencies and the details of procedures and plans formulated to meet the emergencies, to the Chief Inspector-cum-Facilitator .

(4) The occupier shall arrange to install distinctive and recognisable warning arrangements to caution all persons inside the plant as well as the neighbouring community, if necessary, to enable evacuation of persons and to enable the observance of emergency procedures by the persons who are assigned emergency duties. All concerned must be well informed about the warning arrangements and their meaning. The arrangements must be checked for its effectiveness every month.

(5) The occupier shall arrange to suspend the further process work in a place where emergency is established and shall forthwith evacuate all persons in that area except workers who have been assigned emergency duties.

(6) All the employees of the factory shall be trained about the action to be taken by them including evacuation procedures during emergencies.

(7) All emergency procedures must be rehearsed every three months and deficiencies, if any, in the achievements of the objectives shall suitably be corrected.

(8) The occupier shall arrange to have ten percent of the workers trained in the use of first aid firefighting appliances and in the rendering of specific first aid measures taking into consideration the special hazards of the particular process.

(9) The occupier shall furnish immediately on request the specific chemical identity of the hazardous substance to the treating physician when the information is needed to administer proper emergency or first aid treatment to exposed persons.

22. Danger due to effluents.- (1) Adequate precautions shall be taken to prevent the mixing of effluents from different processes and operations which may cause dangerous or poisonous gases to be evolved.

(2) Effluents which contain or give rise in the presence of other effluents to poisonous gases shall be provided with independent drainage systems to ensure that they may be trapped and rendered safe.

PART-III

Fire and explosions risks

1. Sources of ignition including lighting installation.- (1) No internal combustion engine and no electric motor or other electrical equipment, and fittings and fixtures capable of generating sparks or otherwise causing combustion or any other source of ignition or any naked light shall be installed or permitted to be used in the process area where there could be fire and explosion hazards.

(2) All hot exhaust pipes shall be installed outside a building and other hot pipes or hot surface or surfaces likely to become hot shall be suitably protected.

(3) The classification of work areas in terms of its hazard potential and the selection of electrical equipment or other equipment that could constitute a source of ignition shall be in accordance with the respective Indian Standard.

(4) Where a flammable atmosphere may be prevalent or could occur, the soles of footwear worn by workers shall have not metal on them, and the wheels of trucks or conveyors shall be conductive types.

(5) All tools and appliances used for work in this area shall be of non-sparking type.

(6) Smoking in process areas where there are risks of fire and explosion shall be prohibited, and warning notices in the language understood by majority of workers shall be posted in the factory prohibiting smoking into specified areas.

2. Static electricity.- (1) All machinery and plant particularly, pipelines and belt drives, on which static charge is likely to accumulate, shall be effectively earthed. Receptacles for flammable liquids shall have metallic connections to the earthed supply tanks to prevent static sparking, where necessary, humidity shall be regulated.

(2) Mobile tanker wagons shall be earthed during filling and discharge, and precautions shall be taken to ensure that earthing is effective before such filling or discharge takes place.

3. Lighting Protection.- Lighting protection arrangements shall be fitted where necessary and shall be maintained.

4. Process heating.- The method of providing heat for a process likely to result in fire and explosion shall be as safe as possible and where the use of naked flame is necessary, the plant shall be so constructed as to prevent any escaping flammable gas, vapour, or dust coming into contact with the flame, or exhaust gases, or other sources likely to cause ignition. Wherever possible, the heating arrangements shall be automatically controlled at a predetermined temperature below the danger temperature.

5. Leakage of flammable liquids.- (1) Provision shall be made to confine by means of bund walls, dikes sumps etc. possible leakages from storage vessels containing flammable liquid.

(2) Waste material in contact with flammable substances shall be disposed of suitably under the supervision of knowledgeable and responsible person.

(3) Adequate and suitable firefighting appliances shall be installed in the vicinity of such vessels.

6. Safety valves.- Every still and every closed vessel in which gas is evolved or into which gas is passed, and in which the pressure is liable to rise above the atmospheric pressure, shall have attached to it a pressure gauge, and a proper safety valve or other equally efficient means to release the pressure. These appliances shall be maintained in good condition.

7. Installation of pipeline etc.- All pipelines carrying flammable or explosive substances shall be protected from mechanical damage shall be examined by a responsible person once in a week to detect any deterioration or defects. or accumulation of flammable or explosive substances, and record kept of any defect found and repairs made.

8. Firefighting systems.- (1) Every factory having licence for more than 100 workers and carrying out processes listed in Appendix 'A' shall provide,-

(a) Trained and responsible firefighting squad so as to effectively handle the firefighting and lifesaving equipment in the event of fire or other emergency. Number of persons in this squad will necessarily depend upon the size of risk involved, but in no case shall there be less than 8 such trained persons to be available at any time. The squad shall consist of watch and ward personnel fire pump man and departmental supervisors and operators trained in the operation of fire & emergency services.

(b) Squad leaders shall be trained from a recognised institution.

(c) Squad personnel shall be provided with clothing and equipment including helmets, boots and belts.

(2) Every factory having licence up to 100 workers and carrying out processes listed in Appendix 'A' shall provide-

(a) Trained and responsible firefighting squad so as to effectively handle the firefighting and lifesaving equipment in the event of fire or other emergency.

Number of persons in this squad will necessarily depend upon the size of risk involved, but in no case shall there be less than 2 such trained persons to be available at any time.

(b) Squad personnel shall be provided with clothing and equipment including helmets, boots and belts.

(3) A muster roll showing the duties allocated to each member of the squad shall be prepared and maintained.

(4) The pump man shall be thoroughly conversant with the location of all appliances. He shall be responsible for maintaining all firefighting equipment in proper working order. Any defect coming to his notice shall be immediately be brought to the notice of squad leader.

(5) As far as practicable, the fire pump room and the main gate(s) of the factory be connected to all manufacturing or storing areas through telephone interlinked and placed in a convenient location near such areas.

PART-IV

Risks of toxic substances

1. Leakage.- (1) All plants shall be so designed and constructed to prevent the escape of toxic substance. Where necessary, separate buildings, rooms, or protective structures shall be used for the dangerous stages of the process and the buildings shall be so designed as to localise any escape of toxic substances.

(2) Catch pits, and blind walls, dikes, or other suitable safeguards shall be provided to restrict the serious effects of such leakages. Catch pits shall be placed below joints in pipelines where there is danger involved to maintenance and other workers from such leakage.

2. Drainage.- Adequate drainage shall be provided and shall lead to cool action taken specifically provided for this purpose wherein deleterious material shall be neutralised, treated or otherwise rendered safe before it is discharged into public drains or sewers.

3. Covering of vessels.- (1) Every fixed vessels of structure containing any toxic substances and not so covered as to eliminate all reasonable risk of accidental contact or any portion of the body of a worker, shall be so constructed as to avoid physical contact.

(2) Such vessels shall unless its edge is at least 90 centimeters above the adjoining ground or platform, be securely fenced to a height of at least 90 centimeters above such adjoining ground platform.

(3) Where such vessels adjoin and the space between them clear of any surrounding bricks or other work is either less than 45 centimeters in width but is not securely fenced on both sides to a height of at least 90 centimeters, secure barriers shall be so placed as to prevent passage between them:

Provided that sub-clause (2) of this clause shall not apply to,-

(a) Saturators used in the manufacture of sulphate of ammonia; and

(b) that part of the sides of brine evaporating pans which require raking, drawing or filling.

4. Continuous exhaust arrangement.- (1) Any process evolving toxic vapour, gas, fume and substance shall have, efficient continuous exhaust draught, such arrangement shall be interlocked in the process control wherever possible.

(2) In the event of failure of continuous exhaust arrangement means shall be provided to automatically stop the process.

5. Work Bench.- All the work benches used in processes involving the manipulation of toxic substances, shall be graded properly and shall be made of smooth impervious surface which shall be washed daily after the completion of work.

6. Waste disposal.- (1) There shall be provided a suitable receptacle made of non-absorbable material with a tightly fitting cover for depositing waste material soiled with toxic substances and the contents of such receptacle shall be destroyed by burning or using other suitable methods under the supervision of a responsible person.

(2) During the course of manufacture, whenever any batch or intermediate products having toxicity is rejected on considerations of quality, sufficient precautions shall be taken to render them in nouns or otherwise treat them or inactive them before disposal.

(3) The empty containers of toxic substances shall be cleaned thoroughly before disposal under the supervision of a responsible person.

PART-V

Special Provisions

1. Special precautions for nitro or amino processes.- (1) Unless the crystallised nitro or amino substances or any of its liquor is broken or agitated in a completely enclosed process so as not to give rise to dust or fume, such process shall be carried on under an efficient exhaust draught or by adopting any other suitable means in such a manner as to prevent the escape of dust or fume in the working atmosphere.

(2) No part of the plant or equipment or implements which was in contact with nitro or amino compounds shall be repaired, or handled unless they have been emptied and thoroughly cleaned and decontaminated.

(3) Filling of containers with nitro or amino compounds shall be done only by using a suitable scoop to avoid physical contact and the drawing of the containers in the stove shall be done in such a manner that the hot and contaminated air from the stove is not drawn into the work room.

(4) Processes involving the steaming into or around any vessel containing nitro or amino compounds or its raw materials shall be carried out in such a manner that the steam or vapour is effectively prevented to be blown back into the working atmosphere.

(5) Suitable antidotes such as methylene blue injections shall always be available at designated place of work for use during emergency involving the poisoning with nitro or amino compounds.

2. Special precautions for chrome processes.- (1) Grinding and sieving of raw materials in chrome processes shall be carried on in such a manner and under such condition as the secure effective separation from any other processes and under an efficient exhaust draught.

(2) There shall be washing facilities located very near to places where wet chrome process such as leaching, acidification, sulphate settling, evaporation, crystallisation, centrifugation or packing are carried out, to enable quick washing of affected parts of body with running water.

(3) Weekly inspection of hand and feet of all persons employed in chrome process shall be done by a qualified nurse and record of such inspections shall be maintained.

(4) There shall be always available at designated places of work suitable ointment such as glycerine, Vaseline, etc. and water- proof plaster in a separate box readily accessible to the workers so as to protect against per-formation of nasal septum.

3. Special precautions for processes carried out in all glass vessels.- (1) Processes and chemical reactions such as manufacture of vinyl chloride, benzyl chloride etc. which are required to be carried out in all glass vessels shall have suitable means like substantial wire mesh covering to protect persons working nearby in the event of breakage of glass vessels.

(2) Any spillage or emission of vapour from the all glass vessel due to breakage, shall be immediately inactivated or rendered innocuous by suitable means such as dilution with water or suitable solvents so as to avoid the risks of fire or explosion or health hazards.

4. Special precautions for processes involving chlorate manufacture.- (1) Crystallisation, grinding or packing of chlorate shall not be done in a place used for any other purpose and such places shall have hard, smooth and impervious surfaces made of non-combustible material. The place shall be thoroughly cleaned daily.

(2) The personal protective equipment like overall etc. provided for the chlorate workers shall not be taken from the place of work and they shall be thoroughly cleaned daily.

(3) Adequate quantity of water shall be available near the place of chlorate process for use during fire emergency.

(4) Wooden vessels shall not be used for the crystallisation of chlorate or to contain crystallised ground chlorate.

5. Special precaution in the use of plants and equipment made from reinforced plastics.-

(1) All Plant and equipment shall conform to appropriate Indian Standard.

(2) Care shall be taken during storage, transport, handling and installation of plant and equipment to avoid accidental damage:

(3) All plants and equipment shall be installed in such a way as to ensure that loads are distributed as intended in design or as per the recommendations of the manufacturers.

(4) All pipe works shall be supported so that total loads local to the branches on the vessel or tank do not exceed their design values.

(5) After erection all plants and equipment shall be subjected to a pressure test followed by a thorough examination by competent person. The test and examination shall be as per relevant standard. A Certificate of test and examination by competent person shall be obtained and kept available at site.

(6) All plant and equipment shall be subjected to periodical test and examination and record maintained as per clause 14 in part II of this schedule:

(7) Plants and equipment during their use shall not be subjected to over filling or over loading beyond rated capacity.

PART-VI**Medical requirements**

1. Decontamination facilities.- In all places where toxic substances are used in processes listed in Appendix 'A' the following provisions shall be made to meet an emergency,-

- (a) Fully equipped first aid box;
- (b) Readily accessible means of drenching with water, parts of body of persons, and clothing of persons who have been contaminated with such toxic and corrosive substances, and such means shall be as shown in the table below:-

No. of persons employed at any time		No. of drenching showers
Up to Between	50 persons	2
	51 to 100	3
	101 to 200	3 + 1 for every 50 persons thereafter
	201 to 400	5 + 1 for every 100 persons thereafter
	401 and above	7 + 1 for every 200 persons thereafter

- (c) A sufficient number of eye wash bottles filled with distilled water or suitable liquid, kept in boxes or cupboards conveniently situated and clearly indicated by a distinctive sign which shall be visible at all times.

PART-VII**Additional Welfare Amenities**

1. Special bathing facilities.- (1) The occupier of any factory carrying out the process covered under appendix shall provide special bathing facilities for all the workers employed and such facilities shall be provided at the rate of 1 for 25 workers and part thereof. and shall be maintained in the clean and hygienic condition.

(2) The occupier shall insist all the workers employed in the process covered in Appendix 'B' to take bath after the completion of the days or shift work using the bathing facilities so provided and shall also effectively prevent such workers taking bath in any place other than the bathing facilities.

(3) Notwithstanding anything contained in sub-para (1) above the Chief Inspector-cum-Facilitator may require in writing the occupier of any factory carrying out any other process for which in his opinion bathing facilities are essential from the health point of view, to provide special bathing facilities.

Part-VIII**Exemptions**

1. Power of exemption.- The State Government or subject to the control of the State Government, the Chief Inspector-cum-Facilitator -cum Facilitator may exempt from the compliance with any of the requirements of this schedule partly or fully, any factory carrying out processes covered in appendix 'A', if it is clearly and satisfactorily established by the occupier that the compliance with any of the requirement is not necessary to ensure the safety and health of persons employed suitable and effective alternate arrangements are available to any of the requirements covered in this schedule.

Appendix 'A'

Any works or that part of works in which:-

- (a) the manufacture, manipulation or recovery of any of the following is carried on:-
 - (i) Sodium, potassium, iron, aluminium, cobalt; nickel. copper, arsenic, antimony, chromium, zinc, selenium, magnesium, cadmium, mercury, beryllium and their organic and inorganic salts, alloys, oxides and any hydroxides;
 - (ii) ammonia, ammonium hydroxide and salts of ammonium;
 - (iii) the organic or inorganic compounds of sulphurous, sulphuric. nitric, nitrous hydrochloric, hydrofluoric, hydroiodic, hydro sulphuric, hydrobromic, boric;
 - (iv) Cyanogen compounds, cyanide compounds, cyanate compounds;
 - (v) Phosphorus and its compounds other than organophosphorus insecticides;
 - (vi) Chlorine.
- (b) hydrogen sulphide is evolved by the decomposition of metallic sulphides, or hydrogen sulphide is used in the production of such sulphides;
- (c) bleaching powder is manufactured or chlorine gas is produced in chloralkali plants:
- (d) (i) gas tar or coal tar or bitumen or shale oil asphalt or any residue of such tar is distilled or is used in any process of chemicals manufacture:
 - (ii) tar based synthetic colouring matters or their intermediates are produced:
- (e) nitric acid is used in the manufacture of nitro compounds;
- (f) explosives are produced with the use of nitro compounds;
- (g) aliphatic or aromatic compounds or their metallic and non-metallic derivatives or substituted derivatives, such as chloroform, ethylene glycol, formaldehyde, benzyl chloride, phenol, methyl ethyl ketone peroxide, cobalt carbonyl tungsten carbide etc. are manufactured or recovered.

Appendix B**Concerning special bathing accommodation in pursuance of clause 4 of Part-IV**

1. Nitro or amino processes.
2. All chrome processes.
3. Process of distilling gas or coal tar or processes of chemical manufacture in which tar is used.
4. Processes involving manufacturing, manipulation, handling or recovery of cyanogen compound, cyanide compound, cyanate compounds.
5. Processes involving manufacture of bleaching powder or production of chlorine gas in chloralkali plants.
6. Manufacture, manipulation or recovery of nickel and its compounds.
7. All processes involving the manufacture, manipulation or recovery of aliphatic or aromatic compounds or their derivatives or substituted derivatives.

Schedule XI**Manufacture of Pottery and Process Incidental Thereto****1. Definitions.-** For the purposes of this schedule,-

- (a) "Pottery" includes earthenware, stoneware, porcelain, china tile and any other article made from clay or from a mixture containing clay and other materials such as quartz, flint, feldspar and gypsum;
- (b) "efficient exhaust draught" means localised ventilation affected by mechanical or other means for removal of dust or fume so as to prevent it from escaping into the air of any place in which work is carried on. No draughts, shall be deemed efficient which fails to remove effectively dust or fume generated at the point where dust or fume originates;
- (c) "fettling" includes scalloping, towing, sand papering, sand sticking, brushing or any other process of cleaning of pottery ware in which dust is given off;
- (d) "Lead less glaze" means a glaze which does not contain more than 1% of dry weight of a lead compound calculated as lead monoxide;
- (e) "Low solubility glaze" means a glaze which does not yield to dilute hydrochloric acid more than five per cent of its dry weight of a soluble lead compound calculated as lead monoxide when determined in the manner described below:-

A weighted quantity of the material which has been dried at 100 degree C and thoroughly mixed shall be continuously shaken for one hour, at the common temperature with 1,000 times its weight of an aqueous solution of hydrochloric acid containing 0.25 per cent by weight of hydrogen chloride. This solution shall thereafter be allowed to stand for one hour and then filtered. The lead salt contained in the clear filtrate shall then be precipitated as lead sulphide and weighed as lead sulphide;

- (f) "ground or powdered flint or quartz" does not include natural sands; and
- (g) "potters' shop" includes all places where pottery is formed by pressing or by any other process and all places where shaping, fettling or other treatment of pottery articles prior to placing for the biscuit, fire is carried on.

2. Efficient exhaust draught.- The following process shall not be carried on without the use of an efficient exhaust draught:-

- (a) All processes involving the manipulation or use of a dry and unfretted lead compound;
- (b) The fettling operations of any kind, whether on greenware or biscuit; provided that this shall not apply to the wet fettling, and the occasional finishing of pottery articles without the aid of mechanical power;
- (c) The shifting of clay dust or any other material for making or other articles by pressure, except where,-
 - (i) this is done in a machine so enclosed as to effectually prevent the escape of dust, or
 - (ii) the material to be shifted so damp that no dust can be given off;
- (d) The processing of tiles from clay dust, an exhaust opening being connected with each press. This sub-clause shall also apply to the pressing from clay dust of articles other than tiles, unless the material is so damp that no dust is given off;
- (e) The fettling of tiles made from clay dust by pressure, except where the fettling is done wholly on, or with, damp material. This sub-clause shall also apply to the fettling of other articles made from clay dust, unless the material is so damp that no dust is given off;
- (f) The process of loading and unloading of saggars where handling and manipulation of ground and powdered flint, quartz, alumina or other materials are involved.
- (g) The brushing of earthenware biscuit, unless the process is carried on in a room provided with efficient general mechanical ventilation or other ventilation which is certified by the Inspector-cum-Facilitator of Factories as adequate, having regard to all the circumstances of the case;
- (h) Fettling of biscuit ware which has been fired empowered flint or quartz except where this is done in machines so enclosed as to effectually prevent the escape of dust.
- (i) Ware cleaning after the application of glaze by dipping or other process;
- (j) Crushing and dry grinding of materials for pottery bodies and saggars, unless carried on in machines so enclosed as to effectively prevent the escape of dust or is so damp that no dust can be given off;
- (k) Sieving or manipulation of powdered flint, quartz, clay grog or mixture of these materials, unless it is so damp that no dust can be given off;
- (l) Grinding of tiles on a power-driven wheel, unless an efficient water spray is used on the wheel;

- (m) Lifting and conveying of materials by elevators and conveyors unless they are effectively enclosed and so arranged as to prevent escape of dust into the air in or near any place at which persons are employed;
- (n) The preparation or weighing out of flow material, lawning or dry colours, colouring, dusting and colour blowing;
- (o) Mould making, unless the bins or similar receptacles used for holding plaster of Paris are provided with suitable covers; and
- (p) The manipulation of calcined material, unless the material has been made and remains so wet that no dust is given off.

3. Carrying of processes.- Each of the following processes shall be carried on in such a manner and under such conditions so as to secure effectual separation from one another and from other wet processes,-

- (a) Crushing and dry grinding or sieving of materials fettling, pressing of tiles, drying of clay and green ware. loading and unloading saggars; or
- (b) All processes involving the use of dry lead compound.

4. Use of glaze.- No glaze which is not a lead less glaze or a low solubility glaze, shall be used in a factory on which pottery is manufactured.

5. Potter's Wheel.- The potter's wheel (jolly and jigger shall be provided with screens or so constructed, as to prevent clay scrapings being thrown off beyond the wheel).

6. Measures to be taken to prevent dust flowing.- (1) All practical measures shall be taken by damping or otherwise to prevent dust arising during cleaning of floors.

(2) Damp saw dust or other suitable material shall be used to render the moist method effective in preventing dust rising into the air during the cleaning process which shall be carried out after work has ceased.

7. Cleaning of floors.- The floors of potter's shops, slip houses, dipping, houses and ware cleaning rooms shall be hard, smooth and impervious and shall be thoroughly cleaned daily by a moist method.

8. Medical examination by the Medical Officer- (1) Every worker employed in any process mentioned under clause 3, shall be examined by a Medical Officer within 15 days of his first employment. Such examination shall include tests for lead in urine and blood, ALA in urine, haemoglobin content stippling of cells and pulmonary functions tests and chest X-rays for workers engaged in processes mentioned in clauses (i) and (xiv) of clause 2 and pulmonary function tests and chest X-rays for the others. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

9. Protective equipment.- (1) The occupier shall provide and maintain suitable overalls and head coverings for all persons employed in the processes mentioned in clause (2).

(2) The occupier shall provide and maintain suitable aprons of water proof of similar material which can be sponged daily for the use of the dippers, dippers' assistants, throwers, jolly workers, casters, mould makers and filter press and pug mill workers.

(3) Aprons provided in pursuance of sub-clause (2). shall be thoroughly cleaned daily by the wearer by sponging or other wet process. All overalls and head coverings shall be washed, cleaned and mended at least once a week and this washing, cleaning or mending shall be provided by the occupier.

(4) No person shall be allowed to work in emptying sacks of dusty materials, weighing out and mixing of dusty materials and charging of ball mills and blunger's without wearing a suitable and efficient dust respirator.

10. Application.- The provisions contained in this Schedule shall not apply to a factory in which any of the following articles, but no other pottery is made: -

(a) unglazed or salt glazed bricks and tiles: and

(b) architectural terra-cotta made from plastic clay and either unglazed or glazed with a lead less glaze only.

11. Exemptions.- If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that all or any of the provisions of this Schedule are not necessary for, the protection of the persons employed in such factory, he may by a certificate in writing, exempt such factory, from all or any of such provisions, subject to such conditions, as he may specify therein. Such facilities may at any time be revoked by the Chief Inspector-cum-Facilitator without assigning any reasons.

Schedule XII

Printing Presses and type foundries-certain lead processes carried therein

1. Exemptions.- Where the Chief Inspector-cum-Facilitator is satisfied that all or any of the provisions of this schedule are not necessary for the protection of persons employed, he may by certificate in writing exempt any factory from all or any of such provisions subject to such conditions as he may specify therein. Such certificate may at any time be revoked by the Chief Inspector-cum-Facilitator.

2. Definitions.- For the purposes of this Schedule,-

(1) "Lead material" means material containing not less than five percent of lead.

(2) "Lead process" means-

(a) the melting of lead or any lead material for casting and mechanical composing;

(b) the re-charging of machines with used lead material;

(c) any other work including removal of dress from melting pots, cleaning of plungers, and

(d) manipulation, movement or other treatment of lead material.

(3) "Efficient exhaust draught" means localised ventilation effected by heat or mechanical means, for the removal of gas, vapour, dust or fumes so as to prevent them escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove gas, vapour, fume or dust at the point where they originate.

3. Exhaust draught.- None of the following processes shall be carried on except with an efficient exhaust draught,-

(a) melting lead material or slugs; and

(b) heating lead material so that vapour containing lead is given off;

or unless carried on in such a manner as to prevent free escape of gas, vapour, fumes or dust into any place in which work is carried on, or, unless carried on in electrically heated and thermostatically controlled melting pots.

Such exhaust draught shall be effected by mechanical means and so contrived as to operate on the dust fume, gas or vapour given off, as closely as may be at its point of origin.

4. Separation of certain processes.- Each of the following processes shall be carried on in such a manner and under such conditions, as to secure effectual separation from one another and from any other process,-

- (a) melting of lead or any lead material;
- (b) casting of lead ingots;
- (c) mechanical composing.

5. Container of dross.- A suitable receptacle with tightly fitting cover shall be provided and used for dross, as it is removed from every melting pot. Such receptacle shall be kept covered while in the work room near the machine except when the dross is being deposited therein.

6. Floor of work room.- The floor of every work room where lead process is carried on shall be,-

- (a) of cement or similar material so as to be smooth and impervious to water;
- (b) maintained in sound condition; and
- (c) shall be cleansed throughout daily after being thoroughly damped with water at a time when no other work is being carried on at the place.

7. Medical examination by Medical Officer.- Every worker employed in a lead process shall be examined by a Medical Officer within 15 days of his first employment such examination shall include tests for lead in urine and blood ALA in urine, stippling of cells and steadiness test. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

Schedule XIII

Manufacture of bangles and other articles from cinematograph film and toxic and inflammable solvents

1. Definitions.- For the purpose of this Schedule,-

- (a) toxic and inflammable solvents means,-
 - (i) solvents like acetone, tetrachloroethene, alcohol, denatured spirit, phenol, any laccinate, butyle, acetate, di-acetone, alcohol and such other substances which in the opinion of the Chief Inspector-cum-Facilitator are toxic and inflammable;
 - (ii) "bangle polish" and "bangle mixture" and such other solvents, by whatever trade name they are known, used in the manufacture of bangles and other articles from cellulose films;
- (b) "suspension" means suspension from employment in any process in which toxic and inflammable solvents are used, by written certificates in the Health Register signed by the Medical Officer, who shall have the power of suspension, as regards all persons employed in any such process;

(c) "approval" means approved by the Chief Inspector-cum-Facilitator; and

(d) "first employment" means first employment in any manufacturing process referred to in this Schedule and also re-employment in manufacturing process following any cessation of employment for a continuous period of three calendar months.

2. Application.- This Schedule shall apply in respect of all factories or any part thereof in which the process of manufacture of bangles and other articles from cinematograph film or from toxic and inflammable substances or from both (hereinafter referred to as the said manufacturing process) is carried on.

3. Protective clothing.- Protective clothing shall be provided and maintained in good repair for all workers employed in the factory and such clothing shall be worn by the workers concerned. The protective clothing shall consist of a suitable apron and if so required by the Chief Inspector-cum-Facilitator or head coverings provided in that behalf. The head coverings so provided shall be washed daily.

4. Ventilation.- Every work-room in which cinematograph film or toxic and inflammable solvents or both are handled or manipulated or used shall be provided with inlets and outlets of adequate size so as to secure and maintain efficient ventilation in all parts of the room during working hours:

Provided that the preparation of "Cylinders" from cinematograph film and toxic and inflammable solvents, cutting of such cylinders into bangles and heat treatment of the bangle shall be carried out in an open space under cover, unless specially exempted by the Chief Inspector-cum-Facilitator .

5. Drying of cinematograph film.- (1) Drying of cinematograph film shall not be done except under such conditions, as will prevent the cinematograph film from coming into contact or proximity with any source of heat or heated surface in such a manner, as would render the cinematograph film liable to be ignited or decomposed.

(2) Loose unwound cinematograph film shall be enclosed during drying in such a manner that a person in a room will be protected as far as practicable from an outburst of flame.

(3) The temperature in any part of a drying enclosure for loose unwound cinematograph film other than a safety acetate film, shall not at any time exceeding 110 degree F. A thermometer shall be kept available in every room in which such drying is done.

(4) Boiling of raw films either alone or in conjunction with other chemicals or heating of bangles and other articles made of film shall be carried out in any open space.

(5) A sufficient number of buckets filled with water shall be provided near the places where bangles are subjected to heat treatment.

6. Storage of raw materials.- (1) Each roll or package of cinematograph film used in any of the said manufacturing process, shall except when required to be exposed for the purposes of the work carried on, be kept in a separate box, properly closed and constructed of metal or other approved metal.

(2) Without prejudice to the Cinematograph Film Rules, 1948, Municipal Rules and other rules in force, all cinematograph film not being actually used or manipulated, shall be kept in

a room or chamber or similar enclosure approved by the Chief Inspector-cum-Facilitator . Toxic and inflammable solvents stock shall be stored in approved places or containers.

7. Disposal of Waste Films.- (1) All waste and scrap of cinematograph film shall be collected at frequent intervals during each day and be placed in strong metal receptacles fitted with self-closing lids and clearly marked with the words "Film Waster".

(2) No material liable to ignite spontaneously nor anything likely to ignite or decompose cinematograph film, shall be placed in the receptacle.

(3) At the end of each days' work, waste and scrap films shall be either transferred to a store-room or removed from the premises.

(4) Waste films and shavings shall be destroyed by burning in an open place under controlled conditions. They shall not be allowed to be thrown or scattered in or about the premises of the Factory.

8. Prohibition for smoking.- (1) No person shall be allowed to smoke in any room in which cinematograph film is manipulated, used or stored.

(2) No open fire or light or any smoking materials or matches nor anything likely to ignite or decompose cinematograph film, shall be allowed in any store-room or any room in which cinematograph film or toxic inflammable solvents or both are stored, manipulated or used.

9. Caution with regard to electrical installation.- All electrical installations and fittings shall be of flame proof type.

10. Floor of work-rooms.- The floor of every work-room in which any of the said manufacturing processes are carried on, shall be,-

- (a) of cement or similar material, so as to be smooth and impervious to water;
- (b) maintained in sound condition;
- (c) kept free from materials, plants or other obstruction not required for, or produced in, the process carried on in the room; and
- (d) cleaned daily after being thoroughly sprayed with water at a time when no other work is being carried on in the room.

11. Time to be allowed for washing.- Before each meal and before the end of the days' work, at least ten minutes in addition to the regular meal times, shall be allowed for washing to each person who has been employed in any of the said manufacturing processes.

12. Facilities for bathing.- Chief Inspector-cum-Facilitator may require any factory occupier to provide bath accommodation for all persons engaged in all or in any of the said manufacturing processes and also sufficient supply of soap and clean towels.

13. Firefighting appliances.- (1) Adequate means for extinguishing fires having regard to the amount of Celluloid present in the room at any one time, shall be kept constantly provided for each work-room and store-room.

(2) The firefighting appliances shall be maintained in good condition and kept in a position which is easily accessible.

14. Means of escape in case of fire.- Adequate means of escape fire shall be provided in every room in which cinematograph film is manipulated used or stored and the means of escape shall not be deemed adequate unless,-

- (a) at least two separate exits are provided from every such room and two safe ways of escape from the building are available for all persons employed in the factory, and
- (b) all doors and windows provided in connection with the means of escape are constructed to open outwards readily.

15. Cautionary notices.- (1) Cautionary notices explaining the dangers to which workers are exposed due to any of the said manufacturing processes being carried, shall be affixed in prominent positions in the factory where they may be easily and conveniently read by the persons employed. The said notices shall be printed in the languages understood by the majority of workers employed in the factory.

(2) If any person employed in the factory is illiterate, effective steps shall be taken to explain carefully to such illiterate person, the contents of the notices.

16. Exemptions.- If in respect of any factory. the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or infrequency of the process, or for any other reason, all or any of the provisions of this Schedule are not necessary for the protection of the persons employed in the factory, he may by a certificate in writing exempt such factory from all or any of the provisions, on such condition, as he may specify therein. Such certificate may at any time be revoked by the Chief Inspector-cum-Facilitator without assigning any reasons.

Schedule XIV

Compression of Oxygen and Hydrogen produced by the electrolysis of water

- (1) The room in which electrolyser plant is installed shall be separate from the plant for storing and Compressing the Oxygen and Hydrogen and also the electric generator room.
- (2) The purity of oxygen and hydrogen shall be tested by a competent person at least once in every shift at the following points:-

- (i) in the electrolysis room.
- (ii) at the gas holder inlet. and
- (iii) at the suction end of the compressor.

The purity figures shall be entered in the register and signed by the persons carrying out such test: provided that, if the electrolyser plant is fitted with automatic recorder of purity of oxygen and hydrogen with alarm lights, it shall be sufficient is the purity of the gases is tested at the suction end of the compressor only.

(3) The oxygen and hydrogen gases shall not be compressed, if their purity, as determined under clause (2) above, falls below 98% at any time.

(4) The bell of any gas holder shall not be permitted to go within 30 cms of its lowest position when empty and a limit switch shall be fitted to the gas-holder in such a manner as to switch off the compressor motor when this limit is reached.

(5) There shall be at least two gas-holders for each kind of gas compressed and the gas-holders for same gas shall be provided with suitable arrangements to ensure that no gas holder is connected to the compressor and to the electrolyser at the same time and only one gas-holder is connected to the compressor line at any one time.

(6) The water and caustic soda and potash used for making electrolytes shall be of standard suitable for electrolysis.

(7) Electrical connections at the electrolyser cells and at the electric generator terminals shall be so constructed, as to preclude the possibility of wrong connections leading to the reversal of polarity and in addition an automatic device shall be provided to cut off power in the event of reversal of polarity owing to wrong connections either at the switch board or at the electric generator terminals.

(8) Oxygen and hydrogen gas pipes shall be painted with distinguishing colours. Whenever a hydrogen pipe is opened for repairs or any other work, on reconnection the pipe shall be purged of all air before hydrogen is allowed to pass through that pipe.

(9) All electrical wiring and apparatus in the electrolyser room and hydrogen compression room shall be of flame-proof construction or enclosed in flame-proof fittings and no naked light or flame shall be allowed to be taken either in the electrolyser room or where compression and filling of the gases is carried on and such warning notices shall be exhibited in prominent places.

(10) No part of the electrolyser plant and the gas holders and compressor shall be subject to welding, brazing, soldering or cutting until steps have been taken to remove any explosive substance from that part and render the part safe for such operations and after the completion of such operations, no explosive substance shall be allowed to enter that part until the metal has cooled sufficiently to prevent risk of explosion.

(11) No work of operation, repair or maintenance shall be under-taken except under the direct supervision of a person who, by his training, experience and knowledge of the necessary precautions against risk of explosion is competent to supervise such work. No electric generator after erection or repairs shall be switched on to the electrolyses unless the same is certified by the competent person under whose direct supervision, erection or repairs are carried on to be in a safe condition and the terminals have been checked for the polarity as required by clause (7).

Every part of the electrolyser plant and the gas holders and compressor shall have a regular schedule of overhaul and checking and every defect noticed shall be rectified forthwith.

SCHEDULE XV**Handling and Processing of Asbestos, Manufacture of any Article or Substance of Asbestos and any other Processes of manufacture or otherwise in which Asbestos is used in any form****1. Application.-**

(1) This schedule shall apply to all manufacturing processes as defined under clause (zi) of sub-section (1) of section 2 of the Code, carried on in a factory involving exposure of workers to asbestos and/or product containing Asbestos.

(2) The Government may, at any time, for the purpose of giving effect to any scientific proof obtained from specialised institutions or experts in the field, notification in the Office Gazette, make suitable changes in the said schedule:

(3) The provisions of this schedule shall apply to all workers exposed to asbestos in the factory and it shall be the responsibility of the occupier of the factory to comply with the provisions of the schedule in respect of the workers.

(4) (a) The occupier of the factory wherein asbestos or substances containing asbestos are in use, shall prepare work procedures and practices, in the light of scientific research and technological progress for approval by the Chief Inspector-cum-Facilitator and shall follow only such approved procedures.

(b) Notwithstanding anything mentioned in sub-clause (1) use of asbestos is prohibited in the manufacturing process as may be notified by the Government in this behalf.

(c) (i) spraying of all forms of asbestos is prohibited in a factory.

(ii) The prohibition in respect of spraying of asbestos referred to in sub-item (i) may be exempted by the Chief Inspector-cum-Facilitator if the Occupier represents that such spraying is inevitable certain purposes provided adequate measures for ensuring the safety and health of workers are undertaken by the occupier to the satisfaction of the Chief Inspector-cum-Facilitator .

2. Definitions.- For the purpose of this Schedule,-

- (a) “asbestos” means any fibrous silicate mineral and any admixture containing actionlite, amosite, anthophyllite, chrysotile, crocidolite, tremolite or any mixture thereof, whether crude, crushed or opened;
- (b) “asbestos textiles” means yarn or clothes composed of asbestos or asbestos mixed with any other materials;
- (c) “approved” means approved for the time being in writing by the Chief Inspector-cum-Facilitator ;
- (d) “breathing apparatus” means a helmet or face piece with necessary connection by means of which a person using it breathes air free from dust, or any other approved apparatus;
- (e) “efficient exhaust draught” means a localised ventilation by mechanical means for the removal of dust so as to prevent dust from escaping into air of any place in

which work is carried on. No draught shall be deemed to be efficient which fails to control dust produced at the point where such dust originates;

- (f) “preparing” means crushing, disintegrating, and any other processes in or incidental to the opening of asbestos;
- (g) “protective clothing” means overalls and head covering, which (in either case) will when worn exclude asbestos dust;
- (h) “asbestos dust” means airborne particles of asbestos or settled particles of asbestos which are liable to become airborne in the factory;
- (i) “airborne asbestos dust” means, for the purposes of measurement, dust particles measured by gravimetric assessment or other equivalent method;
- (j) “respirable asbestos fibers” means asbestos fibers having diameter of less than 3 micrometer and a length to diameter ratio greater than 3:1; and
- (k) “exposure to asbestos” means exposure to airborne respirable asbestos fibers or asbestos dust; whether originating from asbestos or from minerals, materials or products containing asbestos in the factory.

3. Demolition of plants or structures.-

No person shall carry out any demolition of plants or structures containing friable asbestos insulation material and removal of asbestos from building or structures in which asbestos is liable to become air-borne, unless he is recognized and duly empowered by the Chief Inspector-cum-Facilitator of Factories as qualified to carry out such work in accordance with the provisions of this Schedule.

4. Tools and equipment.-

Any tools or equipment used in processes to which this schedule applies shall be such that they do not create asbestos dust above the permissible limit or are equipped with efficient exhaust draught.

5. Exhaust draught.-

(1) An effective exhaust draught shall be provided and maintained to control dust from the following processes and machines as per the relevant National Standards—

- (a) manufacture and conveying machinery namely -
 - (i) preparing, grinding, or dry mixing machines;
 - (ii) carding, card waste and ring spinning machines, and looms;
 - (iii) machines or other plant fed with asbestos;
 - (iv) machines used for the sawing, grinding, turning, drilling, abrading or polishing; in the dry state, of articles composed wholly or partly of asbestos;
- (b) cleaning, and grinding of the cylinders or other parts of a carding machine;
- (c) chambers, hoppers or other structures into which loose asbestos is delivered or passes;
- (d) work-benches for asbestos waste sorting or for other manipulation or asbestos by hand;
- (e) workplaces at which the filling or emptying of sacks, skips or other portable containers, weighing or other process incidental thereto which is effected by hand, is carried on;

- (f) scale cleaning machines;
 - (g) mixing and blending of asbestos by hand; and
 - (h) any other process in which dust is given off into the work environment.
- (2) Exhaust ventilation equipment provided in accordance with sub-clause (1) shall, while any work of maintenance or repair to the machinery, apparatus or other plant or equipment in connection with which it is provided is being carried on, be kept in use so as to produce an exhaust draught which prevents the entry of asbestos dust into the air of any work place.
- (3) Arrangements shall be made to prevent asbestos dust discharged from exhaust apparatus being drawn into the air of any workroom.
- (4) The asbestos bearing dust removed from any workroom by the exhaust system shall be collected in suitable receptacles or filter bags which shall be isolated from all work areas.

6. Testing and examination of ventilating systems.-

- (1) All ventilating systems used for the purpose of extracting or suppressing dust as required by this schedule shall be as per the relevant Indian Standards, examined and inspected once every week by a responsible person. It shall be thoroughly examined and tested by a competent person once in every period of 12 months. Any defects found by such examinations or test shall be rectified forthwith.
- (2) A register containing particulars of such examination and tests and the state of the plant and the repairs or alternations (if any) found to be necessary shall be kept and shall be available for inspection by an Inspector-cum-Facilitator .

7. Segregation in case of certain process.-

Mixing or blending of asbestos by the hand, or making or repairing of insulating mattresses composed wholly or partly of asbestos shall not be carried on in any room in which any other work is done.

8. Storage and distribution of loose asbestos. -

All loose asbestos shall, while not in use, be kept in suitable closed receptacles which prevent the escape of asbestos dust there from. Such asbestos shall not be distributed within a factory except in closed receptacles or in a totally enclosed system of conveyance.

9. Asbestos sacks. –

- (1) All sacks used as receptacles for the purpose of transport of asbestos within the factory shall be constructed of impermeable materials and shall be kept in good repair.
- (2) A sack which has contained asbestos shall not be cleaned by hand beating but by a machine, complying with clause 4.
- (3) Asbestos sacks or receptacles which contain asbestos shall be disposed off in a safe manner.

10. Maintenance of floors and workplaces-

- (1) In every room in which any of the requirements of this schedule apply,-
- (a) the floors, work-benches, machinery and plant shall be kept in a clean state and free from asbestos debris and suitable arrangements shall be made for the storage of asbestos not immediately required for use; and

- (b) the floors shall be kept free from any materials, plant or other articles not immediately required for the work carried on in the room, which would obstruct the proper cleaning of the floor.
- (2) The cleaning as mentioned in sub-clause (1) above shall so far as is practicable, as carried out by means of vacuum cleaning equipment so designed and constructed and so used that asbestos dust neither escapes nor is discharged into the air of any work place.
- (3) When the cleaning is done by any method other than that mentioned in sub-clause (2) above, the persons doing cleaning work and any other person employed in that room shall be provided with respiratory protective equipment and protective clothing.
- (4) The vacuum cleaning equipment used in accordance with provisions of sub-clause (2) above, shall be properly maintained and after each cleaning operation, its surfaces kept in a clean state and free from asbestos waste and dust.
- (5) Asbestos waste shall not be permitted to remain on the floors or other surfaces at the work place at the end of the working shift and shall be transferred without delay to suitable receptacles. Any spillage of asbestos waste occurring during the course of the work at any time shall be removed and transferred to the receptacles maintained for the purpose without delay.
- (6) The occupier shall replace asbestos or of certain types of asbestos or products containing asbestos by other materials or products or shall use alternative technology, scientifically evaluated as harmless or less harmful, wherever this is possible.
- (7) The occupier should take all the measures to prevent or control the release of asbestos in to the air and to ensure that the exposure limits or other exposure criteria are complied with and also reduce exposure to as low as a level as is reasonably practicable.

11. Breathing apparatus and personal protective equipment and clothing.-

- (1) The occupier of every factory to which this schedule applies shall provide to workers personnel protective equipment such as hand gloves, shoes, helmets, goggles, earplug, aprons, safety belt, overall suit, etc. as per the relevant National or International Standards as may be required.

The approved breathing apparatus and appropriate work clothing as per the relevant National or international standards in consultation with the workers representatives and maintained in good conditions for use of every person employed –

- (a) in chambers containing loose asbestos;
- (b) in cleaning, dust settling or filtering chambers of apparatus;
- (c) in cleaning the cylinders, including the defer cylinders, or other parts of a carding machine by means of hand-stickles;
- (d) in filling, beating, or levelling in the manufacture or repair of insulating mattresses; and
- (e) in any other operation or circumstances in which it is impracticable to adopt technical means to control asbestos dust in the work environment within the permissible limit.

(2) Suitable accommodation in conveniently accessible position shall be provided for the use of persons when putting on or taking off breathing apparatus and protective clothing provided in accordance with this rule and for the storage of such apparatus and clothing when not in use.

(3) All breathing apparatus and protective clothing not in use shall be stored in the accommodation provided in accordance with sub- clause (2) above.

(4) All protective clothing in use shall be de-dusted under an efficient exhaust draught or by vacuum cleaning and shall be washed at suitable intervals. The cleaning schedule and procedure should be such as to ensure the efficiency in protective the wearer.

(5) All breathing apparatus shall be cleaned and disinfected at suitable intervals and thoroughly inspected once every month by a responsible person.

(6) A record of the cleaning and maintenance and of the condition of the breathing apparatus shall be maintained in a register provided for that purpose which shall be readily available for inspection by an Inspector-cum-Facilitator .

(7) No person shall be employed to perform any work specified in sub-clause (1) above for which breathing apparatus is necessary to be provided under that sub-clause unless he has been fully instructed in the proper use of that equipment.

(8) No breathing apparatus provided in pursuance of sub-clause (1) above which has been worn by a person shall be worn by another person unless it has been thoroughly cleaned and disinfected since last being worn and the person has been fully instructed in the proper use of that equipment.

(9) No worker shall take home any work clothing or special protective clothing or personal protective equipment provided to him for protection against exposure to asbestos.

12. Separate accommodation for personal clothing.-

A separate accommodation shall be provided in a conveniently accessible position for all persons employed in operations to which this schedule applies for storing of personal clothing. This should be separated from the accommodation provided under sub-clause (2) of clause 10 to prevent contamination of personal clothing.

13. Prohibition relating to smoking.-

No person shall smoke in any area where processes covered by this schedule are carried on. A notice in the language understood by majority of the workers shall be posted in the plant prohibiting smoking at such areas.

14. Pictorial Cautionary notices. -

Cautionary notices in the form specified in appendix and printed in the language easily read and understood by the majority of the workers shall be displayed in prominent places in the workrooms where asbestos or substances containing asbestos are manufactured, handled or used.

15. Air monitoring.-

To ensure the effectiveness of control measures in continuous or repetitive processes, the monitoring of asbestos fibres in air as well as personal monitoring of workers shall be carried out at least once in every shift and the result so obtained shall be entered in register and

- (a) There should be no substantial change in workplace conditions.
- (b) The results of the two (2) preceding measurements have not exceeded half the relevant control limit.
- (c) All factories should adopt membrane filter test as per BIS standard... without fail.

16. Medical control measures. -

(1) The occupier of every factory in which a worker employed in the processes specified in clause 1 of this schedule, shall ensure that every worker employed be examined by a Medical Inspector-cum-Facilitator of Factories/ Medical Officer within 15 days of his first employment. Such medical examination shall include sputum examination for asbestos bodies, pulmonary function test and chest X-ray –Posterior Anterior (PA) view to be compared with standard ILO Radiographs or Pneumoconiosis. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.

(2) Every worker employed in the processes shall be re-examined by a Medical Officer at least once in every twelve months. Such re-examination shall, wherever the Medical Officer considers appropriate, include all the tests as specified in sub-clause (1) above except chest X-ray which shall be read by a radiologist specialised / trained in the field of reading ILO Radiographs or Pneumoconiosis and the chest x-ray which shall be carried out at least once in 3 years.

(3) Every worker employed in any of the aforesaid processes on the date on which the schedule comes into force shall be radiologically examined by the qualified Radiologist at the cost of the occupier using a standard size x-ray plates and the power of the x-ray machine shall be more than 300 milliampere (mA). The report of such x-ray shall be submitted to the Medical Inspector-cum-Facilitator of Factories / Medical Officer/ Chief Inspector-cum-Facilitator within three months of the said date.

(4) If at any time the Medical Inspector-cum-Facilitator/ Medical Officer is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he fully is incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.

(5) No person who has been found unfit to work as said in sub-clause (4) above shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.

(6) If a worker already in employment and declared unfit by the Medical Inspector-cum-Facilitator of Factories / Medical Officer shall not be allowed to work on any of the

processes specified in clause 1 of this schedule, unless he has been examined again along with standard size chest x-ray plate from a qualified Radiologist, at the cost of the occupier and has been certified to be fit to work on the said processes again.

(7) For the purpose of medical supervision by the medical practitioner/ Medical Officer so appointed by the occupier shall be provided for his exclusive use a room in the factory premises which shall be properly cleaned, adequately lighted ventilated and furnished with a screen, a table with office stationary, chairs and other facilities and other instruments including x-ray arrangements for such examinations and such other equipment as may be prescribed by the Chief Inspector-cum-Facilitator from time to time. The Factory Medical Practitioner so appointed shall perform the following duties,-

- (a) maintain health register;
- (b) undertake medical supervision of persons employed in the factory;
- (c) look after health, education and rehabilitation of sick, injured or affected workers; and
- (d) carry out inspection of work rooms where dangerous operations are carried out and advise the management of the measures to be adopted for the protection of health of the workers employed therein.

(8) The Health Records of the workers exposed to asbestos, shall be kept up to a minimum period of 40 years from the beginning of the employment or 15 years after retirement or cessation of the employment, whichever is later and shall be accessible to workers concerned or their representatives.

(9) The record of Medical Examinations and appropriate tests carried out by the said medical practitioner, a certificate of fitness and health shall be maintained in a separate register approved by the Chief Inspector-cum-Facilitator of Factories, which shall be kept readily available for inspection by the Inspector-cum-Facilitator and produced on demand.

17. Exemptions.-

(1) If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector-cum-Facilitator may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

(2) The Chief Inspector-cum-Facilitator may permit temporary derogation, through a notification in an official gazette, from the measures prescribed in this Schedule under conditions and within limits of time determined after consultation with the representative organizations of employers and workers concerned.

APPENDIX
PICTORIAL CAUTIONARY NOTICE

- (1) Asbestos/ asbestos dust which is used, handled or manipulated in this is very hazardous to health.
- (2) Prolonged exposure to asbestos dust may lead to serious diseases like lung fibrosis (Asbestosis) and lung cancer.
- (3) Entry is prohibited without protective equipment.
- (4) Wear the protective Equipment's to safeguard your health.
- (5) No food stuffs or drinks shall be brought into this area.
- (6) Smoking, eating food or drinking and chewing tobacco in this area is prohibited.
- (7) Scrupulous cleanliness shall be maintained in this area.
- (8) Dry sweeping in this area is prohibited. Any Spillage of asbestos shall be cleaned by vacuum cleaning only.
- (9) A sack or container contaminated with asbestos shall not be cleaned by hand and is to be disposed off by an appropriate method
- (10) All protective equipment and clothing shall be re-dusted by vacuum cleaning and stored in an appropriate place provided for the purpose
- (11) Entry of unauthorized persons or authorized persons without proper protective equipment is prohibited.
- (12) Report for the prescribed medical examinations and tests regularly to protect your own health.
- (13) Report to your doctor immediately if you suffer from persistent breathlessness, chest tightness or cough.

SCHEDULE XVI

Manipulation of stone, or any other material containing free silica

1. Application.-

- (a) This schedule shall apply to all factories or parts of factories in which the below mentioned manufacturing activity containing free silica is carried on.
- (b) The following manufacturing process shall be considered as manipulation of stone or other material containing free Silica:-

1. Stone Crushers
2. Gem and Jewellery
3. Slate Pencil Making
4. Agate Industry
5. Cement Industry
6. Pottery
7. Glass Manufacturing

2. Definitions.- For the purpose of this Schedule,-

- (a) "manipulation" means crushing, breaking, chipping, dressing, grinding, sieving, mixing, grading or handling of stone or any other material containing free silica or any other operation involving such stone or material; and
- (b) "stone or any other material containing free silica" means a stone or any other solid material containing not less than 5% by weight of free silica.

3. Preventive Control Measures.- No manipulation shall be carried out in a factory or part of a factory unless the following preventive control measures are adopted, namely:-

- (i) Engineering Control Measures

(1) Wet Methods:

- (a) Airborne Silica Dust should be minimized or suppressed by applying water to the process or clean up;
- (b) Water should be provided to drilling or sawing of concrete or masonry;

(2) Ventilation:

- (a) An effective Local exhaust system should be provided and maintained to control/ remove silica dust from industrial processes.
- (b) Dilution/ventilation may be used to reduce free silica dust concentration to below the permissible limits in large areas.
- (c) Dust collectors /HEPA filter should be set up so that dust shall be removed from the source and all transfer points to prevent contaminating work areas.
- (d) Ventilation systems should be kept in good working conditions.

(3) Isolation:

- (a) Containment methods should be used while carrying out sand blasting.
- (b) Cabins of vehicles or machinery cutting & drilling that might contain free silica should be enclosed and sealed.

(4) Dust Control:

- (a) Vacuum System with High Efficiency Particle Air (HEPA) filter shall be used to remove dust from work areas and at all transfer points.
- (b) The belt conveyors transferring crushed material shall be totally enclosed throughout its length:

Provided that such control measures as above said are not necessary if the process or operation itself is such that the level of dust created and prevailing does not exceed the permissible limit of Exposure specified in the rules.

(ii) Medical Control Measures.

- (1) The occupier of every factory in which a worker employed in the processes specified in clause 1, shall ensure that every worker employed be examined by a Medical Inspector-cum-Facilitator of Factories/ Medical Officer within 15 days of his first employment. Such medical examination shall include pulmonary function test and chest X-ray –Posterior Anterior (PA) view to be compared with standard ILO Radiographs or Pneumoconiosis. No worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer.
- (2) Every worker employed in the processes shall be re-examined by a Medical Officer at least once in every twelve months. Such re-examination shall, wherever the Medical Officer considers appropriate, include all the tests as specified in sub-clause (1) except chest X-ray which shall be read by a radiologist specialised / trained in the field of reading ILO Radiographs on Pneumoconiosis and the chest x-ray which shall be carried out at least once in 3 years.
- (3) Every worker employed in any of the aforesaid processes on the date on which the schedule comes into force shall be radiologically examined by the qualified Radiologist at the cost of the occupier using a standard size x-ray plates and the power of the x-ray machine shall be more than 300

milliampere (mA). The report of such x-ray shall be submitted to the Medical Inspector-cum-Facilitator / Medical Officer/ Chief Inspector-cum-Facilitator within three months of the said date.

- (4) If at any time the Medical Inspector-cum-Facilitator / Medical Officer is of the opinion that a worker is no longer fit for employment in the said process on the ground that continuance therein would involve special danger to the health of the worker he shall make a record of his findings in the said Certificate and the health register. The entry of his findings in these documents should also include the period for which he considers that the said person is unfit for work in the said processes. The person so suspended from the process shall be provided with alternate placement facilities unless he fully is incapacitated in the opinion of the Medical Officer, in which case the person affected shall be suitably rehabilitated.
- (5) No person who has been found unfit to work as said in sub-clause (4) above shall be re-employed or permitted to work in the said processes unless the Medical Officer, after further examination, again certifies him fit for employment in those processes.
- (6) If a worker already in employment and declared unfit by the Medical Inspector-cum-Facilitator / Medical Officer shall not be allowed to work on any of the processes specified in clause sub-clause (1), unless he has been examined again along with standard size chest x-ray plate from a qualified Radiologist, at the cost of the occupier and has been certified to be fit to work on the said processes again.
- (7) For the purpose of medical supervision by the Factory Medical Practitioner/ Medical Officer so appointed by the occupier shall be provided for his exclusive use a room in the factory premises which shall be properly cleaned, adequately lighted ventilated and furnished with a screen, a table with office stationary, chairs and other facilities and other instruments including x-ray arrangements for such examinations and such other equipment as may be prescribed by the Chief Inspector-cum-Facilitator from time to time. The medical practitioner so appointed shall perform the following duties:-
 - (a) maintain health register;
 - (b) undertake medical supervision of persons employed in the factory;
 - (c) look after health, education and rehabilitation of sick, injured or affected workers;
 - (d) carry out inspection of work rooms where dangerous operations are carried out and advise the management of the measures to be adopted for the protection of health of the workers employed therein.
- (8) The Health Records of the workers exposed to silicosis, shall be kept up to a minimum period of 40 years from the beginning of the employment or 15 years after retirement or cessation of the employment, whichever is later and shall be accessible to workers concerned or their representatives.
- (9) The record of Medical Examinations and appropriate tests carried out by the said medical practitioner, a certificate of fitness and health shall be maintained in a separate register approved by the Chief Inspector-cum-Facilitator , which shall be kept readily available for inspection by the Inspector-cum-Facilitator and produced on demand.

(iii) Administrative Control Measures.

- (1) Workplace/ Environment Monitoring: The occupier to ensure workplace / environment monitoring to be performed to determine magnitude of exposure/ concentration to evaluate engineering controls, selecting respiratory protection, work practices and the need for medical surveillance.
 - (a) Exposure/concentration measurements should be made in the employee's actual breathing zone.
 - (b) Total sampling time shall be at least 7 hours.
 - (c) Workplace/ Environment Monitoring shall be repeated quarterly.
 - (d) The report of dust sampling by occupier shall be made available to the public.
- (2) Training/ Awareness: Workers shall be trained in the following: -
 - (a) Health effects of free silica dust exposure.
 - (b) Operations and material that produce free silica dust hazards.
 - (c) Engineering controls and work practice controls that reduce dust concentration.
 - (d) The importance of good housekeeping and cleanliness.
 - (e) Proper use of personal protective equipment such as respirators etc.
 - (f) Personal hygiene practices to reduce exposure.
- (3) House Keeping: Maintenance of floors-
 - (a) All floors or places where fine dust is likely to settle on and whereon any person has to work or pass shall be of impervious material and maintained in such condition that they can be thoroughly cleaned by a moist method or any other method which would prevent dust being airborne in the process of cleaning once at least during each shift.
 - (b) For this purpose, dry sweeping or compressed air shall be used for clean-up of dust or wet methods or vacuum system with a HEPA filter shall be used.
 - (c) Dust on overhead ledges and equipment should be removed before it becomes air borne due to vibration, traffic and random air current.
- (4) Change room and washing facilities-
 - (a) Washing and bathing facilities shall be conveniently located at a place easily accessible to the workers.
 - (b) Cloak room with individual lockers shall be provided for employees to store uncontaminated clothing.
 - (c) Workers shall take bath and change the work clothes before they leave the work site.
 - (d) Work clothes shall not be cleaned by blowing or shaking.

(e) Eating/lunch areas shall be located away from exposed areas.

(5) Display of Notices:

(a) Warning signs / Posters shall be displayed conspicuously in a prominent place.

(b) The warning signs/poster shall contain the Hazards, precautions.

(c) The display of notice shall be in the local language and also in the language understood by the majority of the workers.

(6) Personal Protective Equipment

The occupier of every factory to which this schedule apply shall provide the following PPEs as per relevant National Standards or International Standards and as applicable to a given workplace.

(a) Dust respirator.

(b) HEPA filter respirator or fume respirator.

(c) HEPA filter respirator with full face piece.

(d) Self-contained breathing apparatus (SCBA)

(e) Supplied air respirator with a full face piece, helmet or hood.

(f) SCBA with full face piece.

(g) Powered air purifying respirator with a HEPA filter.

4. Exemptions.- If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or in frequency of the processes or for any other reason, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector-cum-Facilitator may by a certificate in writing, which he may in his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

SCHEDULE XVII

Handling and manipulation of corrosive substances

1. Definitions.- For the purpose of this Schedule,-

(a) "Corrosive operation" means an operation of manufacturing, storing, handling, processing, packing, or using any corrosive substance in a factory; and

(b) "Corrosive substance" includes sulphuric acid, nitric acid, hydrochloric acid, hydrofluoric acid, carboric acid, phosphoric acid, liquid chlorine, liquid bromine, ammonia, sodium hydroxide and potassium hydroxide and a mixture thereof. and any other substance which the State Government by notification in the Official Gazette specify to be a corrosive substance.

2. Flooring.- The floor of every workroom of a factory in which corrosive operation is carried on shall be made of impervious, corrosion and fire-resistant material and shall be so constructed as to prevent collection of any corrosive substance. The surface of such flooring shall be smooth and cleaned as often as necessary and maintained in a sound condition.

3. Protective Equipment.-

(a) The occupier shall provide for the use of all persons employed in any corrosive operation suitable protective wear for hands and feet, suitable aprons, face shields, chemical safety goggles and respirators. The equipments shall be maintained in good order and shall be kept in clean and hygienic condition by suitably treating to get rid of the ill effects of any absorbed chemicals and by disinfecting. The occupier shall also provide suitable protective creams and other preparations wherever necessary.

(b) The protective equipment and preparations provided shall be used by the persons employed in any corrosive operation.

4. Water facilities. -Where any corrosive operation is carried on, there shall be provided as close to the place of such operation as possible, a source of clean water at a height of 210 cms. (7 ft.) from a pipe of 1.25 cm. (1/2 in.) diameter and fitted with a quick acting valve so that in case of injury to the worker by any corrosive substance, the injured part can be thoroughly flooded with water. Water sprinkler system should be provided over the ammonia receiver. Whenever necessary, in order to ensure continuous water supply, a storage tank having a minimum length, breadth and height of 210 cm., 120 cm., respectively or such dimensions as are approved by the Chief Inspector-cum-Facilitator shall be provided as the source of clean water.

5. Cautionary Notice.- A cautionary notice in the following form and printed in the language which majority of the workers employed understand, shall be displayed prominently close to the place where any of the operations mentioned in clause 2 above is carried out and where it can be easily and conveniently read by the workers. If any worker is illiterate, effective steps be taken to explain carefully to him the contents of the notice so displayed.

Cautionary Notice Danger Corrosive substances cause severe burns and vapours thereof may be extremely hazardous. In case of contact immediately flood the part affected with plenty of water for at least 15 minutes. Get Medical attention quickly.

6. Transport.-

(a) Corrosive substances shall not be filled moved or carried except in containers or through pipes and when they are to be transported in containers they shall be included in crates of sound construction and of sufficient strength.

(b) A container with a capacity of 11.5 litres (2-1/2 gallons) or more of a corrosive substance shall be placed in a receptacle or crate and then carried by more than one person at a height below the waist line unless a suitable rubber wheeled truck is used for the purpose.

(c) Containers for corrosive substances shall be plainly labelled.

7. Devices for handling corrosive.-

(a) Tilting, lifting or pumping arrangements shall be used for emptying jars, carboys and other containers of corrosives.

(b) corrosive substance shall not be handled by bare hands but by means of a suitable scoop or other device.

8. Opening of Valves.- Valves fitted to containers holding a corrosive substance shall be opened with great care. If they do not work freely, they shall not be forced open. they shall be opened by a worker suitably trained for the purpose.

9. Cleaning of Tanks and Stills, etc.-

(a) In cleaning out or removing residues from stills or other large chambers used for holding any corrosive substance, suitable implements made of wood or other material shall be used to prevent production of ars-eniuretted hydrogen (Arsine).

(b) Whenever it is necessary for the purpose of cleaning or other maintenance work for any worker to enter chamber, tank, vat, pit or other confined space where a corrosive substance had been stored, all possible precautions required under sub-rule 33 and 34 of rule 110 of these rules shall, be taken to ensure the worker's safety.

(c) Wherever possible, before repairs are undertaken to any part to equipment in which a corrosive substance was handled, such equipment or part thereof shall be freed of any adhering corrosive substance by adopting suitable methods.

10. Storage.-

(a) Corrosive substances shall not be stored in the same room with other chemicals, such as turpentine, carbides. metallic powders and combustible materials, the accidental mixing with which may cause a reaction which is either violent or gives rise to toxic fumes and gases.

(b) Pumping or filling overhead tanks, receptacles, vats or other containers for storing corrosive substances shall be so arranged that there is no possibility of any corrosive substance overflowing and causing injury to any person.

(c) Every container having a capacity of twenty litres or more and every pipeline, valves, and fitting used for carrying corrosive substances shall be thoroughly examined by competent person] every year for finding out any defects and defects shall be removed forthwith. A register shall be maintained of every such examination made and shall be produced before the Inspector-cum-Facilitator whenever required.

11. Safety Measures:- (1) All the system pipe line should be of welded joints instead of flanged joints.

(2) ISI valves should be provided in lines and periodical maintenance of valves should be checked.

(3) Whatever corrosive substance if coming out of valves should be taken to scrubber for neutralisation through a close circuit system.

(4) For the early detection of leakage of any corrosive substance sensitive devices should be provided.

(5) Absorber of proper capacity should be provided.

(6) Stand by generator of adequate capacity should be provided in factories for toxic gases.

12. Fire Extinguishers and Fire-fighting Equipment.- An adequate number of suitable types of fire extinguishers or other firefighting equipment, depending on the nature of chemicals stored, shall be provided. Such extinguishers or other equipment shall be regularly tested and refilled. Clear instructions as to how the extinguishers or other equipment should be used, printed in the language which majority of the workers employed understand, shall be affixed near each extinguisher or other equipment.

13. Exemption.- If in respect of any factory on an application made by the Manager, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances, or the infrequency of the process or for any other reason to be recorded by him in writing, all or any of the provisions of this Schedule are not necessary for the protection of the persons employed therein, he may by a certificate in writing which he may at any time revoke, exempt the factory from such of the provisions and subject to such conditions as he may specify therein.

SCHEDULE XVIII

Manufacture or Manipulation of Carcinogenic Dye Intermediates

1. Application.- The schedule shall apply in respect of all factories or any part thereof where processes in which the substances mentioned clause 3 and 4 are formed, manufactured, handled, or used and the processes incidental thereto in the course of which these substances are formed, are carried on. The processes indicated in this clause shall be referred to hereinafter as “the said processes”, and such a reference shall mean any or all the processes described in this clause.

2. Definitions.- For the purpose of this schedule the following definitions shall apply, unless the context otherwise requires,-

(a) “controlled substances” means chemical substances mentioned in clause 4 of this schedule;

(b) "efficient exhaust draught" means localised ventilation effected by mechanical means for the removal of gas, vapour, dust or fume so as to prevent them from escaping into the air of any place in which work is carried on. No draught, shall be deemed to be efficient which fails to remove smoke generated at the point where such gas, vapour, fume or dust originates; and

(c) "prohibited substances" means chemical substances mentioned in clause 3 of this schedule.

3. Prohibited substances.- For the purpose of this schedule, the following chemical substances shall be classified as "prohibited substances" except when these substances are present or are formed as a by-product of a chemical reaction in a total concentration not exceeding one percent :-

- (a) beta-naphthylamine and its salts;
- (b) Benzedrine and its salts;
- (c) 4-amino biphenyl and its salts;
- (d) 4-nitro diphenyl and its salts; and
- (e) any substance containing any of these compounds.

4. Controlled substances.- For the purpose of this schedule, the following chemical substances shall be classified as "controlled substances" :-

- (a) alpha-naphthylamine or alpha-naphthylamine containing not more than one percent of beta-naphthylamine either as a by-product of chemical reaction or otherwise, and its salts;
- (b) ortho-tolidine and its salts;
- (c) dianisidine and its salts;
- (d) dichlorobenzidine and its salts;
- (e) auramine; and
- (f) magneta.

5. Requirements for processing or handling controlled substances.-

(1) Wherever any of the controlled substances referred to in clause 4 are formed, manufactured, processed, handled, or used, all practical steps shall be taken to prevent inhalation,

ingestion or absorption of the said controlled substance by the workers while engaged in processing that substance, and its storage or transport within the plant, or in cleaning or maintenance of the concerned equipment, plant, machinery and storage areas.

(2) As far as possible all operations shall be carried out in a totally enclosed system. Wherever such enclosure is not possible, efficient exhaust draught shall be applied at the point where the controlled substances are likely to escape into the atmosphere during the process.

(3) The controlled substances shall be received in the factory in tightly closed containers and shall be kept so except when these substances are in process or in use. The controlled

substances shall leave the factory only in tightly closed containers of appropriate type. All the containers shall be plainly labelled to indicate the contents.

6 .Personal protective equipment.-

(1) The following items of personal protective equipment shall be provided and issued to every worker employed in the said processes:-

(a) long trousers and shirts or overalls with full sleeves and head coverings.
The shirt or overall shall cover the neck completely; and

(b) rubber gum-boots.

(2) The following items of personal protective equipment shall be provided in sufficient numbers for use by workers employed in the said processes when there is danger of injury during the performance of normal duties or in the event of emergency :-

(a) rubber hand-gloves;

(b) rubber aprons; and

(c) airline respirators or other suitable respiratory protective equipment.

(3) It shall be the responsibility of the manager to maintain all items of personal protective equipment in a clean and hygienic condition and in good repair.

7. Floors of workroom.- The floor of every workroom in which the said processes are carried on shall be,-

(a) smooth and impervious to water provided that asphalt or tar shall not be used in the composition of the floor,

(b) maintained in a state of good repair,

(c) with a suitable slope for easy draining and provided with gutters and

(d) thoroughly washed daily with the drain water being led into a sewer through a closed channel.

8 . Disposal of empty containers.- Empty containers used for holding controlled substances shall be thoroughly cleaned of their contents and treated with an inactivating agent before being discarded.

9. Manual handling.- Controlled substances shall not be allowed to be mixed, filled, emptied or handled except by means of a scoop with a handle. Such scoop shall be thoroughly cleaned daily.

10. Instructions regarding risk.- Every worker on his first employment in the said processes shall be fully instructed on the properties of the toxic chemicals to which he is likely to be exposed to, of the dangers involved and the precautions to be taken. Workers shall also be instructed on the measures to be taken to deal with an emergency.

11. Cautionary placards.- Cautionary placards in the form specified in appendix attached to this schedule and printed in the language of the majority of the workers employed in the said processes shall be affixed in prominent places frequented by them in the factory, where the placards can be conveniently read. Arrangements shall be made by

the manager to instruct periodically all such workers regarding the precautions contained in the cautionary placards.

12. Obligations of the workers.- It shall be the duty of the persons employed in the said processes to submit themselves for the medical examination including exfoliative cytology of urine by the the qualified medical practitioner as provided for under these rules.

13. Washing and bathing facilities.- (1) The following washing and bathing facilities shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the said processes :-

- (a) a wash place under cover having constant supply of water and provided with clean towels, soap and nail brushes and with at least one stand pipe for every five such workers;
- (b) 50 percent of the stand pipes provided under clause (a) shall be located in bathrooms where both hot and cold water shall be made available during the working hours of the factory and for one hour thereafter;
- (c) the washing and bathing facilities shall be in close proximity of the area housing the said processes;
- (d) clean towels shall be provided individually to each worker; and
- (e) in addition to the taps mentioned under clause (a), one stand pipe, in which warm water is made available, shall be provided on each floor.

(2) Arrangement shall be made to wash factory uniforms and other work clothes everyday.

14. Food, drinks, etc. prohibited in workroom.- No worker shall consume food, drink, pan, supari or tobacco or shall smoke in any workroom in which the said processes are carried on and no worker shall remain in any such room during intervals for meals or rest.

15. Cloak room.- There shall be provided and maintained in a clean state and in good repair for the use of the workers employed in the said processes,-

- (a) a cloakroom with lockers having two compartments, one for street clothes and the other for work clothes, and
- (b) a place separate from the locker room and the messroom, for the storage of protective equipment provided under clause 7. the accommodation so provided shall be under the care of a responsible person and shall be kept clean.

16. Mess room.- There shall be provided and maintained for the use of workers employed in the said processes who remain on the premises during the meal intervals, a messroom which shall be furnished with tables and benches and provided with suitable means for warming food.

17. Time allowed for washing.- Before the end of each shift 30 minutes shall be allowed for bathing for each worker who is employed in the said processes. Further, at least 10 minutes shall be allowed for washing before each meal in addition to the regular time allowed for meals.

18. Medical facilities and records of examinations and tests.- (1) The occupier of every factory to which this schedule applies, shall,-

- (a) employ a qualified medical practitioner for medical surveillance of the workers employed therein whose employment shall be subject to the approval of the Chief Inspector-cum-Facilitator ; and
- (b) provide to the medical practitioner all the necessary facilities for the purpose referred to in item (a).

(2) The record of such examinations carried out by the medical practitioner shall be maintained in a separate, register, which shall be kept readily available for inspection by the Inspector-cum-Facilitator.

19. Medical examination.- (1) Every worker employed in the processes specified in clause 1 shall be examined by a medical practitioner within 15 days of his first employment. Such examinations shall include skin test for dermatitis and no worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the medical practitioner.

(2) Every worker employed in a manganese process shall be re-examined by a medical practitioner at least once in every three calendar months and such examination shall, wherever the medical practitioner considers appropriate, include all the tests in sub-clause (1).

(3) The Medical practitioner after examining a worker, shall issue a Certificate of Fitness in Form 23. The record of examination and re-examinations carried out shall be entered in the Certificate and the Certificate shall be kept in the custody of the manager of the factory. The record of each examination carried out under sub-clause (1) and (2), including the nature and the results of these test, shall also be entered by the medical practitioner in a health register in Form 24.

(4) The Certificate of Fitness and the health register shall be kept readily available for inspection by the Inspector-cum-Facilitator .

(5) If at any time the medical practitioner is of the opinion that a worker is no longer fit for employment in the said processes on the ground that continuance therein would involve special danger to the health of the worker, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in those documents should also include the period for which he considers that the said person is unfit to work in the said process shall be provided with alternate placement facilities unless he is fully incapacitated in the opinion of the medical practitioner, in which case the person affected shall be suitably rehabilitated.

(6) No person who has been found unfit to work as said in sub-clause (5) shall be re-employed or permitted to work in the said processes unless the medical practitioner, after further examination, again certifies him fit for employment in those processes.

20. Exemptions.- If in respect of any such factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or

for any other reason, all or any of the provisions of this schedule is not necessary for the protection of the workers in the factory, the Chief Inspector-cum-Facilitator may exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

APPENDIX
Cautionary Placard/Notice
Carcinogenic dye intermediates

1. Dye intermediates which are nitro amino derivatives or aromatic hydrocarbons are toxic. You have to handle these chemicals frequently in this factory.
2. Use the various items of protective wear to safeguard your own health.
3. Maintain scrupulous cleanliness at all times. Thoroughly wash hands and feet before taking meals. It is essential to take a bath before leaving the factory.
4. Wash off any chemical falling on your body with soap and water. If splashed with a solution of the chemical, remove the contaminated clothing immediately. These chemicals are known to produce cyanosis. Contact the medical officer or appointed doctor immediately and get his advice.
5. Handle the dye intermediates only with long handled scoops, never with bare hands.
6. Alcoholic drinks should be avoided as they enhance the risk of poisoning by the chemicals.
7. Keep your food and drinks away from work place. Consuming food, drinks or tobacco in any form at the place of work is prohibited.
8. Serious effects from work with toxic chemicals may follow after many years. Great care must be taken to maintain absolute cleanliness of body, clothes, machinery and equipment.

SCHEDULE XIX
Solvent Extraction Plants

Process of extracting Vegetable Oil from oil cakes in Solvent Extraction Plants

1. Definitions.- For the purposes of this Schedule,-

- (a) "Solvent Extraction Plant" means the plant in which the process of extracting vegetable oils from oil cakes by the use of solvents is carried on.
- (b) "Solvent" means an inflammable liquid such as pentane hexane and heptane used for the recovery of vegetable oils.
- (c) "Flame Proof" enclosure as applied to electrical machinery or apparatus means an enclosure that will withstand, when covers or other access doors are properly secured, an internal explosion of the flammable gas or vapour which may enter or which may originate inside the enclosure without suffering damage and without communicating internal inflammation (or explosion) to the external flammable gas or vapour.

2. Location and layout.- (a) No solvent extraction plant shall be permitted to be constructed or extended to within a distance of 30 meters from the nearest residential locality.

(b) A 1.5 meter high continuous wire fencing shall be provided around the Solvent Extraction Plant up to a minimum distance of 15 meters from the plant.

(c) No person shall be allowed to carry any matches or mobile or an open flame or fire inside the area bound by the fencing.

(d) Boiler houses and other buildings where open flame processes are carried on shall be located at least 30 meters away from the Solvent extraction Plant.

(e) If godowns and preparatory processes are at less than 30 meters distance from the Solvent Extraction Plant, these shall be at least 15 meters distance from the plant, and a continuous barrier wall of non-combustible material 1.5 meters high shall be erected at a distance of not less than 15 meters from the Solvent Extraction Plant so that it extends to at least 30 meters of vapour travel around its ends from the plant to the possible sources of ignition.

3. Electrical installations.-

(a) All electrical motors and wiring and other electrical equipment installed or housed in Solvent Extraction Plant shall be of flame proof construction.

(b) All metal parts of the plant and building including various tanks and containers where solvents are stored or are present and all parts of electrical equipment not required to be energized shall be properly bounded together and connected to earth so as to avoid accidental rise in the electrical potential of such parts above the earth potential.

4. Restriction on smoking.- Smoking shall be strictly prohibited within 15 meters distance from Solvent Extraction Plant. For this purpose, "No Smoking" signs shall be permanently displayed in the area.

5. Precautions against friction.-

(a) All tools and equipment including ladders, chains and other lifting tackle required to be used in Solvent Extraction Plant shall be of non-sparking type.

(b) No machinery or equipment in any solvent extraction plant shall be belt driven, unless the belt used is of such a type that it does not permit accumulation of static electricity to a dangerous level.

(c) No person shall be allowed to enter and work in the Solvent Extraction Plant if wearing cloths made of nylon or such fibre that can generate static electrical charge, or wearing footwear which is likely to cause sparks by friction.

6. Fire Fighting Apparatus.-

(a) Adequate number of portable fire extinguishers suitable for use against flammable liquid fires shall be provided in the Solvent Extraction plant.

(b) An automatic water spray sprinkler system on a wet pipe or open-head deluge system with sufficient supply of storage water shall be provided over Solvent Extraction Plant and throughout the building housing such plant.

7. Precautions against power failure.- Provision shall be made for the automatic cutting off of steam in the event of power failure and also for emergency overhead water supply for

feeding water by gravity to condensers which shall come into play automatically with the power failure.

8. Magnetic Separators.- Oil cake shall be fed to the extractor by a conveyor through hopper and a magnetic separator shall be provided to remove any pieces of iron during its transfer.

9. Venting.-

- (a) Tanks containing solvents shall be protected with emergency venting to relieve excessive internal pressure in the event of fire.
- (b) All emergency relief vents shall terminate at least 6 metres above the ground and be so located that vapours will not re-enter the building in which Solvent Extraction Plant is located.

10. Waste water.- Process waste water shall be passed through a flash evaporator to remove any solvent before it is discharged into a sump.

11. Ventilation.- The Solvent Extraction Plant shall be well ventilated and if the plant is housed in a building, the building shall be provided with mechanical ventilation with provision for at least six air changes per hour.

12. Housekeeping.-

- (a) Solvents shall not be stored in an area covered by Solvent Extraction Plant except in small quantities which shall be stored in approved safety cans.
- (b) Waste materials such as oily rags, other wastes and absorbents used to wipe off solvent and paints and oils shall be deposited in approved containers and removed from the premises at least once a day.
- (c) Space within the Solvent Extraction Plant and within 15 metres from the plant shall be kept free from any combustible materials and any spills of oil or solvent, shall be cleaned up immediately.

13. Examination and repairs.-

- (a) The Solvent Extraction Plant shall be examined by the competent person to determine any weakness or corrosion and wear once in every 12 months. Report of such examination shall be submitted to the Inspector-cum-Facilitator with his observation as to whether or not the plant is in safe condition to work.
- (b) No repairs shall be carried out to the machinery or plant except under the direct supervision of the competent employee of the factory.
- (c) Facility shall be provided for purging the plant with inert gas or steam before opening for cleaning or repairs and before introducing solvent after repairs.

14. Operating personnel.- The operation of the plant and machinery in the Solvent Extraction Plant shall be in the charge of such duly qualified and trained person are certified by the competent person to be fit for the purpose and no other person shall be allowed to operate the plant and machinery.

15. Vapour detection.- A suitable type of combustible gas indicator shall be provided and maintained in good working order and a schedule of routine sampling of atmosphere at

various locations as approved by the Chief Inspector-cum-Facilitator shall be drawn out and entered in a register maintained for the purpose.

16. Further precautions in cases of batch type Solvent Extraction Plants.- In case of batch type Solvent Extraction Plants, the following further precautions shall be observed:-

- (a) When the solvent is removed from batch extractor by vacuum gauges shall be provided and tests shall be carried out to ensure that a minimum vacuum of 650 mm (26") mercury is obtained and maintained steadily for a minimum period of 30 minutes before the extractor is allowed to be opened for discharge of cake or for persons to enter.
- (b) When on opening the door of a batch extractor the extracted meal cannot be dislodged from the extractor freely, door shall be closed and the material reheated (dry) under vacuum for at least 60 minutes before the door is reopened.
- (c) Where solvent is removed by steam heating, the presence of the solvent shall be tested at the vent provided on the top of the vessel before opening the vessel.
- (d) A log book of operations with the following particulars shall be maintained and made available on demand to the Inspector-cum-Facilitator:-
 - (i) vacuum gauge reading for each charge.
 - (ii) testing of continuity of electrical bending and earthing system,
 - (iii) loss of solvent every 24 hours or loss per tonne of raw materials used.

17. Exemption.— If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes for any other reasons, all or any of the provisions of this schedule is not necessary for the protection of the workers in factory, the Chief Inspector-cum-Facilitator may by a certificate in writing (which he may in his discretion revoke at any time) exempt such factory from all or any of such provision subject to condition. if any, as he may specify therein.

SCHEDULE XX

Manufacture or manipulation of manganese and its compounds

1. Definitions.- For the purpose of this Schedule:-

- (a) "Manganese process" means processing, manufacture or manipulation of manganese or any compound of manganese or any ore or any mixture containing manganese.
- (b) "First employment" means first employment in any manganese process and includes also re-employment in any manganese process following any cessation of employment for a continuous period exceeding 3 calendar months.
- (c) "Manipulation" means mixing, blending, filling, emptying, grinding, sieving, drying, packing, sweeping, or otherwise handling of manganese, or a compound of manganese or an ore or mixture containing manganese.
- (d) "Efficient Exhaust Ventilation" means localised ventilation effected by mechanical means for the removal of dust or fume or mist at its source of origin so as to prevent it from escaping into the atmosphere of any place where any work is carried on. No. draught shall be deemed to be efficient which fails to remove the

dust or fume or mist at the point where it is generated and fails to prevent it from escaping into and spreading into the atmosphere of a work place.

2. Application.- This schedule shall apply to every factory in which or in any part of which any manganese process is carried on.

3. Exemptions.- Where the Chief Inspector-cum-Facilitator is satisfied that owing to any exceptional circumstances, or infrequency of the process, or for any other reason, application of all or any of the provisions of this schedule is not necessary for the protection of the persons employed in any factory, he may, by an order in writing, which he may at his discretion revoke, exempt such factory from all or any of the provisions on such conditions and for such period as he may specify in the said order.

4. Isolation of a process.- Every manganese process which may give risk to dust, vapour or mist containing manganese, shall be carried on in a totally enclosed system or otherwise effectively isolated from other processes so that other plants and process and other parts of the factory and persons employed on other work of process may not be affected by the same.

5. Ventilation of process.- No process, in which any dust, vapour or mist containing manganese is generated, shall be carried out except under an efficient exhaust ventilation which shall be applied as near to the point of generation as practicable.

6. Medical examination.- Every worker employed in any manganese process shall be medically examined within 15 days of his first employment. Such examination shall include, tests for detection of serum calcium, serum phosphate and manganese in blood and urine and also include steadiness tests and other neuro-muscular co-ordination tests.

7. Personal Protective Equipment.-

(i) The occupier of the factory shall provide and maintain in good and clean condition suitable overalls and head coverings for all persons employed in any manganese process and such overalls and head coverings shall be worn by the persons while working on manganese process.

(ii) The occupier of the factory shall provide suitable respiratory protective equipment for use by workers in emergency to prevent inhalation of dusts, fumes or mists. Sufficient number of complete sets of such equipment shall always be kept near the work place and the same shall be properly maintained and kept always in a condition to be used readily.

(iii) The occupier of the factory shall provide and maintain for the use of all persons employed, suitable accommodation for the storage and make adequate arrangements for cleaning and maintenance of personal protective equipments.

8. Cautionary placard and instructions.- Cautionary notices in the form given below and printed in the language of the majority of the workers employed, shall be affixed in prominent places in the factory where they can be easily and conveniently read by the workers and arrangement shall be made by the occupier to instruct periodically all workers employed in a manganese process regarding the health hazards connected with their duties and the best preventive measures and methods to protect themselves. The notices shall always be maintained in a legible condition.

Cautionary Notice**Manganese and Manganese Compounds**

1. Dust fumes and mists of manganese and compounds are toxic when inhaled or when ingested.
2. Do not consume food or drink near the workplace.
3. Take a good wash before taking meals.
4. Keep the working area clean.
5. Use the protective clothing and equipments provided.
6. When required to work in situations where dusts, fumes or mists are likely to be inhaled, use respiratory protective equipment provided for the purpose.
7. If you get severe headaches, prolonged sleeplessness or abnormal sensations on the body, report to the manager who would make arrangements for your examination and treatment.

SCHEDULE XXI**Manufacture, Handling and use of Benzene**

1. The schedule is made to provide protection against hazards of poisoning from benzene and shall apply in respect of factories or parts thereof in which benzene or substances containing benzene are manufactured, handled or used.

2. Definitions.- For the purpose of this schedule,-

- (a) 'Substances containing benzene' means substances wherein benzene content exceeds 1 per cent by volume.
- (b) 'Substitute' means a chemical which is harmless or less harmful than benzene and can be used in place of benzene.
- (c) 'Enclosed system' means a system which will not allow escape of benzene vapours to the working atmosphere.
- (d) "Efficient exhaust draught" means localised ventilation effected by mechanical means for the removal of gases, vapours and dusts or fumes so as to prevent them from escaping into the air of any workroom. No draught shall be deemed to be efficient if it fails to remove smoke generated at the point where such gases, vapours, fumes of dusts originate.

3. Prohibition and substitution.-

(a) Use of benzene and substances containing benzene is prohibited in the following processes:-

- (i) Manufacture of varnishes, paints and thinners, and
- (ii) cleaning and de-greasing operations.

(b) Benzene or substances containing benzene shall not be used as a solvent or diluent unless the process in which it is used is carried on in an enclosed system or unless the process is carried on in a manner which is considered equally safe as if it were carried out in an enclosed system.

(c) Where suitable substitutes are available, they shall be used instead of benzene or substances containing benzene. This provision, however, shall not apply to the processes specified in Appendix 'A'.

(d) The Chief Inspector-cum-Facilitator may, subject to confirmation by the State Government, permit exemption from the percentage laid down in clause (2)(a) and also from the provisions of sub-clause (b) temporarily under conditions and within limits of time to be determined after consultation with the employers and workers concerned.

4. Protection against inhalation.-

(a) The process involving the use of benzene or substances containing benzene shall as far as practicable be carried out in an enclosed system.

(b) Where, however, it is not practicable to carry out the process in an enclosed system, the work room in which benzene or substances containing benzene are used shall be equipped with an efficient exhaust draught or other means for the removal of benzene vapours to prevent their escape into the air of the work room so that the concentration of benzene in the air does not exceed 25 parts per million by volume or 80 mg/m³.

(c) Air analysis for the measurement of concentration or benzene vapours in air shall be carried out every 8 hours or at such intervals as may be directed by the Chief Inspector-cum-Facilitator at places where process involving use of benzene is carried on and the result of such analysis shall be recorded in a register specially maintained for this purpose. If the concentration of benzene vapours in air as measured by air analysis, exceeds 25 parts per million by volume or 80 mg./3m., the manager shall forthwith report the concentration to the Chief Inspector-cum-Facilitator stating the reasons for such increase.

(d) Workers, who for special reasons are likely to be exposed to concentration of benzene in the air of the work-room exceeding the maximum referred to in clause (b) shall be provided suitable respirators or face masks. The durations of such exposure shall be limited as far as possible.

5. Measure against skin contact.-

(a) Workers who are likely to come in contact with liquid benzene or liquid substances containing benzene, shall be provided with suitable gloves, aprons, boots and where necessary vapour tight chemical goggles made of material not affected by benzene or its vapours.

(b) The protective wear referred to in sub-clause (a) shall be maintained in good condition and inspected regularly.

6. Labelling.- Every container holding benzene or substances containing benzene shall have the word "Benzene" and approved danger symbols clearly visible on it and shall also display information on benzene content, warning about toxicity and warning about inflammability of the chemical.

7. Improper use of benzene.-

(a) The use of benzene or substances containing benzene by workers for cleaning their hands or their work clothing shall be prohibited.

(b) Workers shall be instructed on the possible dangers arising from such misuse.

8. Instructions as regards risks.- Every worker on his first employment shall be fully instructed on the properties of benzene or substances containing benzene which he has to handle and of the dangers involved. Workers shall also be instructed on the measures to be taken to deal within an emergency.

9. Cautionary notices.- Cautionary notices in the form specified in Appendix 'B' and presented in the language easily read and understood by the majority of the workers shall be displayed in prominent places in the work-rooms where benzene substances containing benzene are manufactured, handled or used.

10. Medical examination.- Every worker employed in processes mentioned in this schedule, shall be examined within 15 days of his first employment, such examination shall include tests for detection of phenol in urine and determination of urinary sulphide ratio and C.N.S. and hematological tests. No. worker shall be allowed to work after 15 days of his first employment in the factory unless certified fit for such employment by the Medical Officer or Factory Medical Practitioner.

Appendix 'A'

[Clause 3(c)]

- (1) Production of benzene.
- (2) Process where benzene is used for chemical synthesis.
- (3) Motor spirits (used as fuel).

Appendix 'B'

[Clause 9]

CAUTIONARY NOTICE**(a) The hazards:-**

- (i) Benzene and substances containing benzene are harmful.
- (ii) Prolonged or repeated breathing of benzene vapours may result in acute or chronic poisoning.
- (iii) Benzene can also be absorbed through skin which may cause skin and other diseases.

(b) The preventive measures to be taken:-

- (i) Avoid breathing of benzene vapours.
- (ii) Avoid prolonged or repeated contact of benzene with the skin.
- (iii) Remove benzene soaked or wet clothing promptly.

- (iv) If any time you are exposed to high concentration of benzene vapours and exhibit the sign and symptoms such as dizziness, difficulty in breathing, excessive excitation and losing of consciousness, immediately inform your factory manager.
- (v) Keep all the containers of benzene closed or underground, if feasible.
- (vi) Handle, use and process benzene and substances containing benzene carefully in order to prevent their spillage on floor.
- (vii) Sensor with alarm system should be installed to detect benzene at appropriate places.
- (viii) Maintain good house-keeping.

(c) The protective equipment to be used:-

- (i) Use respiratory protective equipment in places where benzene vapours are present in high concentration.
- (ii) In emergency, use self-generating oxygen mask or oxygen or air cylinder marks.
- (iii) Wear hand gloves, aprons, goggles and gurney boots to avoid contact of benzene with your skin and body parts.

(d) The first-aid measure to be taken in case of acute benzene poisoning:-

- (i) Remove the clothing immediately if it is wetted with benzene.
- (ii) If liquid benzene enters eyes, flush thoroughly for at least 15 minutes with clean running water and immediately secure medical attention.
- (iii) In case of unusual exposure to benzene vapour, call a physician immediately. Until he arrives, do the following:-

If the Exposed Person is Conscious:

- (A) Move him to fresh air in open.
- (B) Lay him down without a pillow and keep him quiet and warm.

If the Exposed Person is Unconscious:

- (A) Lay him down preferably on the left side with the head low.
- (B) Remove any false teeth, chewing gum, tobacco or other foreign objects which may be in his mouth.
- (C) Provide him artificial respiration in case difficulty is being experienced in breathing.
- (D) In case of shallow breathing or cyanosis (Blueness of skin, lips, ears, finger nail beds). He should be provided with medical oxygen. If needed, he should be given artificial respirations. Oxygen should be administered by a trained person only.

SCHEDULE XXII**Carbon Disulphide Plants****1. Application.-**

(a) This Schedule shall apply to all electric furnaces in which carbon disulphide is generated and all other plants where carbon disulphide after generation, is condensed, refined and stored.

(b) These rules are in addition to and not in derogation of any of the provisions of the Code and rules made thereunder.

2. Construction, Installation & Operation.-

(a) The buildings in which electric furnaces are installed and carbon disulphide after generation is condensed and refined shall be segregated from other parts of the factory and shall be of open type to ensure optimum ventilation and the plant lay out shall be such that only a minimum number of workers are exposed to the risk of any fire or explosion at any one time.

(b) Every electric furnace and every plant in which carbon disulphide is condensed, refined and stored with all their fittings and attachments shall be of good construction, sound material and of adequate strength to sustain the internal pressure to which the furnace or the plant may be subjected and shall be so designed that carbon disulphide liquid and gas are in closed system during their normal working.

(c) The electric furnace supports shall be firmly grouted about 0.75 meters in concrete or by other effective means.

(d) Every electric furnace shall be installed and operated according to manufactures instructions and these instructions shall be clearly imparted to the personnel in-charge of construction and operation.

(e) The instructions regarding observance of correct furnace temperature sulphur doze, admissible current/power consumption and periodical checking of charcoal level shall be strictly complied with.

3. Electrodes.-

(a) Where upper ring electrode (s), made of steel are used in the electric furnace, they shall be of seamless tube construction and shall have arrangement for being connected to cooling water system through a siphon built in the electrodes or through a positive pressure water pump.

(b) The arrangement for cooling water referred to in clause (a) shall be connected with automatic alarm system which will actuate in the event of interruption of cooling water in the electrodes and give visible and audible alarm signals in the control room and simultaneously stop power supply for the furnace operation and to stop the further supply of water. The alarm system and the actuating device shall be checked every day.

4. Charcoal level indicator and vibrator.- Means shall be provided on each electric furnace for indicating the correct level of charcoal in the furnace and for vibrating the charcoal. This means shall be employed as often as necessary to maintain correct charge and level of the charcoal.

5. Charcoal Separator.- A cyclone type of charcoal separator shall be fitted on the off take pipe between the electric furnace and sulphur separator to prevent entry of pieces of charcoal into the condensers and piping.

6. Rupture discs and safety seal.-

(a) At least two rupture discs of adequate size which shall blow off at a pressure twice the maximum operating pressure shall be provided on each furnace and shall either be mounted directly on the top of the furnace or each through an independent pipe as close as possible to the furnace.

(b) A safety water seal shall be provided and tapped from a point between the charcoal separator and the sulphur separator.

7. Pyrometer and Manometers.-

(a) Each electric shall be fitted with adequate number of pyrometers to make a correct assessment of the temperature at various points in the furnace. The dials for reading the temperatures shall be located in the control room.

(b) Manometer shall be provided for indicating pressure,-

- (i) in the off take pipe before and after the sulphur separator; and
- (ii) in primary and secondary condensers.

8. Check valves.- All piping carrying carbon disulphide shall be fitted with check valves at suitable positions so as to prevent gas from flowing back into any electric furnace in the event of its shut down.

9. Inspection and Maintenance of Electric furnaces.-

(a) Every electric furnace shall be inspected internally by a competent person,-

- (i) before being placed in service after installation;
- (ii) before being placed in service after reconstruction or repairs; and
- (iii) periodically every time the furnace is opened for cleaning or de-ashing or for replacing electrodes.

(b) When an electric furnace is shut down for cleaning or de-ashing,-

- (i) the brick lining shall be checked for continuity and any part found defective removed.
- (ii) after removal of any part of the lining, referred to in (a) the condition of the shell shall be closely inspected, and
- (iii) any plates forming shell found corroded to the extent that safety of the furnace is endangered shall be replaced.

10. Maintenance of records.- The following hourly records shall be maintained in a log book:-

- (i) Manometer readings at the points specified in item (i) and (ii) of sub-clause (b) of clause 7;

- (ii) Gas temperature indicated by pyrometer's and all other vital points near the sulphur separator and primary and secondary condensers;
- (iii) Water temperature and flow of water through the siphon in the electrodes; and
- (iv) Primary and secondary voltages and current and energy consumed.

11. Electrical apparatus, wiring and fittings.- All buildings in which carbon disulphide is refined or store shall be provided with electrical apparatus, wiring and fittings which shall afford adequate protection from fire and explosion.

12. Prohibitions relating to smoking.- No person shall smoke or carry matches, fire or naked light or other means of producing a naked light or spark in buildings in which carbon disulphide is refined or stored, and a notice in the language understood by a majority of the workers shall be pasted in the plant prohibiting smoking and carrying of matches, fire or naked light or other means of producing naked light or spark into such rooms.

13. Means of escape.- Adequate means of escape shall be provided and maintained to enable persons to move to a safe place as quickly as possible in case of an emergency. At least two independent staircases of adequate width shall be provided in every building housing the furnaces at reasonable intervals at opposite ends. These shall always be kept clear of all obstructions and so designed as to afford easy passage.

14. Warnings in case of fire.- There shall be adequate arrangements for giving warnings in case of fire or explosion which shall operate on electricity and in case of failure of electricity by some mechanical means.

15. Firefighting equipment.-

(a) Adequate number of suitable fire extinguishers or other firefighting equipment shall be kept in constant for dealing with risks involved and depending on the amount and nature of materials stored.

(b) Clear instruction as to how the extinguishers or other equipment should be used printed in the language which the majority of the workers employed understand, shall be affixed to each extinguisher or other equipment and the personnel trained in their use.

16. Bulk sulphur.-

(a) Open or semi-enclosed spaces for storage of bulk sulphur shall be sited with due regard to the dangers which may arise from sparks given off by nearby locomotives etc.. and precautions shall be taken to see that flames smoking's and matches and other sources of ignition do not come in contact with the clouds of dust rising during handling of bulk sulphur.

(b) All enclosures for bulk sulphur shall be of non-combustible construction, adequately ventilated and so designed as to provide a minimum of ledges on which dust may lodge.

(c) The bulk sulphur in the enclosures shall be handled in such a manner as to minimise the formation of dust clouds and no flame, smoking and matches or other sources of ignition shall be employed during handling and non-sparking tools shall be used whenever sulphur is shovelled or otherwise removed by hand.

(d) No repairs involving flames, heat or use of hand or power tools shall be made in the enclosure where bulk sulphur is stored.

17. Liquid sulphur.- Open flames, electric sparks and other sources of ignition, including smoking and matches, shall be excluded from the vicinity of molten sulphur.

18. Training & Supervision.-

(a) All electric furnaces and all plants in which carbon disulphide is condensed, refined or stored shall be under adequate supervision at all times while the furnaces and plant are in operation.

(b) Workers in-charge of operation and maintenance of electric furnaces and the plants shall be properly qualified and adequately trained.

19. Washing facilities.- The occupier shall provide and maintain in a clean state and in good repair, for the use of all persons employed, wash place under cover with at least one tap or stand pipe, having a constant supply of clean water for every five such persons, the taps or stand pipes being spaced not less than 120 centimetres apart with a sufficient supply of soap and clean towels: provided that towels shall be supplied individually to each worker, if so ordered by the Inspector-cum-Facilitator. All the workers employed in the sulphur storage, handling and melting operations shall be provided with a nail brush.

20. Personal protective equipment.-

(a) Suitable goggles and protective clothing consisting of overalls without pockets, gloves and footwear shall be provided for the use of operatives,-

(i) when operating valves or cocks controlling fluids etc.;

(ii) drawing off of molten sulphur from sulphur pots; and

(iii) handling charcoal or sulphur.

(b) Suitable respiratory protective equipment shall be provided and stored in the appropriate place for use during abnormal conditions or in an emergency.

(c) Arrangements shall be made for the proper and efficient cleaning of all such protective equipment.

21. Unauthorised persons.- Only maintenance and repair personnel, persons directly connected with the plant operation and those accompanied by authorised persons shall be admitted into the plant.

SCHEDULE XXIII

Manufacture and Manipulation of Dangerous Pesticides

1. Definitions.- For the purpose of this Schedule,-

(a) 'Dangerous Pesticides' means any product proposed or used for controlling, destroying or repelling any pest or for preventing growth or mitigating effects of such growth including any of its formulations which is considered toxic under and is covered by the Insecticides Act, 1968 and the rules made thereunder and any other product, as may be notified from time to time by the State Government.

- (b) 'Manipulation' includes mixing, blending, formulating, filling, emptying, packing or otherwise handling.
- (c) 'Efficient exhaust draught' means localized mechanical ventilation for removal of smoke, gas, vapour, dust, fume or mist so as to prevent them from escaping in the air of any work-room in which work is carried on. No exhaust draught shall be considered efficient if it fails to remove smoke generated at the point where such gas, fume, dust, vapour or mist originates from the process.
- (d) 'First Employment' means first employment in any manufacturing process to which this Schedule applies and also includes re-employment in the said manufacturing process following any cessation of employment for a continuous period exceeding three calendar months.

2. Application.- This Schedule shall apply in respect of all factories or any plant thereof in which the process of manufacture or manipulation of dangerous pesticide hereinafter referred to as the said manufacture or manufacturing process is carried on.

3. Instruction to workers.- Every worker on his first employment shall be fully instructed on the properties including dangerous properties of the chemicals handled in the said manufacturing process and the hazards involved. The employees shall also be instructed in the measures to be taken to deal with any emergency. Such instructions shall be repeated periodically.

4. Cautionary notice and Placards.- Cautionary notices and placards in the form specified in Appendix I of this Schedule and printed in the language of the majority of the workers shall be displayed in all workplaces in which said manufacturing process is carried on so that they can be easily and conveniently read by the workers. Arrangements shall be made by the occupier or the manager of the factory to periodically instruct the workers regarding the health hazards arising in the said manufacturing process and methods of protection. Such notices shall include brief instructions regarding the periodical clinical tests required to be undertaken for protecting health of the workers.

5. Medical examination.- Every worker employed in the processes mentioned in clause 1 shall be examined within 15 days of his first employment. Such examination in respect of Halogenated pesticides shall include test for determination of the chemical in blood and in fat tissues EEG abnormalities and memory tests. In respect of organophosphorus compounds, such examination shall include test for depression of cholinesterase in plasma and red blood cells.

6. Protective clothing and protective equipment.-

(a) Protective clothing consisting of long pants and shirts or overalls with long sleeves and head coverings shall be provided for all workers employed in the said manufacturing process.

(b) (i) Protective equipments consisting of rubber gloves, gum boots, rubber aprons, chemical safety goggles and respirators shall be provided for all workers employed in the said manufacturing process.

(ii) Gloves, boots, aprons shall be made from synthetic rubber where a pesticide contains oil.

(c) Protective clothing and equipment shall be worn by the workers supplied with such clothing and equipment.

(d) Protective clothing and equipments shall be washed daily from inside and outside if the workers handle pesticides containing nicotine or phosphorus and shall be- washed frequently if handling other pesticides.

(e) Protective clothing and equipment shall be maintained in good repair.

7. Floors and work benches.-

(a) Floors in every work room where dangerous pesticides are manipulated shall be of cement or other impervious material giving a smooth surface.

(b) Floors shall be maintained in good repairs, provided with adequate slope leading to a drain and thoroughly washed once a day with hose pipe.

(c) Work benches where dangerous pesticides are manipulated shall be made of smooth, non-absorbing material preferably stainless steel and shall be cleaned at least once daily.

8. Spillage and waste.-

(a) If a dangerous pesticide during its manipulation splashes or spills on the work bench, floor or on the protective clothing worn by a worker, immediate action shall be taken for thorough decontamination of such areas or articles.

(b) Cloth, rags, paper or other material soaked or soiled with a dangerous pesticide shall be deposited in a suitable receptacle with tight fitting cover. Contaminated waste shall be destroyed by burning at least once a week.

(c) Suitable deactivating agents, where available, shall be kept in a readily accessible place for use while attending to a spillage.

(d) Easy means or access shall be provided to all parts of the plant for cleaning, maintenance and repairs.

9. Empty containers used for dangerous pesticides.- Containers used for dangerous pesticides shall be thoroughly cleaned of their contents and treated with an inactivating agent before being discarded or destroyed.

10. Manual handling.-

(a) A dangerous pesticide shall not be required or allowed to be manipulated by hand except by means of a long handled scoop.

(b) Direct contact of any part of the body with dangerous pesticide during its manipulation shall be avoided.

11. Ventilation.-

(a) In every work room or area where a dangerous pesticide is manipulated adequate ventilation shall be provided at all times by the circulation of fresh air.

(b) Unless the process is completely enclosed, the following operations during manipulation of a dangerous pesticide shall not be undertaken without an efficient exhaust draught—

- (i) emptying a container holding a dangerous pesticide,
- (ii) blending a dangerous pesticide,
- (iii) preparing a liquid or powder formulation containing a dangerous pesticide.
- (iv) Changing or filling a dangerous pesticide into a container tank hopper or machine or small sized containers.

(c) In the event of a failure of the exhaust draught provided on the above operation, the above operations shall be stopped forthwith.

12. Time allowed for washing.-

(a) Before each meal and before the end of the day's work at least ten minutes in addition to the regular rest interval shall be allowed for washing to each worker engaged in the manipulation of dangerous pesticide.

(b) Every worker engaged in the manipulation of dangerous pesticides shall have a thorough wash before consuming any food and also at the end of the day's work.

13. Exemption.- If in respect of any factory the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or infrequency of the said manufacturing process or for any other reason, which he shall record in writing, all or any of the provision of this Schedule are not necessary for the protection of the workers employed in the factory, he may, by a certificate in writing, exempt such factory from all or any of the provisions, on such conditions as he may specify therein. Such certificate may at any time be revoked by the Chief Inspector-cum-Facilitator after recording his reasons therefor.

14. Manipulation not to be undertaken.- Manufacture or manipulation of a pesticide shall not be undertaken in any factory unless a certificate regarding its dangerous nature or otherwise is obtained from the Chief Inspector-cum-Facilitator .

Appendix-1

Cautionary Notice (Insecticides & Pesticides)

1. Chemicals handled in this plant are poisonous substances.
2. Smoking, eating food or drinking, chewing tobacco in this area is prohibited, no foodstuff or drink shall be brought in this area.
3. Some of these chemicals may be absorbed through skin and may cause poisoning.
4. A good wash shall be taken before meals.
5. A good bath shall be taken at the end of the shift.
6. Protective clothing and equipment supplied shall be used while working in this area.
7. Containers of pesticides shall not be used for keeping foodstuffs.
8. Spillage of the chemical on any part of the body or on the floor or work bench shall be immediately washed away with water.
9. Clothing contaminated due to splashing shall be removed immediately.

10. Scrupulous cleanliness shall be maintained in this area.
11. Do not handle pesticides with bare hands, use scoops provided with handle.
12. In case of sickness like nausea, vomiting, giddiness the manager should be informed who will make necessary arrangements for treatment.
13. All workers shall be report for the prescribed medical tests regularly to protect their own health.

SCHEDULE XXIV

Operations involving high Noise levels.

1. Application.- This schedule shall apply to all operations in any manufacturing process having high noise level.

2. Definitions.- For the purpose of this schedule,-

- (a) "Noise" means any unwanted sound.
- (b) "High noise level" means any noise level measured on the A-weighted scale is 90 dB or above.
- (c) "Decibel" means one-tenth of "Bel" which is the fundamental division of a logarithmic scale used to express the ratio of two specified or implied quantities, the number of "Gels" denoting such a ratio being the logarithm to the base of 10 of this ratio. The noise level (or the sound pressure level). Corresponds to a reference pressure of 20×10^{-5} newtons per square or 0.0002 dynes per square centimeter which is the schedule of hearing, that is the lowest sound pressure level necessary to produce the sensation of hearing in average healthy listeners. The decibel in abbreviated form is dB.
- (d) "Frequency" is the rate of pressure variations expressed in cycles per second or hertz.
- (e) "dBA" refers to sound level in decibels as measured on a sound level meter operating on the A-weighting net work with slow meter response.
- (f) "A weighting" means making graded adjustments in the intensities of sound of various frequencies for the purpose of noise measurement, so that the sound pressure level measured by an instrument reflects the actual response of the human ear to the sound measured.

3. Protection against noise.- (1) In every factory suitable engineering control of administrative measures shall be taken to ensure, so far as is reasonable practicable that no worker is exposed to sound level exceeding the maximum permissible exposure levels specified in Tables 1 and 2.

Table 1

Total time of exposure (Continuous or a number of short term exposures) per day in hours.	Sounds pressure level in dBA
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
0.75	107
0.5	110
Less than 0.5	115

- Note:** 1. No exposure in excess of 115 dBA is to be permitted.
2. For any period of exposure falling in between any figure and the next higher or lower figure as indicated in column 1, the permissible sound pressure level is to be determined by extrapolation on a proportionate basis.

Table 2**Permissible Exposure levels of Impulsive or Impact Noise.**

Peak Sound pressure level in in dB	Permitted number of impulses or impacts per day
140	100
135	315
130	1000
125	3160
120	10000

- Note:** 1. No exposure in excess of 140 dB peak sound pressure level is permitted.
2. For any peak sound pressure level falling in between any figure and the next higher or lower figure as indicated in column 1, the permitted number of impulses of impact per day is to be determined by extrapolation on a proportionate basis.
- (2) For the purpose of this schedule, if the variations in the noise level involve maximum at intervals of one second or less the noise is to be considered as a continuous one and the criteria given in Table 1 shall apply. In other cases, the noise is to be considered as impulsive or impact noise and the criteria given in table 2 shall apply.
- (3) When the daily exposure is composed of two or more periods of noise exposure at different levels their combined effect should be considered, rather than the individual effect

of each. The mixed exposure should be considered to exceed the limit value if the sum of the fraction $C_1/T_1 + C_2/T_2 + \dots + C_n/T_n$ exceeds unity,-

Where the C_1, C_2 etc. indicate the total time of actual exposure at a specified noise level and T_1, T_2 , etc. denote the time of exposure permissible at that level. Noise exposure of less than 90 dBA may be ignored in the above calculation.

(4) Where it is not possible to reduce the noise exposure to the levels specified in sub-clause (1) above by reasonably practicable engineering control or administrative measures, the noise exposure shall be reduced to the greatest extent feasible by such control measures, the each worker so exposed shall be provided with suitable ear protectors so as to reduce the exposure to noise to the levels specified in sub-clause (1), above.

(5) Where the ear protectors provided in accordance with sub-clause (2) and worn by a worker cannot still attenuate the noise reaching near his ear, as determined by subtracting the attenuation value in dBA of the ear protectors concerned from the measured sound pressure level to a level permissible under Table 1 or Table 2 as the case may be, the noise exposure period shall be suitably reduced to correspond to the permissible noise exposures specified in sub-clause (1).

(6) (a) In all cases where the prevailing sound levels exceed the permissible levels specified in sub-clause (1) there shall be administered an effective hearing conservation programme which shall include among other hearing conservation measures, pre-employment and periodical auditory surveys conducted on workers exposed to noise exceeding the permissible levels, and rehabilitation of such workers either by reducing the exposure to the noise level or by transferring them to place where noise levels are relatively less or by any other suitable means.

(b) Every worker employed in areas where the noise exceeds the maximum permissible exposure levels specified in sub-clause (1), above, shall be subjected to an auditory examination by a Medical Officer within 14 days of his first employment thereafter, shall re-examined at least once, every 12 months. Such initial the periodical examinations shall include tests which the Medical Officer may consider appropriate, and shall include determination of auditory thresholds for pure tones on 125, 250, 500, 1000, 2000, 4000 and 8000 cycles per second.

SCHEDULE XXV

Manufacture of Rayon by Viscose Process

1. Definitions.- For the purpose of this schedule,-

(a) "approved" means approved for the time being in writing by the Chief Inspector-cum-Facilitator;

(b) "breathing apparatus" means a helmet or face piece with necessary connections by means of which the person using it in a poisonous, asphyxiating or irritant atmosphere breathes unpolluted air; or any other approved apparatus;

- (c) "churn" means the vessel in which alkali cellulose pulp is treated with carbon disulphide;
- (d) "dumping" means transfer of cellulose exonthate from a dry churn to a dissolver;
- (e) "efficient exhaust draught" means localised ventilation by mechanical means for the removal of any gas or vapour, so as to prevent it from escaping into the air of any place in which work is carried on. No draught shall be deemed to be efficient if it fails to control effectively any gas or vapour generated at the point where such gas or fume originates;
- (f) "fume process" means any process in which carbon disulphide or hydrogen sulphide is produced, used or given off;
- (g) "life belt" means a belt made of leather or other suitable material which can be securely fastened round the body with a suitable length of rope attached to it. each of which is sufficiently strong to sustain the weight of a man; and
- (h) "protective equipment" means apron, goggles, face shields, footwear, gloves and overalls made of suitable materials.

2. Ventilation.- (1) In all workrooms where a fume process is carried on, adequate ventilation by natural or mechanical means shall be provided so as to control, in association with other control measures, the Concentration of Carbon-disulphide and hydrogen sulphide in the air of every work environment within the permissible limits.

(2) Notwithstanding the requirements in sub-clause (1) an efficient exhaust draught shall be provided and maintained to control the concentration of Carbon-di-sulphide and hydrogen sulphide in the air at the following locations:—

- (a) dumping hoppers of dry churns,
- (b) Spinning machines,
- (c) hydro-extractors for yarn cakes,
- (d) after treatment processes,
- (e) trick rollers and cutters used in staple fibre spinning, and
- (f) Spin baths.

(3) In so far as the spinning machines and trio rollers and cutters used in staple fibre spinning are concerned, they shall be, for the purpose of ensuring the effectiveness of the exhaust draught to be provided as required in sub- clause (1), enclosed as fully as practicable and provided with suitable shutters in sections to enable the required operations to be carried out without giving rise to undue quantities of Carbon-di-sulphide and hydrogen sulphide escaping to the work environment.

(4) No dry churn shall be opened after completion of reaction without initially exhausting the residual vapours of Carbon-di- sulphide by operation of suitable and efficient arrangement for exhausting the vapours which shall be continued to be operated as long as the churn is kept opened.

(5) Whenever any ventilation apparatus normally required for the purpose of meeting the requirements in sub-clause (2), (3) and (4) is ineffective, fails, or is stopped for any purpose

whatsoever, all persons shall be required to leave the work areas where the equipment or process specified in the above said sub-clause are in used as soon as possible and in any case not later than 15 minutes after such as occurrence.

- (6) (a) All ventilating systems provided for the purposes as required in sub-clause (2), (3) and (4) shall be examined and inspected once every week by a responsible person. It shall be thoroughly examined and tested by a competent person once in every period of 12 months. Any defects found by such examinations or test shall be rectified forthwith.
- (b) A register containing particulars of such examinations and tests, and the state of the systems and the repairs or alterations, if any found to be necessary shall be kept and shall be available for inspection by an Inspector-cum-Facilitator .

3. Waste from Spinning machines.- Waste yarn from the spinning machines shall be deposited in suitable containers provided with close fitting covers. Such waste shall be disposed off as quickly as possible after decontamination.

4. Lining of Dry Churns.- The inside surface of all dry churns shall be coated with a non-sticky paint so that cellulose anthate will not stick to the surface of the churn. Such coating shall be maintained in good condition.

5. Air monitoring.- (1) To ensure the effectiveness of the control measures, monitoring of carbon-disulphide and hydrogen sulphide in air shall be carried out once at least in every shift and the record of the results so obtained shall be entered in a register specially maintained for the purposes.

(2) For the purpose of the requirement in sub-clause (1), instantaneous gas detector tubes shall not be used. Samples shall be collected over a duration of not less than 10 minutes and analysed by an approved method. The locations where such monitoring is to be done shall be as directed by the Inspector-cum-Facilitator .

(3) if the Concentrations of either carbon disulphide or hydrogen sulphide exceeds the permissible limits for such vapour or gas as laid down in rule 111, suitable steps shall be taken for controlling the concentration in air of such contaminants. A report of such occurrences shall sent to the Chief Inspector-cum-Facilitator forthwith.

6. Prohibition to remain in fume process room.- No person during his intervals for meal, or rest shall remain in any room wherein fume process is carried on.

7. Protective equipment. -(1) The occupier shall provide and maintain, in good condition protective equipment as specified in the Table for use of persons employed in the processes referred to therein.

Table

Process		Protective equipment
1.	Dumping	overalls, face shields gloves and footwear all made of suitable material.
2.	Spinning	Suitable aprons gloves and footwear.
3.	Process involving or likely to involve contact with viscose solution	Suitable gloves and footwear.

4.	Handling of Sulphur	Suitable chemical goggles.
5.	Any other process involving contact with hazardous chemicals	Protective equipment as may be directed by the Chief Inspector-cum-Facilitator by an order in writing.

(2) A suitable room, rooms or lockers shall be provided exclusively for the storage of all the protective equipment supplied to workers and no such equipment shall be stored at any place other than the room, rooms or lockers so provided.

8. Breathing apparatus.- (1) There shall be provided in every factory where fume process is carried on sufficient supply of.—

(a) breathing apparatus;

(b) Oxygen and suitable appliances for its administration. and

(c) life belts.

(2) (a) The breathing apparatus and other appliances referred to in sub-clause (1) shall be maintained in good condition and kept in appropriate location so as to be readily available.

(b) The breathing apparatus and other appliances referred to in clauses (a) and (b) of sub-clause (1) shall be cleaned and disinfected at suitable intervals and thoroughly inspected once every month by responsible person.

(c) A record of the maintenance of the condition of the breathing apparatus and other appliances referred to in sub-clause (1) shall be entered in a register provided for that purpose which shall be readily available for inspection by an Inspector-cum-Facilitator .

(3) Sufficient number of workers shall be trained and periodically retrained in the use of breathing apparatus and administering artificial respiration so that at least 2 such trained persons would be available during all the working hours in each room in which fume process is carried on.

(4) Breathing apparatus shall be kept properly labelled in clean, dry, light, proof cabinets and if liable to be affected by fumes, shall be protected by placing them in suitable containers.

(5) No person shall be employed to perform any work, specified in sub-clause (1) for which breathing apparatus is necessary to be provided under that sub-clause unless he has been fully instructed in the proper use of the equipment.

(6) No breathing apparatus provided in pursuance of sub-clause (1) which has been worn by a person shall be worn by another person unless it has been thoroughly cleaned and disinfected since last being worn and the person has been duly instructed in the proper use of that equipment.

9. Electric fittings.- All electric fitting in any room in which carbon-disulphide is produced, used or given off or is likely to be given off into work environment, other than electric conductors shall either be enclosed in metal conducts spinning room shall be flame proof construction and all or be lead- sheathed.

10. Prohibition relating to smoking etc.- No person shall smoke or carry matches, fire or naked light or other means of producing a naked light or spark in a room in which fume process is carried on. A notice in the language understood by the majority of the workers shall be pasted at prominent locations in plant prohibiting smoking and carrying of matches, fire or naked light or other means of producing naked light or spark into such rooms:

Provided that fire, naked light or other means of producing a naked light or spark may be carried on in such room only when required for the purposes of the process itself under the direction of a responsible person.

11. Cautionary notice and instructions.- (1) The following cautionary notice shall be prominently displayed in each fume process room:-

Cautionary Notice

1. Carbon disulphide (CS₂) and Hydrogen sulphide (H₂S) which may be present in this room are hazardous to health.
2. Follow safety instructions.
3. Use protective equipment and breathing apparatus as and when required.
4. Smoking is strictly prohibited in this area.

This notice shall be in a language understood by the majority of the workers and displayed where it can be easily and conveniently read. If any worker is illiterate, effective steps shall be taken to explain carefully to him the contents of the notice so displayed.

(2) Arrangements shall be made to instruct each workers employed in any room in which a fume process is carried on regarding the health hazard connected with their work and the preventive measures and methods to protect themselves. Such instructions shall be given on his first employment and repeated periodically.

(3) Simple and special instructions shall be framed to ensure that effective measures will be carried out in case of emergency involving escape of carbon disulphide and hydrogen sulphide. These instructions shall be displayed in the concerned areas and workers shall be instructed and trained in the actions to be taken in such emergencies.

12. Medical examination.- Every worker employed in the fume process shall be examined within 15 days of his first employment such examination shall include test for examination of exposure co- efficient (iodine azide test for urine), and cholesterol, as well as electrocardiogram (ECG) and Central Nervous System (CNS) test.

13. Exemptions.- If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reasons, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector-cum-Facilitator may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

SCHEDULE XXVI**Highly Flammable Liquids and Flammable Compressed Gases**

1. Application.- These rules will be applicable to all factories where highly flammable liquids or flammable compressed gases are manufactured, stored, handled or used.

2. Definitions.- For the purpose of this schedule,-

(a) "highly flammable liquid" means any liquid including its solution, emulsion or suspension which when tested in a manner specified by sections 14 and 15 of the Petroleum Act, 1934, (Central Act No. 30 of 1934) gives off flammable vapours at a temperature less than 32 degrees centigrade:

(b) "flammable compressed gas" means flammable compressed gas as defined in section 2 of the Static and Mobile Pressure Vessels (Unfired) Rules, 2016 framed under the Explosives Act, 1884.

3. Storage.- (1) Every flammable liquid or flammable compressed gas used in every factory shall be stored in suitable fixed storage tank, or in suitable closed vessel located in a safe position under the ground, in the open or in a store room of adequate fire resistant construction.

(2) Except as necessary for use, operation or maintenance, every vessels or tank which contained a highly flammable liquid for flammable compressed gas shall be always kept closed and all reasonably practicable steps shall be taken to contain or immediately drain off to a suitable container any spill or leak that may occur.

(3) Every container, vessel, tank, cylinder, or store room used for storing highly flammable liquid or flammable compressed gas shall be clearly and in bold letters marked "Danger-Highly Flammable Liquid" or "Danger-Flammable Compressed Gas."

4. Enclosed systems for conveying Highly Flammable Liquids.- Wherever it is reasonably practicable, highly flammable liquids shall be conveyed within factory in totally enclosed systems consisting of pipe lines, pump and similar appliances from the storage tank or vessel to the point of use. Such enclosed systems shall be so designed, installed, operated and maintained as to avoid leakage or the risk of spilling.

5. Preventing Formation of Flammable mixture with Air.- Wherever there is a possibility for leakage or spill of highly flammable liquid or flammable compressed gas from an equipment, pipe line. valve, joint or other part of a system, all practicable measures shall be taken to contain, drain off or dilute such spills or leakage as to prevent formation of flammable mixture with air.

6. Prevention of Ignition.- In every room work place or other location where highly flammable liquid or flammable combustible gas is stored, conveyed, handled or used or where there is danger of fire or explosion from accumulation of highly flammable liquid or flammable compressed gas in air, all practicable measure shall be taken to exclude the sources of ignition. Such precautions shall include the following:-

(a) All electrical apparatus shall either be excluded from the area of risk or they shall be of such construction and so installed and maintained as to prevent the danger of their being a source of ignition;

- (b) effective measure shall be adopted for prevention of accumulation of static charges to a dangerous extent;
- (c) No person shall wear or be allowed to wear any foot wear having iron or steel nails or any other exposed ferrous materials which is likely to cause sparks by friction;
- (d) smoking, lighting or carrying of matches, lighters or smoking materials shall be prohibited;
- (e) transmission belts with iron fasteners shall not be used; and
- (f) all other precautions, as are reasonably practicable, shall be taken to prevent initiation or ignition from all other possible sources such as open flames, frictional sparks, overheated surfaces of machinery or plant, chemical or physical- chemical reaction and radiant heat.

7. Prohibition of smoking.- No person shall smoke in any place where highly flammable liquid or flammable compressed gas is present in circumstances that smoking would give rise to a risk of fire. The occupier shall take all practicable measure to ensure compliance with this requirement including display of a notice indicating prohibition of smoking at every places where this requirement applies.

8. Fire Fighting.- In every factory where highly flammable liquid or flammable compressed gas is manufactured stored, handled or used, appropriate and adequate means of fighting a fire shall be provided. The adequacy and suitability of such means which expression includes the fixed and portable fire extinguishing systems, extinguishing material procedures and the process of firefighting, shall be to the standards and levels prescribed by the Indian standards applicable and in any case not inferior to the stipulations under the Code, rules, regulations and standards made thereunder.

9. Exemptions.- If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or infrequency of the processes or for any other reasons, all or any of the provisions of this schedule is not necessary for protection of the workers in the factory, the Chief Inspector-cum-Facilitator may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any as he may specify therein.

SCHEDULE XXVII

Operations in Foundries.

1. Application.- Provisions of this schedule shall apply to all parts of factories where any of the following operations or processes are carried on,-

- (a) the production of iron castings or, as the case may be, steel castings by castings in molds made of sand, loam, molding composition or other mixture of materials, or by shell molding, or by centrifugal casting and any process incidental to such production;
- (b) the production of non-ferrous castings by casting metal in molds made of sand, loam, metal, molding composition or other material or mixture of materials or by shell moldings, die- casting (including pressure die-casting), centrifugal casting of continuous casting and any process incidental to such production; and

- (c) the melting and casting of non-ferrous metal for the production of ingots, billets, slabs or other similar products, and the stripping thereof, but shall not apply with respect to,-
- (i) any process with respect to the smelting and manufacture of lead and the Electric Accumulators;
 - (ii) any process for the purposes of a printing works; or
 - (iii) any smelting process in which metal is obtained by a reducing operation or any process incidental to such operation; or
 - (iv) the production of steel in the form of ingots; or
 - (v) any process in the course of the manufacture of solder or any process incidental to such manufacture; or
 - (vi) The melting and casting of lead or and lead based alloy for the production of ingots billets slabs or other similar products or the stripping thereof or any process. Incidental to such melting casting or stripping.

2. Definitions.- For the purpose of this schedule,-

- (a) "approved respirators" means a respirator of a type approved by the Chief Inspector-cum-Facilitator;
- (b) "cupola or furnace" includes a receiver associated therewith;
- (c) "dressing or fettling operations" includes stripping and other removal of adherent sand, cores runners, risers flash and other surplus metal from a casting and the production of reasonably clean and smooth surface, but does not include,-
 - (i) the removal of metal from a casting when performed, incidentally in connection with the machining or assembling of castings after they have been dressed or fettled, or
 - (ii) any operation which is a knock-out operation within the meaning of this schedule;
- (d) "foundry" means those parts of a factory in which the production of iron or steel or non-ferrous castings (not being the production of pig iron or the production of steel in the form of ingots) is carried on by casting in molds made of sand, loam, molding composition or other mixture of materials, or by shell molding or by centrifugal casting in metal molds lined with sand, or die casting including pressure die casting, together with any part of the factory in which any of the following processes are carried on as incidental processes in connection with and in the course of such production namely the preparation and mixing of materials used in foundry process the preparation of molds and cores, knock out operations and dressing or fettling operation;
- (e) "knock-out operations" means all methods of removing casting from molds and the following operations, when done in connection therewith namely, stripping, coring out and the removal of runners and risers; and
- (f) "pouring aisle" means an aisle leading from a main gangway or directly from a cupola or furnace to where metal is poured into molds.

3. Prohibition of use of certain materials as parting materials.- (1) A material shall not be used as a parting material if it is a material containing compounds of silicon calculated as silica to the extent more than 5 percent by weight of the dry material:

Provided that this prohibition shall not prevent the following being used as a parting material if the material does not contain an admixture of any other silica:-

- (a) Zirconium silicate (Zircon)
- (b) Calcined china clay
- (c) Calcined aluminous fire clay
- (d) Sillimanite
- (e) Calcined or fused alumina
- (f) Olivine
- (g) Natural sand

(2) Dust or other matter deposited from a fettling or blasting processes shall not be used as a parting material or as a constituent in a parting material.

4. Arrangement and storage.- For the purposes of promoting safety and cleanliness in workrooms the following requirement shall be observed:-

- (a) molding boxes, loam plates, ladles, patterns; pattern plates, frames, boards, box weights, and other heavy articles shall be so arranged and placed as to enable work to be carried on without unnecessary risk;
- (b) suitable and conveniently accessible racks, bins or other receptacles shall be provided and used for the storage of other gear and tools; and
- (c) where there is bulk storage of sand, fuel, metal scrap or other materials or residues, suitable bins, bunkers, or other receptacles shall be provided for the purpose of such storage.

5. Construction of floors.- (1) Floors of indoor work-places in which the processes are carried on, other than parts which are of sand, shall have an even surface of hard material.

(2) No part of the floor or any such indoor work place shall be of sand except where this is necessary by reason of the work done.

(3) All parts of the surface of the floor of any such indoor workplace which are of sand shall, so far as practicable, be maintained in an even and firm condition.

6. Cleanliness of indoor workplaces.- (1) All accessible parts of the walls of every indoor workplace in which the processes are carried on and of everything affixed to those wall shall be effectively cleaned by a suitable method to a height of not less than 4.2 meter from the floor at least once in every period of fourteen months. A record of the carrying out of every such effective cleaning in pursuance of this clause including the date (which shall be not less than five months or more than nine months after the last immediately preceding washing, cleaning or other treatment).

(2) Effective cleaning by a suitable method shall be carried out at least once every working day of all accessible parts of the floor of every indoor workplace in which the processes are carried one other than parts which are of sand: and the parts which are of sand shall be kept in good order.

7. Manual operations involving molten metal.- (1) There shall be provided and properly maintained for all persons employed on manual operations involving molten metal with which they are liable to be splashed, a working space for that operation:-

- (a) which is adequate for the safe performance of the work, and
- (b) which, so far as reasonably practicable, is kept free from obstruction.

(2) Any operation involving the carrying by hand of a container holding molten metal shall be performed on a floor all parts of which where any person walks while engaged in the operation shall be on the same level:

Provided that, where necessary to enable the operation to be performed without undue risk, nothing in this clause shall prevent the occasional or exceptional use of a working space on a different level from the floor, being a space provided with a safe means of access from the floor for any person while engaged in the operation.

8. Gangways and pouring aisles.- (1) In every work-room to which this clause applies constructed, reconstructed or converted for use as such after the making of this schedule and, so far as reasonably practicable, in every other work-room to which this clause applies, sufficient and clearly defined main/gangways shall be provided and properly maintained which:—

- (a) shall have as even surface of hard material and shall, in particular, not be of sand or have on them more sand than is necessary to avoid risk of flying metal from accidental spillage;
- (b) shall be kept, so far as reasonably practicable free from obstruction;
- (c) if not used for carrying molten metal shall be at least 920 millimetres in width;
- (d) If used for carrying molten metal shall be:-
 - (i) where truck ladles are used exclusively at least 600 millimetres wider than the overall width or the ladle;
 - (ii) Where hand shanks are carried by not more than two men, at least 920 millimetres in width;
 - (iii) where hand shanks are carried by more than two men, at least 1.2 metres in width; and
 - (iv) where used for simultaneous travel in both directions by men carrying hand shanks, at least 1.8 metres in width.

(2) In workroom to which this clause applies constructed, reconstructed or converted for use as such after the making of this schedule, sufficient and clearly, defined pouring aisles shall be provided and properly, maintained which,-

- (a) shall have an even surface of hard material and shall, in particular, not be of sand or have on them more sand than is necessary to avoid risk of flying metal from accidental spillage;
 - (b) shall be kept, so far as reasonably practicable, free from obstruction;
 - (c) if molten metal is carried in hand ladles or bull ladles by not more than two men per ladle, shall be at least 460 millimetres wide, but where any molds alongside the aisle are more than 510 millimetres above the floor of the aisle. The aisle shall not be less than 600 millimetres wide;
 - (d) if molten metal is carried in hand ladles or bull ladles by more than two men per ladle, shall be at least 760 millimetres wide;
 - (e) if molten metal is carried in crane, trolley or truck ladles, shall be of the width adequate for the safe performance of the work.
- (3) Requirements of sub-clause (1) and (2) shall not apply to any workroom or part of a workman if, by reason of the nature of the work done therein, the floor of that work-room or, as the case may be, that part of a work room has to be of sand.
- (4) In this clause "workroom to which this clause applies" means a part of a ferrous or non-ferrous foundry in which molten metal is transported or used, and a workroom to which this clause applies shall be deemed for the purposes of this clause to have been constructed, reconstructed or converted for use as such after the making of this schedule if the construction, reconstruction or conversion thereof was begun after the making of this schedule.
- 9. Work near cupolas and furnaces.-** No person shall carry out any work within a distance of 4 metres from a vertical lines passing through the delivery end of any spout of a cupola or furnace, being a spout used for delivering molten metal, or within a distance of 2.4 metres from a vertical line passing through the nearest part of any ladle which is in position at the end of such a spout, except, in either case, where it is necessary for the proper use of maintenance of a cupola or furnace that work should be carried out within that distance of that work is being carried out at such a time and under such conditions that there is no danger to the person carrying it out from molten metal which is being obtained from the cupola or furnace or is in a ladle in position at the end of the spout.
- 10. Dust and fumes.-** (1) Open coal, coke or wood fires shall not be used for heating or drying ladles inside a workroom unless adequate measures are taken to prevent, so far as practicable, fumes or other impurities from entering into or remaining in the atmosphere of the workroom.
- (2) No open coal, coke or wood fires shall be used for drying molds except in circumstances in which the use of such fires is unavoidable.
- (3) Mold stoves. core stoves and annealing furnace shall be so designed, constructed, maintained and worked as to prevent, so far as practicable, offensive or injurious fumes from entering into any workroom during any period when a person is employed therein.
- (4) All knock-out operations shall be carried out:—

- (a) in a separate part of the foundry suitably partitioned off, being a room or part in which, so far as reasonably practicable, effective and suitable local exhaust ventilation and a high standard of general ventilation are provided; or
- (b) in an area of the foundry in which, so far as reasonably practicable, effective and suitable local exhaust ventilation is provided, or where compliance with this requirement is not reasonably practicable, a high standard of general ventilation is provided.

(5) All dressing or fettling operations shall be carried out:—

- (a) in a separate room or in a separate part of the foundry suitably partitioned off: or
- (b) in an area of the foundry set a part for the purpose:

and shall, so far as reasonably practicable, be carried out with effective and suitable local exhaust ventilation or other equally effective means of suppressing dust, operating as near as possible to the point of origin of the dust.

11. Maintenance and examination of exhaust plant.- (1) All ventilation plants used for the purpose of extracting, suppressing or controlling dust or fumes shall be properly maintained.

(2) All ventilating plants used for the purpose of extracting, suppressing or controlling dust or fumes shall be examined and inspected once every week by a responsible person. It shall be thoroughly examined and tested by a competent person at least once in every period of twelve months, and particulars of the results of every such examination and test shall be entered in an approved register which shall be available for inspection by an Inspector-cum-Facilitator. Any defect found on any such examination and test shall be immediately reported in writing by the person carrying out the examination and test to the occupier or manager of the factory.

12. Protective equipment.- (1) The occupier shall provide and maintain suitable protective equipment specified for the protection of workers,

- (a) suitable gloves or other protection for the hands for workers engaged in handling any hot material likely to cause damage to the hands by burn, scald or scar, or in handling pig iron, rough castings or other articles likely to cause damage to the hands by cut or abrasion:
- (b) approved respirators for workers carrying out any operations creating a heavy dust concentration which cannot be dispelled quickly and effectively by the existing ventilation arrangements.

(2) No respirator provided for the purposes of clause 1 (b) has been worn by a person shall be worn by another person if it has not since been thoroughly cleaned and disinfected.

(3) Persons who for any of their time-

- (a) work at a spout of or attend to, a cupola or furnace in such circumstances that material therefore may come into contact with the body, being material at such a temperature that its contact with the body would cause a burn: or
- (b) are engaged in, or in assisting with, the pouring of molten metal: or

- (c) carry by hand or move by manual power any ladle or mold containing molten metal; or
- (d) are engaged in knocking-out operations involving material at such a temperature that its contact with the body would cause a burn:

shall be provided with suitable footwear and gaiters which worn by them prevent, so far as reasonably practicable, risk of burns to the feet and ankles.

(4) Where appropriate, suitable screens shall be provided for protection against flying materials (including splashes of molten metal and sparks and chips thrown off in the course of any process).

(5) The occupier shall provide and maintain suitable accommodation for the storage and make adequate arrangements for cleaning and maintaining of the protective equipment supplied in pursuance of this clause.

(6) Every person shall make full and proper use of the equipment provided for his protection in pursuance of sub-clause (1) and (4) and shall without delay report to the occupier, manager or other appropriate person any defect in, or less of, the same.

13. Disposal of dross and skimming.- Dross and skimming removed from molten metal or taken from a furnace shall be placed forthwith in suitable receptacles.

14. Disposal of Waste.- Appropriate measures shall be taken for the disposal of all waste products from shell molding (including waste burnt sand) as soon as reasonably practicable after the castings have been knocked out.

15. Material and equipment left out of doors.- All material and equipment left out of doors (including material) and equipment so left only temporarily or occasionally) shall be so arranged and placed as to avoid unnecessary risk. There shall be safe means of access to all such material and equipment and, so far as reasonably practicable, such access shall be by roadways or pathways which shall be properly maintained. Such roadways or pathways shall have a firm and even surface and shall, so far as reasonably practicable be kept free from obstruction.

16. Medical Examination.- Every worker employed in a foundry shall be examined by a Medical Officer within 15 days of his first employment, such medical examination shall include pulmonary function tests and chest X-ray.

17. Exemption.- If in respect of any factory, the Chief Inspector-cum-Facilitator is satisfied that owing to the exceptional circumstances or in frequency of the processes or for any other reason, all or any of the provisions at this schedule is not necessary for protection of the workers in the factory, the Chief Inspector-cum-Facilitator may by a certificate in writing, which he may at his discretion revoke at any time, exempt such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

SCHEDULE-XXVIII

Fire Works Manufactories and Match Factories

1. Application.- The provisions of this Schedule shall apply to all manufactories and processes incidental thereto carried on in any Fire Works Manufactory or a match works and

shall be in addition to and not in derogation of any provisions of the Code or of any other Act or Rules that are applicable to fire works manufactories and match factories.

2. Definitions.- For the purpose of this Schedule,-

(a) "Fire Works Manufactory" means any factory or such parts of any factory wherein the following chemicals or combination of chemicals and materials are being used for the manufacture of crackers, sparklers, caps, fuses, blasting powder and fire works.

Saltpetre,

Pyrotechnic Aluminium (sic Aluminium) Powder,

Barium Nitrate,

Charcoal,

Potassium Chloride,

Red Phosphorus,

Gum,

Dextrine,

Strontium Nitrate,

Magnesium Powder,

Copper Coated Wires,

Steel filings or iron filings,

G.I. Wire.

Gun Powder (Black Powder).

(b) "Match works" means any factory or establishment which manufactures safety matches or colour matches by the use of chemicals mentioned in sub-clause (a).

(c) "Breathing apparatus" means a device covering mouth or nose with necessary connections by means of which a person using it in a poisonous asphyxiating or irritant atmosphere breathes ordinary air or any other suitable apparatus approved in writing by the Chief Inspector-cum-Facilitator in this behalf.

3. Building.-

(a) The building of any fire works manufactory or match factory shall conform to the standards prescribed under the Indian Explosives Act, 1884 (Central Act No. IV of 1884), and the height of such buildings shall at no time be less than 3 meters.

(b) No building inside a fire works manufactory shall have a first floor at any time.

(c) In Match works, provided with a first floor, there shall be 2 staircases leading from the first floor to the ground floor irrespective of the number of persons employed in the first floor and one of the staircases shall be of masonry construction or non-inflammable materials.

(d) All doors shall open outwards and all the doorways shall be kept free from obstructions.

(e) All doors of workrooms shall not be less than 1.2 meters in width or less than 2 meters in height.

(f) The floors of all work rooms including mixing sheds shall be completely covered by a rubber sheet having a smooth surface and having a thickness of at least 3 mm. If the floor cannot be covered by a single rubber sheet, more than one rubber sheet maybe used, so that each sheet is over lapped by the other at least 150 mm, and

(g) Mixing sheds shall be 30.5 meters away from all other sheds and be separated by baffle walls opposite each exit of the mixing shed.

4. House-Keeping.-

(a) Every part of ways, work, machinery and plant shall be maintained in a clean and tidy condition.

(b) Any spillage of materials shall be cleaned without delay.

(c) Close platforms, passages and gang ways shall be kept free of temporary obstructions.

5. Electrical Equipment.-

(a) If at any time use of electricity is allowed in the factory, all leads, etc., shall be in conduits with flame-proof junctions.

(b) Electrical supply shall never be through a lamp even with a non-conducting handle.

6. Protective clothing.-

(a) Under no circumstances clothes made of artificial fibre like terelene, etc. be allowed inside the factory.

(b) All workers shall be supplied with asbestos aprons especially to cover the chest, gonads and thighs.

(c) Breathing apparatus shall be used in mixing sheds to avoid workers inhaling poisonous fumes in the event of an untoward reaction.

(d) In mixing sheds where aluminium and magnesium powders are used "anti-stat" footwear to combat static electricity shall be supplied.

(e) All protective equipments shall be maintained in an efficient condition and also shall be maintained in a clean and hygienic condition.

7. Match Factories.- In match factories.-

(a) the residue of the head composition shall not in any way be mixed with the residue of the friction composition.

(b) The rooms comprising the two mixing departments namely, (i) head composition and (ii) friction composition shall be entirely separate from each other and the drains from these two departments shall be kept entirely separate.

(c) Rubbish containing the residues of the head composition and friction composition shall be kept and burnt separately.

(d) Department in which completed matches (matches with heads on) are stored shall be separated from all other departments by means of fire-proof walls and doors providing adequate means of escape in case of fire:

(e) Splints, veneers and other materials in excess of the quantity required for the day's manufacture shall be kept in separate rooms of the factory where no manufacturing process is carried on. No manufactured material shall be stored anywhere in the factory compound for more than five days after the manufacture except in the storage godowns:

Provided that nothing contained in this clause shall apply to splints and veneers in cases stored in peeling and box making departments.

(f) Store room for matches shall be entirely separated by fire-proof walls from the building used for manufacture.

(g) The racks in the dipped splints room shall have sides top and the rear part provided with non-inflammable materials.

(h) The process of packing shall be done in an area away from the place of manufacture to the satisfaction of the Inspector-cum-Facilitator ; and

(i) No child shall be employed or permitted to work directly connected with the manufacturing process up to final production of match sticks.

8. Precaution to be taken in connection with manufacture of fuses used in crackers, etc.-

(a) Bundles of fuses shall be handled by carrying and not dragging them on the floor;

(b) drying of fuses after wrapping shall be carried out on platforms away from workrooms;

(c) cutting shall be done by experienced workers employed only for this purpose and under proper supervision;

(d) cutting shall be done on a large masonry platform covered with a tarpaulin and kept free from grit and pebbles;

(e) cutting shall be done on a raised platform so that workers can work standing. Cutting must be done by placing the fuse on wooden sleepers kept over blocks of wood. Brick shall not be used beneath the wooden reapers; and

(f) workers, while on dangerous operations, shall not wear clothing sewn with ferrous or steel buttons, buckles or attachments. They shall not carry on their persons, iron knives, keys, etc.

9. General.-

(a) No person other than a factory worker and/or an inspecting officer or others connected with the manufacturing process shall be allowed to enter the working area.

(b) Cardboard containers and trays without steel mails shall be used for storage and day-to-day working purposes.

(c) During the manufacture of fuses only brass or non-ferrous knives shall be used and drying of fuses shall be away from all workrooms.

(d) Door mats shall be provided outside the workroom and near all drying platforms and where fuses are cut for the workers to clean their feet.

(e) At no time, mixing materials shall exceed the quantity that is required for the manufacture of mixing for half an hour operation only.

(f) For filling up chemicals in the inner tubs of crackers, only aluminium or plastic rings shall be used and not galvanised iron rings.

- (g) Buckets, containers, hoops, locks, nails, screws, bolts, nuts, Knives, scissors, etc. made up of iron shall not be used within the factory premises.
- (h) Wooden racks without iron nails shall be used for drying paper cap sheets, in amrocess factories.
- (i) Wooden racks used for drying paper cap sheets shall be provided with asbestos or other fire resistant sheets on the three sides leaving the front side open.
- (j) Dried paper cap sheets shall be carried in wooden trays with four compartments (partitions) each compartment (partition) carrying a single sheet.
- (k) Each manufacturing shed of a fire works shall have at least two doors facing each other. The doors provided to the work sheds of adjacent rows shall not face each other.
- (l) Not more than four persons shall be employed or allowed at any one time in any one building in which explosive is being manufactured.

10. Display of notices.- The following notices in the local language understood by the majority of workers shall be displayed at a conspicuous place in the factory.

- (a) Smoking is strictly prohibited.
- (b) No one shall carry matches or other igniting materials into the factory.
- (c) No worker shall be in a workroom or area where no work has been assigned to him.
- (d) If anything untoward happens in any shed all workers shall dash to the gates which serve as out gates of the factory and in no circumstances be curious to see what has happened in the affected shed.
- (e) Any spillage of materials should be cleaned without any delay.
- (f) Wearing of clothes made of artificial fibre like terrene, terelene, etc., is prohibited, clothing's sewn with ferrous or steel buttons or buckles or attachments should not be worn.
- (g) Foot wears with iron nails should not be used.
- (h) Workers should not carry with themselves iron knives and iron keys, etc.

11. Exemption.- If the Chief Inspector-cum-Facilitator is satisfied in respect of any factory or any process that, owing to the special conditions or special methods of work or by reason of the frequency of the processes or for other reason the application of all or any of the provisions of the schedule to the factory or process, or for the persons employed in such factory or process is not necessary, he may by order in writing exempt such factory or part of the factory or process or any part of the process or person from all or any of these provisions subject to such conditions as he may deem expedient to ensure safety and health of the workers. The Chief Inspector-cum-Facilitator may at any time in his discretion revoke such order without assigning any reason.

101. Site appraisal committee under section 83.- The State Government may by notification constitute a site appraisal committee to consider and to give recommendation on an application for grant of permission for the initial location of a factory involving a

hazardous process or for the expansion of such factory. The occupier shall submit an application for site appraisal in PART-I of Form-33A for the purposes of section 83 and the site appraisal committee shall submit its recommendation in PART-II of Form 33A.

102. Disclosure of information to workers under sub-section (1) of section 84.- (1)

The occupier of a factory involving a hazardous process shall publicise measures laid down for the handling, usage, transportation and storage of hazardous substances inside the factory premises and the disposal of such substances outside the factory premises among the workers and the general public living in the vicinity using posters in Hindi and English understood by the majority:-

- (a) A list of hazardous materials and substances used or stored in the factory with its toxic / fire /explosion properties with location of storage;
- (b) A list of 'hazardous processes' carried on in the factory;
- (c) Location and availability of all Material Safety Data Sheets;
- (d) Physical and health hazards arising from the exposure to or handling of substances;
- (e) Measures taken by the occupier to ensure safety and control of physical and health hazards;
- (f) Measures to be taken by the workers to ensure safe handling, storage and transportation of hazardous substances;
- (g) Personal protective equipment required to be used by workers employed in 'hazardous process';
- (h) Signs and symptoms likely to be manifested on exposure to hazardous substances and to whom to report;
- (i) Measures to be taken by the workers in case of any spillage or leakage of a hazardous substance;
- (j) emergency plan of the factory, in particular the evacuation procedures;

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

103. Disclosure of information to general public under sub-section (1) of section 84.- The occupier of every factory carrying on a 'hazardous process' shall in consultation with the District Emergency Authority designated by the State 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) An explanation in simple terms of the hazardous process carried on in the premise;
- (c) Brief description of the measures to be taken to minimise the risk of an accident;
- (d) Salient features of the disaster control measures adopted in the factory;
- (e) Details of the factory's emergency warning system for the General Public;

- (f) General advice on the action, members of the public should take on hearing the warning; and
- (g) Brief description of arrangements in the factory.

104. Disclosure of information to local authority and Chief Inspector-cum-Facilitator under sub-section (1) of section 84.- (1) 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: –

- (a) the information furnished to general public as specified in rule 103;
 - (b) a statement of the names and quantities generally stored or in process of hazardous substances.
- (2) The occupier of every factory carrying on hazardous process shall furnish, electronically or in writing to the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator, the local authority, information furnished to the workers in rule 102.
- (3) 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 and the local Inspector.
- (4) The occupier shall furnish detailed description of the measures to be taken to minimise the risk of an accident.
- (5) The occupier shall also furnish any other information asked for by the Chief Inspector, from time to time, for the purpose of this Code and rules and regulations made thereunder.

105. Health and Safety policy under sub-section (2) of section 84. - (1) In every factory,-

- (a) wherein more than 100-workers are ordinarily employed.
 - (b) which carries on any process or operation declared to be dangerous under Section 82 of the Code and employing more than 50 workers or
 - (c) which carries on 'hazardous process' as defined under section 2(za) of the Code and employing more than 50 workers.
 - (d) the occupier shall prepare a written statement of his policy in respect of health and safety of workers at work.
- (2) Notwithstanding anything contained in sub-rule (1), the Chief Inspector may require the occupier(s) of any factory or class or description of factories to comply with the requirements of sub- rule (1), if, in his opinion, it is expedient to do so.
- (3) The Health and Safety policy should contain or deal with,-
- (a) declared intention and commitment of the top management to health, safety and environment and compliance with all the relevant statutory requirements;
 - (b) organisational set up to carry out the declared policy clearly assigning the responsibility at different levels; and
 - (c) arrangements for making the policy effective.

(4) In particular, the policy should specify the following:-

- (a) arrangements for involving the workers;
- (b) intention of taking into account the health and safety performance of individuals at different levels while considering their career advancement;
- (c) fixing the responsibility of the contractors, sub-contractors, transporters and other agencies entering the premises;
- (d) providing a resume of health and safety performance of the factory in its Annual Report;
- (e) relevant techniques and methods, such as safety audits and risk assessment for periodical assessment of the status on health, safety and environment and taking all the remedial measures;
- (f) stating its intentions to integrate health and safety, in all decisions including those dealing with purchase of plant, equipment, machinery and material as well as selection and placement of personnel;
- (g) arrangements for informing, educating and training and retraining its own workers and employees at different levels and the public wherever required; and
- (h) obligations of worker and employees for promoting health and safety.

(5) A copy of the declared Health and Safety Policy signed by the occupier shall be made available to the Inspector-cum-facilitator having jurisdiction over the factory and to the Chief Inspector-cum-facilitator.

(6) The policy shall be made widely known by,-

- (a) displaying copies of the policy at conspicuous places and making copies of the policy available to worker and employees on demand; and
- (b) any other means of communication, in a language under-stood by majority of workers.

(7) The occupier shall revise the Health and Safety Policy as often as may be appropriate, but it shall necessary be revised under the following circumstances:-

- (a) whenever any expansion or modification having implications on safety and health of persons at work is made; or
- (b) whenever new substance(s) or articles are introduced in the manufacturing process having implications on health and safety of persons exposed to such substances.

(8) The occupier or the manager of every factory shall maintain updated Health and Safety Policy and submit it on the Official Portal electronically as and when updated.

106. The form and manner of informing Chief Inspector-cum-Facilitator under sub-section (5) of section 84.- The occupier of every factory involving a hazardous process shall submit the nature and details of the process in Form-6.

107. Accessibility to the record by the workers under clause (a) of section 85.- (1) The occupier or the manager of the factory shall provide access to the workers, who are exposed to any chemical, toxic or any other harmful substances which are manufactured,

stored, handled or transported, of his/her health or medical record at least once in every year and shall keep record of the accessibility.

(2) The occupier or the manager shall provide copies of the health or medical record of the worker, if demanded by the worker in writing. In case of the death of the worker, the record shall be made accessible to his/her spouse/children on demand.

108. 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:-

- (a) A degree in Chemistry or Diploma in Chemical Engineering or Technology with 5 years experience; or
- (b) A Master's Degree in Chemistry or a Degree in Chemical Engineering or Technology with 2 years experience,

the experience stipulated above shall be in process operation and maintenance in the hazardous process factory.

(2) The occupier of a factory involving any hazardous process shall provide the necessary facilities such as personal protective equipments and safety accessories at all working places as required under the rules and regulations made under the Code through the person so appointed for protecting the workers.

109. Medical examination of a worker under sub-clause (ii) of clause (c) of section 85.- (1) Workers employed in a 'hazardous process' shall be medically examined by a qualified medical practitioner, in the following manner: -

- (a) Once before employment, to ascertain physical fitness of the person to do the particular job.
- (b) Once in a period of 6 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 medical practitioner it is necessary to do so at a shorter interval in respect of any workers.
- (c) The details of pre-employment and periodical medical examination carried out as aforesaid shall be recorded in the Health Register.

(2) No person shall be employed for the first time without a certificate of fitness granted by the medical practitioner. If the medical practitioner 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 a Medical Officer, he may dispose of the application himself.

(3) Any findings of the medical practitioner 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 advise 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 compensated as per law.

(4) A Medical Officer on his own motion or on a reference from an Inspector may conduct medical examination of a 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 Fitness Certificate 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 or the State Government shall not refuse to undergo such medical examination.

Standards for the health and safety

110. Standards for the health and safety under sub-section (1) of section 86.- The standards for the health and safety of the workers employed in every factory shall be as follows: -

Cleanliness

(1) Every factory shall be kept clean and free from effluvia arising from any drain, privy or other nuisance, and in particular,-

- (a) accumulation of dirt and refuse shall be removed daily by sweeping or by any other effective method from the floors and benches of workrooms and from staircases and passages, and disposed off in a suitable manner;
- (b) the floor of every workroom shall be cleaned at least once in every week by washing, using disinfectant, where necessary, or by some other effective method;
- (c) where a floor is liable to become wet in the course of any manufacturing process to such extent as is capable of being drained, effective means of drainage shall be provided and maintained;
- (d) all inside walls and partitions, all ceilings or tops of rooms and all walls, sides and tops of passages and staircases shall,-
 - (i) where they are painted otherwise than with washable water-paint or varnished, be repainted or re-varnished at least once in every period of five years;
 - (ii) where they are painted with washable water-paint, be repainted with at least one coat of such paint at least once in every period of three years and washed at least once in every period of six months;

- (iii) where they are painted or varnished or where they have smooth impervious surfaces, be cleaned at least once in every period of fourteen months;
- (iv) in any other case, be kept whitewashed, or colour washed, and the whitewashing or colour washing shall be carried out at least once in every period of fourteen months;
- (v) all doors and window frames and other wooden or metallic framework and shutters shall be kept painted or varnished and the painting or varnishing shall be carried out at least once in every period of five years;

Disposal of wastes and effluents

(2) Effective arrangements shall be made in every factory for the treatment of wastes and effluents due to the manufacturing process carried on therein, so as to render them innocuous, and for their disposal.

Ventilation and temperature

(3) Effective and suitable provision shall be made in every factory for securing and maintaining in every workroom,-

- (a) adequate ventilation by the circulation of fresh air, and
- (b) such a temperature as will secure to workers therein reasonable conditions of comfort and prevent injury to health; and in particular, —
 - (i) walls and roofs shall be of such material and so designed that such temperature shall not be exceeded but kept as low as practicable;
 - (ii) where the nature of the work carried on in the factory involves, or is likely to involve the production of excessively high temperatures, such adequate measures as are practicable shall be taken to protect the workers therefrom, by separating the process which produces such temperatures from the workroom, by insulating the hot parts or by other effective means.

Dust and fume

(4) In every factory in which, by reason of the manufacturing process carried on, there is given off any dust or fume or other impurity of such a nature and to such an extent as is likely to be injurious or offensive to the workers employed therein, or any dust in substantial quantities, effective measures shall be taken to prevent its inhalation and accumulation in any workroom, and if any exhaust appliance is necessary for this purpose, it shall be applied as near as possible to the point of origin of the dust, fume or other impurity, and such point shall be enclosed so far as possible.

(5) In any factory no stationary internal combustion engine shall be operated unless the exhaust is conducted into the open air, and no other internal combustion engine shall be operated in any room unless effective measures have been taken to prevent such

accumulation of fumes therefrom as are likely to be injurious to workers employed in the room.

Overcrowding

(6) No room in any factory shall be overcrowded to an extent injurious to the health of the workers employed therein.

(7) there shall be in every workroom of a factory in existence on the date of the commencement of these rule at least 9.9 cubic metres and of a factory built after the commencement of these rules at least 14.2 cubic metres of space for every worker employed therein, and for the purposes of this sub-rule no account shall be taken of any space which is more than 4.2 metres above the level of the floor of the room.

Lighting

(8) In every part of a factory where workers are working or passing there shall be provided and maintained sufficient and suitable lighting, natural or artificial, or both.

(9) In every factory all glazed windows and skylights used for the lighting of the workrooms shall be kept clean on both the inner and outer surfaces and, so far as is practicable, free from obstruction.

(10) In every factory effective provision shall, so far as is practicable, be made for the prevention of,-

- (a) glare, either directly from a source of light or by reflection from a smooth or polished surface;
- (b) the formation of shadows to such an extent as to cause eye-strain or the risk of accident to any worker.

Drinking water

(11) In every factory effective arrangements shall be made to provide and maintain at suitable points conveniently situated for all workers employed therein a sufficient supply of wholesome drinking water.

(12) All such points shall be legibly marked "drinking water" in a language understood by a majority of the workers employed in the factory, and no such point shall be situated within six metres of any washing place, urinal, latrine, spittoon, open drain carrying sullage or effluent or any other source of contamination unless a shorter distance is approved in writing by the Chief Inspector-cum-Facilitator.

(13) In every factory wherein more than two hundred and fifty workers are ordinarily employed, provision shall be made for cool drinking water during hot weather by effective means and for distribution thereof.

Latrines and urinals

(14) In every factory,-

- (a) sufficient latrine and urinal accommodation shall be provided conveniently situated and accessible to workers at all times while they are at factory;
- (b) separate enclosed accommodation shall be provided for male and female workers;

- (c) such accommodation shall be adequately lighted and ventilated, and no latrine or urinal shall, unless specially exempted in writing by the Chief Inspector-cum-Facilitator, communicate with any work room except through an intervening open space or ventilated passage;
- (d) all such accommodation shall be maintained in a clean and sanitary condition at all times;
- (e) sanitary napkins of adequate quantity conforming to Indian Standards shall be provided and maintained in the women's toilets for their use, and the same replenished on daily basis; and
- (f) disposable bins with lids shall be provided within the women's toilets for the collection of used napkins and used napkins shall be disposed off properly.

Safety

(15) In every factory the following, namely:-

- (a) every moving part of a prime mover and every flywheel connected to a prime mover, whether the prime mover or flywheel is in the engine house or not;
- (b) the headrace and tailrace of every water-wheel and water turbine;
- (c) any part of a stock-bar which projects beyond the head stock of a lathe; and
- (d) unless they are in such position or of such construction as to be safe to every person employed in the factory as they would be if they were securely fenced, the following, namely:-
 - (i) every part of an electric generator, a motor or rotary converter;
 - (ii) every part of transmission machinery; and
 - (iii) every dangerous part of any other machinery,

shall be securely fenced by safeguards of substantial construction which shall be constantly maintained and kept in position while the parts of machinery they are fencing are in motion or in use:

Provided that for the purpose of determining whether any part of machinery is in such position or is of such construction as to be safe as aforesaid, account shall not be taken of any occasion when,-

- I. (I) it is necessary to make an examination of any part of the machinery aforesaid while it is in motion or, as a result of such examination, to carry out lubrication or other adjusting operation while the machinery is in motion, being an examination or operation which it is necessary to be carried out while that part of the machinery is in motion, or
- (II) in the case of any part of a transmission machinery used in such process as being a process of a continuous nature the carrying on of which shall be or is likely to be substantially interfered with by the stoppage of that part of the machinery, it is necessary to make an examination of such part of machinery while it is in motion or, as a result of such examination, to carry out any mounting or shipping of bells or lubrication, or other adjusting operation while the machinery is still in motion.

Work on or near machinery in motion

(16) Where in any factory it becomes necessary to examine any part of machinery referred to in sub-rule (15), while the machinery is in motion, or, as a result of such examination, to carry out any mounting or shipping of belts or lubrication or other adjusting operation, while the machinery is in motion, such examination or operation shall be made or carried out only by a specially trained worker wearing tight fitting clothing, which shall be supplied by the occupier.

(17) No adolescent shall be allowed to clean, lubricate or adjust any part of a prime mover or of any transmission machinery while the prime mover or transmission machinery is in motion, or to clean, lubricate or adjust any part of any machine if the cleaning, lubrication or adjustment thereof would expose the woman or adolescent to risk of injury from any moving part either of that machine or of any adjacent machinery.

Striking gear and devices for cutting off power

(18) In every factory,-

- (a) suitable striking gear or other efficient mechanical appliance shall be provided and maintained and used to move driving belts to and from fast and loose pulleys which form part of the transmission machinery, and such gear or appliances shall be so constructed, placed and maintained as to prevent the belt from creeping back on the fast pulley;
- (b) driving belts when not in use shall not be allowed to rest or ride upon shafting in motion.
- (c) In every factory suitable devices for cutting off power in emergencies from running machinery shall be provided and maintained in every workroom.
- (d) When a device, which can inadvertently shift from “off” to “on” position, is provided in a factory to cut off power, arrangements shall be provided for locking the device in safe position to prevent accidental starting of the transmission machinery or other machines to which the device is fitted.

Self-acting machines

(19) No traversing part of a self-acting machine in any factory and no material carried thereon shall, if the space over which it runs is a space over which any person is liable to pass, whether in the course of his employment or otherwise, be allowed to run on its outward or inward traverse within a distance of forty-five centimetres from any fixed structure which is not part of the machine.

Casing of new machinery

(20) In all machinery driven by power and installed in any factory,-

- (a) every set screw, bolt or key on any revolving shaft, spindle, wheel or pinion shall be so sunk, encased or otherwise effectively guarded as to prevent danger;

- (b) all spur, worm and other toothed or friction gearing which does not require frequent adjustment while in motion shall be completely encased, unless it is so situated as to be as safe as it would be if it were completely encased.

Hoists and lifts

(21) In every factory,-

- (a) every hoist and lift shall be,-
- (i) of good mechanical construction, sound material and adequate strength;
 - (ii) properly maintained, and shall be thoroughly examined by a competent person at least once in every period of six months;
- (b) every hoist way and lift way shall be sufficiently protected by an enclosure fitted with gates, and the hoist or lift and every such enclosure shall be so constructed as to prevent any person or thing from being trapped between any part of the hoist or lift and any fixed structure or moving part;
- (c) the maximum safe working load shall be plainly marked on every hoist or lift, and no load greater than such load shall be carried thereon;
- (d) the cage of every hoist or lift used for carrying persons shall be fitted with a gate on each side from which access is afforded to a landing;
- (e) every gate referred to in clause (b) or clause (d) shall be fitted with interlocking or other efficient device to secure that the gate cannot be opened except when the cage is at the landing and that the cage cannot be moved unless the gate is closed.

Lifting machines, chains, ropes and lifting tackles

(22) In any factory the following provisions shall be complied with in respect of every lifting machine, other than a hoist and lift, and every chain, rope and lifting tackle for the purpose of raising or lowering persons, goods or materials,-

- (a) all parts, including the working gear, whether fixed or movable, of every lifting machine and every chain, rope or lifting tackle shall be,-
- (i) of good construction, sound material and adequate strength and free from defects;
 - (ii) properly maintained; and
 - (iii) thoroughly examined by a competent person at least once in every period of twelve months, or at such intervals as the Chief Inspector-cum-Facilitator may specify in writing; and a register shall be kept containing the particulars of every such examination;
- (b) no lifting machine and no chain, rope or lifting tackle shall, except for the purpose of test be loaded beyond the safe working load which shall be plainly marked thereon together with an identification mark and duly entered in a register; and where this is not practicable, a table showing the safe working loads of every kind and size of lifting machine or chain, rope or lifting tackle in use shall be displayed in prominent positions on the premises;

- (c) while any person is employed or working on or near the wheel track of a travelling crane in any place where he would be liable to be struck by the crane, effective measures shall be taken to ensure that the crane does not approach within six metres of that place.

Revolving machinery

(23) In every factory in which the process of grinding is carried on there shall be permanently affixed to or placed near each machine in use a notice indicating the maximum safe working peripheral speed of every grindstone or abrasive wheel, the speed of the shaft or spindle upon which the wheel is mounted, and the diameter of the pulley upon such shaft or spindle necessary to secure such safe working peripheral speed.

(24) The speeds indicated in notices under sub-rule (23) shall not be exceeded.

(25) Effective measures shall be taken in every factory to ensure that the safe working peripheral speed of every revolving vessel, cage, basket, flywheel, pulley, disc or similar appliance driven by power is not exceeded.

Pressure plant

(26) If in any factory, any plant or machinery or any part thereof is operated at a pressure above atmospheric pressure, effective measures shall be taken to ensure that the safe working pressure of such plant or machinery or part is not exceeded;

(27) every pressure plant shall be,-

- (i) of good construction with proper safety devices, sound material and adequate strength and free from defects;
- (ii) properly maintained; and
- (iii) thoroughly examined by a competent person at least once in every period of twelve months, or at such intervals as the Chief Inspector-cum-Facilitator may specify in writing; and a register shall be kept containing the particulars of every such examination.

Floors, stairs and means of access

(28) In every factory,-

- (a) all floors, steps, stairs, passages and gangways shall be of sound construction and properly maintained and shall be kept free from obstructions and substances likely to cause persons to slip, and where it is necessary to ensure safety, steps, stairs, passages and gangways shall be provided with substantial handrails;
- (b) there shall, so far as is reasonably practicable, be provided and maintained safe means of access to every place at which any person is at any time required to work.
- (c) when any person has to work at a height from where he is likely to fall, provision shall be made, so far as is reasonably practicable, by fencing or otherwise, to ensure the safety of the person so working.

Pits, sumps openings in floors, etc.

(29) In every factory every fixed vessel, sump, tank, pit or opening in the ground or in a floor which, by reason of its depth, situation, construction or contents, is or may be a source of danger, shall be either securely covered or securely fenced.

Excessive weights

(30) No person shall be employed in any factory to lift, carry or move any load so heavy as to be likely to cause him injury.

(31) No person, unaided by another person, or mechanical aid, be required or allowed to lift, put down, carry or move any load of material, article, tools or appliance exceeding the maximum limit in weight as set out in the following schedule:-

SCHEDULE

Persons	Maximum weight of material, article, tool or appliance
(a) Adult male	25 Kg
(b) Adult female	15 Kg

Protection of eyes

(32) In respect of any such manufacturing process carried on in any factory, being a process which involves,-

- (a) risk of injury to the eyes from particles or fragments thrown off in the course of the process, or
- (b) risk to the eyes by reason of exposure to excessive light, effective screens or suitable goggles shall be provided for the protection of persons employed on, or in the immediate vicinity of, the process.

Precautions against dangerous fumes, gases, etc.

(33) No person shall be required or allowed to enter any chamber, tank, vat, pit, pipe, flue or other confined space in any factory in which any gas, fume vapour or dust is likely to be present to such an extent as to involve risk to persons being overcome thereby, unless it is provided with a manhole of adequate size or other effective means of egress.

(34) No person shall be required or allowed to enter any confined space as is referred to in sub-rule (33), until all practicable measures have been taken to remove any gas, fume, vapour or dust, which may be present so as to bring its level within the permissible limits and to prevent any ingress of such gas, fume, vapour or dust and unless,-

- (a) a certificate in writing has been given by a competent person, based on a test carried out by himself that the space is reasonably free from dangerous gas, fume, vapour or dust; or
- (b) such person is wearing suitable breathing apparatus and a belt securely attached to a rope the free end of which is held by a person outside the confined space.

Precautions regarding the use of portable electric light

(35) In any factory,-

- (a) no portable electric light or any other electric appliance of voltage exceeding twenty-four volts shall be permitted for use inside any chamber, tank, vat, pit, pipe, flue or other confined space unless adequate safety devices are provided; and
- (b) if any inflammable gas, fume or dust is likely to be present in such chamber, tank, vat, pit, pipe, flue or other confined space, no lamp or light other than that flame-proof construction shall be permitted to be used therein.

Explosive or inflammable dust, gas, etc.

(36) Where in any factory any manufacturing process produces dust, gas, fume or vapour of such character and to such extent as to be likely to explode on ignition, all practicable measure shall be taken to prevent any such explosion by,-

- (a) effective enclosure of the plant or machinery used in the process;
- (b) removal or prevention of the accumulation of such dust, gas, fume or vapour;
- (c) exclusion or effective enclosure of all possible sources of ignition.

(37) Where in any factory the plant or machinery used in a process such as is referred to in sub-rule (36) is not so constructed as to withstand the probable pressure which such an explosion as aforesaid would produce, all practicable measures shall be taken to restrict the spread and effects of the explosion by the provision in the plant or machinery of chokes, baffles, vents or other effective appliances.

(38) Where any part of the plant or machinery in a factory contains any explosive or inflammable gas or vapour under pressure greater than atmospheric pressure, that part shall not be opened except in accordance with the following provisions, namely:-

- (a) before the fastening of any joint of any pipe connected with the part or the fastening of the cover of any opening into the part is loosened, any flow of the gas or vapour into the part of any such pipe shall be effectively stopped by a stop-valve or other means;
- (b) before any such fastening as aforesaid is removed, all practicable measures shall be taken to reduce the pressure of the gas or vapour in the part or pipe to atmospheric pressure;
- (c) where any such fastening as aforesaid has been loosened or removed effective measures shall be taken to prevent any explosive or inflammable gas or vapour from entering the part or pipe until the fastening has been secured, or the case may be, securely replaced:

Provided that the provisions of this sub-rule shall not apply in the case of plant or machinery installed in the open air.

(39) No plant, tank or vessel which contains or has contained any explosive or inflammable substance shall be subjected in any factory to any welding, brazing, soldering or cutting operation which involves the application of heat unless adequate measures have first been taken to remove such substance and any fumes arising therefrom or to render such substance and fumes non-explosive or non-inflammable, and no such substance shall be allowed to enter such plant, tank or vessel after any such operation until the metal has cooled sufficiently to prevent any risk of igniting the substance.

Precautions in case of fire

(40) In every factory, all practicable measures shall be taken to prevent outbreak of fire and its spread, both internally and externally, and to provide and maintain,-

- (a) safe means of escape for all persons in the event of a fire, and
- (b) the necessary equipment and facilities for extinguishing fire.

(41) Effective measures shall be taken to ensure that in every factory all the workers are familiar with the means of escape in case of fire and have been adequately trained in the routine to be followed in such cases.

(42) Notwithstanding anything contained in clause (a) of sub-rule (40) or sub-rule (41), if the Inspector-cum-Facilitator, having regard to the nature of the work carried on in any factory, the construction of such factory, special risk to life or safety, or any other circumstances, is of the opinion that the measures provided in the factory, whether as prescribed or not, for the purposes of clause (a) of sub-rule (40) or sub-rule (41), are inadequate, he may, by order in writing, require that such additional measures as he may consider reasonable and necessary, be provided in the factory before such date as is specified in the order.

Safety of buildings and machinery

(43) No building, wall, chimney, bridge, tunnel, road, gallery, stairway, ramp, floor, platform, staging, or other structure, whether of a permanent or temporary character, shall be constructed, situated or maintained in any factory in such a manner as to cause risk of bodily injury.

(44) 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 is in such a condition that it may be dangerous to human life or safety, he may serve on the occupier or manager or both of the factory an order in writing requiring him before a specified date,-

- (a) to furnish such drawings, specifications and other particulars as may be necessary to determine whether such building, ways, machinery or plant can be used with safety, or
- (b) to carry out such tests in such manner as may be specified in the order, and to inform the Inspector-cum-Facilitator of the results thereof.

(45) 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 is in such a condition that it is dangerous to human life or safety, he may serve on the occupier or manager or both of the 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.

(46) 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 involves imminent danger to human life or safety, he may serve on the occupier or manager or both of the factory an order in writing prohibiting its use until it has been properly repaired or altered.

(47) If it appears to the Inspector-cum-Facilitator that any building or part of a building in a factory is in such a state of disrepair as is likely to lead to conditions detrimental to the health and welfare of the workers, he may serve on the occupier or manager or both of the factory an order in writing specifying the measures which in his opinion should be taken and requiring the same to be carried out before such date as is specified in the order.

(48) No machinery, plant or equipment shall be constructed, situated, operated or maintained in any factory in such a manner as to cause risk of bodily injury.

(49) No process or work shall be carried on in any factory in such a manner as to cause risk of bodily injury.

(50) No materials or equipment shall be stacked or stored in such a manner as to cause risk of bodily injury.

Provision of crawling boards etc., on fragile roofs

(51) In any factory, no person shall be required to stand or pass over or work on or near any roof or ceiling covered with fragile material through which he is liable to fall, in case it breaks or gives, way, a distance of more than three metres unless,-

- (a) suitable and sufficient ladders, such ladders or crawling boards, which shall be securely supported are provided and used, and
- (b) a permit to work on the fragile roof is issued to him each time he is required to work thereon by a responsible person of the factory concerned.

Safety Belts

(52) Where any person is required or allowed to work at a place from where he may fall from a distance of more than ten feet, he shall be provided with a safety belt with leather shoulder straps of not less than two inches in width and a 'D' ring at the back for fastening a rope, the other end of which shall be securely tied or hooked to some suitable rigid fixture. The safety belt so provided shall be tested and examined thoroughly by a competent person at least once in six months and a certificate with regard to its suitability shall be obtained from the said competent person and entered in a register, which shall be produced before the Inspector-cum-Facilitator on demand.

Permissible limits of certain chemical substance in work environment

111. Permissible limits of certain chemical substance in work environment under section 88.- Without prejudice to the requirements in any other provisions in the Code or the rules, the requirements specified in this schedule shall apply to all factories.

Schedule

1. Definitions.- For the purpose of this schedule,-

- (a) "mg/m³" means milligrams of a substance per cubic meter of air;
- (b) "mppcm" means a million particles of a substance per cubic meter of air;
- (c) "ppm" means parts of vapour or gas per million parts air by volume at 25°C and 760 mm. of mercury pressure;
- (d) "Time weighted average concentration" means the average concentration of a substance in the air at any work location in a factory computed from evaluation of adequate number of air samples taken at that location spread over the entire shift on any day, after giving weightage to the duration for which each such sample is collected and the concentration prevailing at the time of taking the sample.

$$\text{Time weighted average Concentration} = \frac{C_1T_1 + C_2T_2 + \dots C_nT_n}{T_1 + T_2 + \dots T_n}$$

Where C_1 represents the concentration of the substance for duration T_1 (in hours);

C_2 represents the concentration of the substance for duration T_2 (in hours): and

C_n represents the concentration of the substance for duration T_n (in hours);

- (e) "work location" means a location in a factory at which a worker works or may be required to work at any time during any shift on any day.

2. Limits of concentrations of substances at work locations.- (1) The time weighted average concentration of any substance listed in Table 1 or 2 of the schedule, at any work location in a factory during any shift on any day shall not exceed the limit of the permissible time weighted average concentration specified in respect of that substance:

Provided that in the case of a substance mentioned in Table 1 in respect of which a limit in terms of short term maximum concentration is indicated, the concentration of such a substance may exceed the permissible limit of the time weighted average concentration for the substance for short periods not exceeding 15 minutes at a time, subject to the condition that,-

- (a) such periods during which the concentration exceeds the prescribed time weighted average concentration are restricted to not more than 4 per shift;
- (b) the time interval between any two such periods of higher exposure shall not be less than 60 minutes; and
- (c) at no time the concentration of the substance in the air shall exceed the limit of short term maximum concentration.

(2) In the case of any substance given in Table 3, the concentration of the substance at any work location in a factory at any time during any day shall not exceed the limit of exposure for that substance specified in the Table.

(3) In the cases where the word "skin" has been indicated against certain substance mentioned in Tables 1 and 3. appropriate measures shall be taken to prevent absorption through

cutaneous routes particularly skin, mucous membranes and eyes as the limits specified in these Tables are for conditions where the exposure is only through respiratory track.

- (4) (a) In case, the air at any work location contains a mixture of such substances mentioned in Table 1, 2 or 3 which have similar toxic properties, the time weighted concentration of each of these substances during the shift should be such, that when these time weighted concentration divided by the respective permissible time weighted average concentration specified in the above mentioned tables, and the fractions obtained are added together, the total shall not exceed unity $C_1/L_1 + C_2/L_2 + \dots C_n/L_n$ should not exceed unity when $C_1 C_2 \dots C_n$ are the time weighted concentration of toxic substance 1, 2, ... and n respectively, determined after measurement at work location, and $L_1, L_2 \dots L_n$ are the permissible time weighted average concentration of the toxic substance 1, 2, ... and n respectively.
- (b) In case the air at any work location contains a mixture of substances, mentioned in Table 1, 2 or 3 and these do not have similar toxic properties, that the time weighted concentration of each of these substances shall not exceed the permissible time weighted average concentration specified in the above mentioned tables, for that particular substance.
- (c) The requirement in clauses (a) and (b) shall be in addition to the requirements in clause 2 (1) and 2 (2).

3. Sampling and evaluation procedures.- (1) Notwithstanding provisions in any other clauses, the sampling and evaluation procedures to be adopted for checking compliance with the provision in the schedule shall be as per standard procedure in vogue, from time to time.

(2) Notwithstanding the provisions in clause 5, the following conditions regarding the sampling and evaluation procedures relevant to checking compliance with the provisions in this schedule are specified:-

- (a) For determination of the number of particles, per cubic meter in item 1 (a) (i) (1) in Table 2, samples are to be collected by standard or midget impinger and the counts made by light-field technique.
- (b) The percentage of quartz in the 3 formulae given in item 1 (a) (i) of Table 2 is to be determined from air borne samples.
- (c) For determination of number of fibres as specified in item 2 (a) of Table 2, the membrane filter method at 430 magnification (4 mm. objective) phase contrast illumination should be used.
- (d) Both for determination of concentration and percentage of quartz for use of the formula given in item 1 (a) (i) (2) of Table 2, the fraction passing through a size-selector with the following characteristics should only be considered:-

Aerodynamic diameter (Unit density Sphere)	Percentage allowed by size-selector
2.0	90
2.5	75
3.5	50

5.0	25
10.0	0

4. Power to require assessment of concentration of substances.- (1) An Inspector-cum-Facilitator may, by an order in writing, direct the occupier or manager of a factory to get before any specified date, the assessment of the time weighted average concentration at any work location of any of the substances mentioned in Table 1, 2 or 3 carried out.

(2) The results of such assessment as well as the method followed for air sampling and analysis for such assessment shall be sent to the Inspector-cum-Facilitator within 3 days from the date of completion of such assessment and also a record of the same kept readily available for inspection by an Inspector-cum-Facilitator.

5. Exemption.- If in respect of any factory or a part of factory, the Chief Inspector-cum-Facilitator is satisfied that, by virtue of the pattern of working time of the workers at different work location or an account of other circumstances, no worker is exposed, in the air at the work locations, to a substance or substances specified in Table 1, 2 or 3 to such an extent as is likely to be injurious to his health, the Chief Inspector-cum-Facilitator may by an order in writing, exempt the factory or a part of the factory from the requirements in clause 2, subject to such conditions, if any as he may specify therein.

Permissible limits

Table 1

Substance	Permissible limits of exposure			
	Time weighted average concentration		Short term maximum concentrated	
1	2		3	
	ppm	mg/m ³	ppm	mg/m ³
Acetic acid	10	25	15	37
Acrolein	0.1	0.25	0.03	0.8
Aldrin-skin	-	0.25	-	0.75
Anisidine (o-poisonous)-skin	0.1	0.5	-	-
Ammonia	25	18	35	27
Aniline Skin	2	10	5	20
Arsenic & Compound (as)	-	0.2	-	-
Benzene	10	30	-	-
Bromine	0.1	0.7	0.3	2
2 Butanene Methyl ethyl (Ketone-MEK)	200	590	300	885
n-Butyl acetate	150	710	200	950
Sec/ter. Butyl acetate	200	950	250	1190
Cadmium-dust and salts (as Cd)	-	0.05	-	0.2
Calcium Oxide	-	2	-	-
Carbaryl (Sovin)	-	5	-	10
Carbofuran (Furadan)	-	0.1	-	-

Carbon disulphide- skin	2	60	30	90
Carbon monoxide	50	55	400	440
Carbon tetrachloride- skin	10	65	20	130
Carbonyl chloride (Phosgene)	0.1	0.4	-	-
Chlordane-skin	-	0.5	-	2
Chlorobenzene (mono chloro-benzene)	75	350	-	-
Chlorine	1	3	3	9
bis-chloromethyl ether	.001	-	-	-
Chromic acid and chromates (as Cr.)	-	0.05	-	-
Chromium, Sol. Chromic Chromous Salts (as Cr.)	-	0.5	-	-
Copper Fume	-	0.2	-	-
Cotton Dust, raw	-	0.2	-	0.6
Cresol, all isomers skin	5	22	-	-
Cyanides, as CN skin	-	5	-	-
Cyanogen	10	20	-	-
DDT (Dichloro-diphenyl-trichloroethane)	-	1	-	3
Dameton- skin	0.01	0.1	0.03	0.3
Diazion- skin	-	0.1	-	0.3
Dibutyl Phthalate	-	5	-	10
Dichlorves (DDVP) skin	0.01	1	0.03	3
Dieldrin- skin	-	0.25	-	0.75
Dinitro Benzene (all isomers) skin	0.15	1	0.5	3
Dinitro toluene skin	-	1.5	-	5
Diphenyl	0.2	1.5	0.6	4
Endosulfan (Thiodan) skin	-	0.1	-	0.3
Endrin-skin	-	0.1	-	0.3
Ethyl acetate	400	1000	-	-
Ethyl alcohol	1000	1900	-	-
Ethyl amine	10	18	-	-
Fluorides (as F)	-	2.5	-	-
Fluorine	1	2	2	4
Hydrogen Cyanide- Skin	10	11	15	16
Hydrogen Sulphide	10	15	15	27
Iron Oxide Fume (Fe ₂ O ₃ as Fe)	-	5	-	10
Isoamyl acetate	100	525	125	655
Isoamyl alcohol	100	360	125	450
Isobutyl alcohol	50	150	75	225
Lead, inorg, fumes and dusts (as Pb)	-	0.15	-	0.45
Lindane -skin	-	0.5	-	1.5
Melathion- skin	-	10	-	-

Manganese fume (as Mn)	-	1	-	3
Mercury (as Hg)	-	0.05	-	0.15
Mercury (alkyl compounds) skin (as Hg)	0.001	0.01	0.003	0.03
Methyl alcohol (methanol) skin	200	260	250	310
Methyl cellosolve skin (2 methoxy ethanol)	25	80	35	120
Methyl isobutyl Ketone skin	100	410	125	510
Naphthalene	10	50	15	75
Nickel carbonyl (as Ni)	0.05	0.35	-	-
Nitric acid	2	5	4	10
Nitric oxide	25	30	35	45
Nitrobenzene- skin	1	5	2	10
Oil Mist mineral	-	5	-	10
Parathion skin	-	0.1	-	0.3
Phenel skin	5	19	10	38
Phorate (Thimet) skin	-	0.05	-	0.2
Phosgene (carbonyl chloride)	0.1	0.4	-	-
Phosphine	0.3	0.4	1	1
Phosphours Pentachloride	-	1	-	3
Phosphours Trichloride	0.5	3	-	-
Picric acid skin	-	0.1	-	0.3
Phosphorus (yellow)	-	0.1	-	0.3
Pyridine	5	15	10	30
Silane (silicon tetrahydride)	0.5	0.7	1	1.5
Styrene, monomer (Phenyl ethylene)	100	420	125	525
Sulphure dioxide	5	13	-	-
Sulphuric acid	-	1	-	-
Toluene (toluol)- skin	100	375	150	560
O-Toludine	5	22	10	44
Trichloroethylene	100	535	150	800
Vinyl Chloride	5	10	-	-
Welding fumes (NOC)	-	5	-	-
Xylene (o-m-isomers) skin	100	435	150	655

Table 2

Substance 1		Permissible time weighted average concentration 2	
1.	Silica		
	(a) Crystalline		
	(i) Quartz		
	(1) In terms of dust count		mppcm

		$\frac{1060}{\% \text{ Quartz} + 10}$	
	(2) In terms of repairable dust	$\frac{10}{\% \text{ respirable Quartz}}$	mg/m ³
	(3) In terms of total dust	$\frac{30}{\% \text{ Quartz} + 3}$	mg/m ³
	(ii) Cristobalite	Half the limits given against quartz.	
	(iii) Tridymite	Half the limits given against quartz.	
	(iv) Silica fused.	Same limit as for quartz.	
	(v) Tripoli	Same limit as in formula in items 2 given against quartz.	
	(b) Amorphous	705 mppcm.	
2.	Silicate having less than 1% free silica by weight		
	(a) Asbestos fibres longer than 5 microne.		
	(i) Amosite	0.5% fibre/cubic centimeter.	
	(ii) Chrysolite	2% fibre/cubic centimeter.	
	(iii) Crocidolite	0.2% fibre/cubic centimeter.	
	(iv) Other form	2% fibre/cubic centimeter.	
	(b) Mica	705 mppcm	
	(c) Mineral wool fibre	10 mg/m ³	
	(d) Porlite	1060 mppcm	
	(e) Portland cement	1060 mppcm	
	(f) Soapstone	705 mppcm	
	(g) Talc (nonobosti form)	705 mppcm	
	(h) Talc (fibrous)	Same limits as for asbestos	
	(I) Tromolite	Same limits as for asbestos	
3.	Coal dust		
	(1) For airborne dust having less than 5% silicon dioxide by weight	2 mg/m ³	
	(2) For airborne dust having over 5% silicon dioxide.	Same limit as prescribed by formula in item (2) against quartz.	

Table 3

Substance	Permissible limit of exposure	
	ppm	mg/m ³
Acetic anhydride	5	20
O- Dichlorobenzene	50	300
Formaldehyde	2	3
Hydrogen chloride	5	7
Manganese & Compounds (as Mn)	-	5
Nitrogen dioxide	5	9
Nitroglycerin- skin	0.2	2
Potassium Hydroxide	-	2
Sodium hydroxide	-	2
2, 4, 6,- Trinitrotoluene (TNT)	-	0.5

112. Appellate authority under section 90.- The Chief Inspector-cum-Facilitator shall be the appellate authority for appeal against the order of Inspector-cum-Facilitator.

113. Manner of appeal.- The manager of a factory on whom an order in writing by an Inspector-cum-Facilitator has been served under the provisions of the Code and rules made thereunder or the occupier of the factory may, within thirty days of the service of the order, appeal against it to the appellate authority, and such authority may confirm, modify or reverse the order.

114. Hearing of appeal.- The appellate authority may, or if so required in the petition of appeal shall, hear the appeal with the aid of representative of factory.

115. Procedure in appeal.- (1) an appeal presented under section 90 shall lie with the Chief Inspector-cum-Facilitator in cases where the order appealed against is an order passed by Inspector-cum-Facilitator and shall be accompanied by a copy of the order appealed against.

(2) On receipt of the appeal, the Chief Inspector-cum-Facilitator shall fix a date for the hearing of the appeal within a month and shall give due notice of such date to the appellant and to the Inspector-cum-Facilitator whose order is appealed against, and after hearing both shall dispose off the appeal in writing.

116. Persons defined to hold positions of supervision or management under section 91.- (1) The State Government may by notification specify the persons who hold positions of supervision or management or are employed in a confidential position in a factory under clause (a) sub-section (1) of section 91.

(2) The State Government may by notification specify, in respect of any worker or class of workers in any establishment or class of establishment, for providing the exemption, extent of

exemption and conditions subject to which such exemption may be given under clause (b) sub-section (1) of section 91.

117. Exemption of certain adult workers.- The State Government may by notification exempt any or all of the adult workers in any establishment or class of establishments under sub-section (2) of section 91.

CHAPTER-XIV

Offences and Penalties

118. Manner of holding enquiry under sub-section (1) of section 111.- The officer appointed by the State Government for the purpose of imposing penalty shall hold enquiry in following manner:-

- (a) Upon receiving details of violations of the provisions of the Code, as mentioned in sub-section (1) of section 111, from Inspector-cum-Facilitator of concerned jurisdiction, the officer holding enquiry will summon for attendance of the employer/occupier/manager and the Inspector-cum-Facilitator for giving evidence and producing relevant documents of the enquiry.
- (b) After hearing the parties, the officer shall record proceedings and within fifteen days thereafter, shall pass an speaking order of imposing penalty or discharge employer/manager. Copy of order shall be delivered to both the parties, electronically.

119. Form, manner and fee of appeal.- (1) An employer or occupier or manager aggrieved by an order of imposing penalty made under sub-section (1) of section 111 may appeal in Form-35 against such order, within two months from the date of such order, to the Appellate Officer appointed by the State Government.

(2) The appeal shall be accompanied with,—

- (a) the order appealed against;
- (b) a fee equivalent of one percent of the amount of penalty under the appeal;
- (c) a statement of points of dispute; and
- (d) documentary evidence relied upon.

120. Manner of compounding of offences by the authorized officer specified under sub-section (1) of section 114.- (1) The officer notified by the State Government for the purposes of compounding of offences under sub-section (1) of section 114 shall issue electronically a compounding notice to the concerned alleged accused person for the offences compoundable under sub-section (1) of section 114.

(2) The person so noticed under sub-rule (1) may apply to the officer 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 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 one month before the institution of prosecution, the prosecution shall be proceeded with before the competent Court.

(5) No prosecution shall be instituted without giving an opportunity to the employer or occupier or manager to comply with such provisions subjected to proviso of sub-section (1) of section 110 and compounding as under section 114.

CHAPTER-XV

Social Security Fund

121. Social Security Fund.- The Social Security Fund established by the State Government under the provisions of sub-section (1) of section 115 shall be funded by the amount received from the composition of offences specified in sub-section (4) of section 114, the amount of penalty specified in sub-section (6) of section 111 and such other sources as may be specified by the State Government, from time to time. Fund shall be administered and expended for welfare of the unorganised workers in such manner as may be specified by the State Government, from time to time.

CHAPTER-XVI

Miscellaneous

122. Manner of survey on situation relating safety and health and other related matters under sub-section (2) of section 121.- (1) The State Government may direct the Labour Commissioner or the Chief Inspector-cum-Facilitator or any institute under the control of the State Government, to appoint a committee to undertake a survey on the situation relating to safety and health at work at any workplace or class of workplaces or into the effect of work activity on the health of the employees and workers within and in the vicinity of the workplace in the following manner:-

- (a) A committee to be constituted by the Labour Commissioner or the Chief Inspector-cum-Facilitator, under the Chairmanship of Chief Inspector-cum-Facilitator for carrying out the survey.
- (b) The committee shall carry out the survey with a view to finding out status of safety and health at the workplace and its effect on the employees and workers.
- (c) The report of the committee shall be status of an inspection report and contain conclusive findings of the survey along with the recommendations for imposing the status of occupational safety and health for prevent of accidents or dangerous occurrence or occupational diseases and containing suggestions for implementation therefor compliance or which shall be ensured by the inspector-cum-facilitator, as the case may be.

(2) The committee may, at any time during the normal working hours of an establishment or factory, or at any other time as is found necessary by it, after giving notice in writing to the employer or occupier or manager, of the establishment or factory, or any other person who for the time being purports to be in charge of the establishment or factory.

(3) Employer or occupier or manager or other person shall afford all facilities for such survey, including facilities for the examination and testing of plant and machinery and collection of samples and other data relevant to the survey.

(4) For the purpose of facilitating surveys every worker and person in near vicinity, if so required by the person conducting the survey, present himself to undergo such medical examination as may be considered necessary by such person and furnish all information in his possession and relevant to the survey.

(5) Any time spent by a worker or employee for undergoing medical examination or furnishing information under sub-rule (4) shall, for the purpose of calculating wages and extra wages for overtime work, be deemed to be time during which such worker worked in the establishment.

123. Competent person.— In pursuance to clause (l) of sub-section (1) of section 2, the Chief Inspector-cum-Facilitator may recognise any person or any institute employing person with such qualification and experience and facilities at command as may be notified by the State Government as a 'competent person' within such area and for such period as may be specified for the purposes of carrying out such tests, examinations and inspections as may be prescribed.

124. Other.— (1) The provisions for guidelines, instructions and records are,-

- (i) Without prejudice to the general responsibility of the occupier or employer to comply with the provisions of Code and rules and regulations made thereunder, the Chief Inspector-cum-Facilitator may, from time to time, issue guidelines and instructions regarding the general duties of the occupier or employer relating to health, safety and welfare of all workers and employees while they are at work in the factory or establishment.
- (ii) The occupier or employer shall maintain such records in a visible place in the factory such as canteen and/or entrance and/or any other frequently visited location of the workers, as may be prescribed by the Chief Inspector-cum-Facilitator.

(2) The Chief Inspector-cum-Facilitator may approve a training centre or institute where training is imparted for occupational health and safety at work having such criteria as may be notified by the State Government.

125. Maintenance of Inspection Book.— For this purpose, inspection book may be maintained as follows:-

- (i) The Inspector/Sr. Inspector/Dy. Chief Inspector shall maintain a bind Inspection Book in Form-34.
- (ii) The Inspection Book shall contain at least 90 pages and every third page thereof shall be consecutively numbered and the other two numbered page each between two consecutively numbered page.
- (iii) Whenever an inspection is made by the Inspector/Sr. Inspector/Dy. Chief Inspector, he will prepare an inspection note at the site in triplicate, one copy of that inspection report will be handed over to the occupier/manager or any other responsible person present at the time of inspection.

126. Appeal Form and Fees.- Any appeal by the occupier or employer or manager shall be submitted in Form-35 to the appellate authority along with a fees, wherever not prescribed for appeal in these rules, Rs. 100/-.

127. Health register.- For the purpose of these rules the health register shall be in Form-36.

128. Certificate of Fitness.- For the purpose of these rules the certificate of fitness shall be in Form-37.

129. Saving for Pending Cases.- Nothing contained in these rules shall affect the grant, renewal, transfer or amendment of licence pending at the time when these rules come into force. Such cases of grant, renewal, transfer or amendment shall be dealt with in accordance with the rules in force at the time of the commencement of these rules.

130. Repeal and savings.- (1) On and from the date of commencement of these rules,-

- (1) The Rajasthan Beedi and Cigar Workers (Conditions of Employment) Rules, 1969;
- (2) The Rajasthan Building and Other Construction Workers (Regulation of Employment and Condition of Services) Rules, 2009;
- (3) The Rajasthan Contract Labour (Regulation and Abolition) Rules, 1971;
- (4) The Rajasthan Factories Rules, 1951;
- (5) The Rajasthan Welfare Officers (Recruitment and Conditions of Service) Rules, 1959;
- (6) The Rajasthan Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1981; and
- (7) The Rajasthan Motor Transport Workers Rules, 1962,

are hereby repealed.

(2) The repeal of the rules specified in sub-rule (1) shall not,-

- (i) revive anything not in force or existing at the time of such repeal; or
- (ii) affect the previous operation of any rules so repealed and orders or anything duly done or suffered thereunder; or
- (iii) affect any right, privilege, obligation, or liability acquired, accrued or incurred under the rules so repealed or orders issued under such repealed rules;
- (iv) affect any investigation, inquiry, verification, adjudication and any other legal proceedings or recovery of arrears or remedy in respect of any such rights, privilege, obligation, liability, forfeiture or punishment, as aforesaid, and any such investigation, inquiry, verification proceedings, adjudication and other legal proceeding or recovery of arrears or remedy may be instituted, continued or enforced, and any penalty, fine, interest, forfeiture or punishment may be levied or imposed as if these rules had not been so repealed; or
- (v) affect any proceedings including that relating to an appeal, revision, review or reference, instituted before, on or after the commencement of these rules and

such proceedings shall be continued under the said repealed rules as if these rules had not come into force and the said rules had not been repealed.

(3) The mention of the particular matters referred to in sub-rule (2) above shall not be held to prejudice or affect the general application of provisions of the General Clauses Act, 1897 (Central Act No. 10 of 1897) with regard to the effect of repeal.

Form-1

(see rule 5(1)(a), 5(6) & 6(1))

Application for Registration for existing establishment or factory/New Establishment or factory/Amendment to certificate of Registration

A. Establishment Details

1. Retrieve details of Establishment through LIN:

2. Name of Establishment:

3. Location and Address of the Establishment:

4. -PAN:

5. Other details of 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	Maximum Power installed/used
1	2	3	4	5

5(b). For Beedi and Cigar Works:

Details of the manufacturing process	Full postal address and situation of the establishment	Name and address of the employer and manager	Maximum number of workers to be employed on any day in the establishment	Number of home workers
1	2	3	4	5

5(c). For Motor Transport undertaking:

Nature of motor transport service e.g. City service, long distance passenger service and long distance freight service	Full postal address and situation of the establishment	Name and address of the employer and manager	Maximum number of workers to be employed or proposed to be employed during	Total No. of Motor transport vehicles on the date of

etc.			period of registration	application
1	2	3	4	5

5(d). For building and other construction work:

Type of Construction work	Probable period of commencement of work	Expected period for completion of work	Details of approval of the local authority	Date of Commencement /Probable date of Completion of work
1	2	3	4	5

5(e). For News Paper Establishments:

Name of Establishment s	Full postal address and situation of the establishment	Name and address of the employer and manager	Maximum number of workers to be employed on any day in the establishment	Date of Commencement /Probable date of Completion of work
1	2	3	4	5

5(f). For Audio-Visual Workers:

Name of Establishment s	Full postal address and situation of the establishment	Name and address of the employer and manager	Maximum number of workers to be employed on any day in the establishment	Date of Commencement /Probable date of Completion of work
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 & Address of Employer / Occupier / Owner/Agent/ Chief Executive/ port authority etc.:

2. Designation:

3. Father 's/ Husband 's Name of the Employer:

4. Email Address, Telephone& Mobile No:

C. Manager/ Agent Details

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

D. Contractor Details

Name and Address Contractor	Email address & Mobile of Contractor	Name of Work	Maximum No. of Contract labour engaged	Date of Commencement /Probable date of Completion of work
1	2	3	4	5

E. Others Details:

Signature/ E-sign/digital sign of Occupier/Employer

Dated:

Place:

Declaration by the Occupier/Employer for Auto-Registration of Factory

I hereby **declare** that the information furnished above, including the address of the factory, is true and correct to the best of my knowledge and belief. I further declare that I have ensured that the use of the above-mentioned premises is duly approved for the purpose of carrying out the manufacturing process specified in column (1) of the Table under clause 5(a) of **Form-1**.

Signature/ E-sign/digital sign of Occupier/Employer

Name:

Designation:

Date:

Place:

Form-2

(see rule 5(1)(d))

Certificate of Registration of Establishment

Registration No.

Date

A Certificate of registration containing the following particulars is hereby granted under sub-section (2) of section 3 of the Occupational Safety, Health and Working Conditions Code, 2020 (Central Act No 37 of 2020) to..... (Name of the establishment)

1. Nature of work carried on in the establishment (Please tick mark)

(a) Factory

(b) Mining

(c) Dock work

(d) Contract Work

(e) Building and Other Construction Works

(f) Any other work (not covered above)

2. Details of the establishment:

a. Total Number of employees engaged directly in the establishment:

b. Total Number of the employees engaged through contractor:

c. Total Number of Contractors and their details:

d. Number of inter-state migrant workers engaged:

3. (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

3. (b) For mines

Name of Mineral(s)	Lease extent of the mine (in Acres)	Name and address of the owner	Average Monthly output, targeted (Tonne)	Maximum number of persons to be employed on any day
1	2	3	4	5

3. (c) For Dock work

Name of Dock Work / Major 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

3. (d) For building and other construction work

Type of Construction work	Probable period of commencement of work	Expected period for completion of work	Details of approval of the local authority
1	2	3	4

4. Amount of registration fee paid:

5. Remarks of registering officers:

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

Place:

Date:

Conditions of Registration

(1) Every certificate of registration issued under rule 4 shall be subject to the following conditions, namely:

- (a) the certificate of registration shall be non-transferable;
- (b) the number of workers employed in an establishment directly and contract employees shall not, on any day, exceed the maximum number specified in the certificate of registration; and
- (c) Save as provided in these rules, the fees paid for the grant of registration certificate shall be nonrefundable.
- (2) The employer shall intimate the change, if any, in the number of workers or the conditions of work to the registering officer within 30 days
- (3) The employer shall, within thirty days of the commencement and completion of any work, intimate to the Inspector-cum-Facilitator, having jurisdiction in the area where the proposed establishment or as the case may be work is to be executed, intimating the actual date of the commencement or, as the case may be, completion of establishment such work in Form-4 annexed to these rules electronically.
- (4) A copy of the certificate of registration shall be displayed at the conspicuous places at the premises where the work is being carried on.

Form-3**(See rule 5(8))****Register of Establishment**

SI. 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 Horsepower (if any)	Total number of contract Workers	Remarks
1	2	2	3	4	5	6	
	(a) Factories (b) Mines (c) Dock Work (d) Building and other Construction work (e) Contract work (f) Interstate Migrant Work (g) Any other work (not covered above)						

Form-4**(see rule 5(9) & 18)****Notice of Commencement / completion of work/ cessation of Establishment:**

1. Registration No:
2. Name and Address of Factory or Establishment:
3. Name & Designation of occupier in case of factory or employer / Port authority(who has ultimate control over the affairs of the establishment):
4. Full address to which communication relating to the factory or establishment to be sent:
5. Nature of work of the factory or establishment:
6. In case of the notice is for commencement of work the approximate duration of work (establishment only):
7. in case of completion of work/cessation of establishment, the date of completion /cessation:

I/We hereby intimate that the work of factory or establishment having registration No.
.....dated is likely to commence/cessation of work is likely
to be with effect from (Date)/ On (Date)

In case of cessation of work:

I/we hereby certify 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.

Signature of the occupier/employer

(Name and seal)

To,

The Inspector-cum-Facilitator

Form-5

(see rule 6(1), 12, 13(3), 16(2) & 17(2))

Application for License/Renewal of license/Amendment to license/Transfer of license of factory**1. Period of licence:**

1.	YEAR (s) for which licence is applied for	From	To

2. General Information:

2a.	Full name of the factory	
2b.	Factory registration number (if already registered)	RJ -

3. Address and contact information of Factory:

3.	Full postal address along with pin code and Contact Number and email id	

4. Nature of manufacturing processes:

4a.	Date of start of production (for registration)	
4b.	Manufacturing process carried on in the factory in the last twelve months	
4c.	Manufacturing process to be carried on in the factory during the next twelve months	

5. Workers employed:

		Male	Female	Transgender	Total
5a.	Maximum number of workers proposed to be employed during the year				
5b.	Maximum number of workers employed during the last twelve months on any day				
5c.	Number of workers ordinarily employed in the factory				

6. Power installed:

6.	Total rated Horse Power or amount of Power (installed or to be installed or used) whichever is maximum and K.No. of consumer (attach sanction load certificate and first electricity bill)	

7. Particulars of Factory Manager:

7.	Name and address of the person who shall be the Factory Manager (if appointed) of the factory for the purposes of the Act	Name	
		Residential address	
		Contact No. and email id	

8. Particulars of Occupier:

8a.	Name and address of the occupier (in case of a private firm.) Attach list of partners with complete details, (in case of partnership firm)	Name	
		Residential Address	
		Contact No. and email id	
8b.	Name and address of the Director in case of a private/ public limited company (attach list of Director with details)	Name	
		Residential Address	
		Contact No. and email id	
8c.	Full name and residential address of the Managing Agent in case where a managing agent	Name	

	is appointed by the Central Government / State Government / Local authority as Occupier	Address	
		Contact No. and email id	

9. Land & Building:

9a.	Full name and address of the owner of the premises or building (including the precincts thereof) (referred to in section 93 of the Act)	Name	
		Address	
		Contact No. and email id	
9b.	Reference number and date of approval of the plans for site, whether for old or new building and for construction or extension of factory by the State Government / Chief Inspector		

10. Other information

a. Information of manufacturing process as per National Industrial Classification (NIC Code):

1. Activity as per National Industrial Classification:

2. Details of Selected NIC Code:

b. Identification of the factory:

NOTE:

a. In case of any change in the above information, Department shall be informed in writing.

b. Seal bearing “ authorized signatory “ shall not be used on any document.

Place:_____

Date:_____

e-sign/Signature of Factory Manager with seal: _____

(Name)

e-sign/Signature of occupier with seal: _____

(Name)

VERIFICATION

I, the above named Occupier, do hereby further solemnly affirm that the contents given above are true to the best of my knowledge.

Place: _____

Date: _____

e-sign/Signature of Occupier

Form-6

(see rule 8(2) & (4) & rule 106)

Submission and approval of plans

Application for permission for the site on which the factory is to be situated and for the construction or extension thereof

1. Details of Occupier

- (a) Name: _____
- (b) Father's/Mother's/Husband's Name _____
- (c) Address (office): _____
- (d) Address (residential): _____
- (e) Mobile number: _____
- (f) Email _____

2. Details of factory

- (a) Name of Factory: _____
- (b) Situation of factory _____ 1. Industrial Area/Other 2. Urban / Rural
- (c) Address with PIN code: _____
- (d) District: _____
- (e) Contact number: _____
- (f) Email: _____
- (g) Website: _____

3. Particulars of plant to be installed

4. Name of Manufacturing process

5. Maximum number of Workers

(Proposed to employ)

Male	Female	Transgender
_____	_____	_____

6. Details of

- (a) Raw material _____
- (b) Intermediate product/by product _____
- (c) Final Product _____

7. Name of Chemicals for use in the manufacturing process, if any

S. No.	Trade name:	Chemical name:	Maximum storage quantity at any time:

8. Area of the factory premises:**9. If common premises, then no. of factories working in premises:****10. Name, address, contact number of owner of premises;****11. NOTE**

- In case of any change in the above information, Department shall be informed in writing within 30 days.
- Seal bearing "Authorised Signatory" shall not be used on any document

Place:_____

Date:_____

e-sign/Signature of occupier with seal: _____
(Name of occupier)

Form-7**(see rule 8(4))****Application for factories involving non-hazardous process and employing up to 50 workers**

I _____ S/o _____ R/o _____
 _____ and Occupier of M/s _____ hereby state as
 under-

- That I have applied for registration of my factory in the name of M/s _____
 _____ situated at (Complete address of the factory) _____
- That I have gone through the Code & rules and regulations made thereunder and have fully understood the contents of the Code & Rules and undertake to abide by the same.
- That I propose to employ up to 50 workers.
- That I shall inform and submit relevant necessary documents as per Code and Rules, in case of:
 - change of building & machinery layout;
 - change in manufacturing process;
 - addition of any manufacturing process involving hazardous process or dangerous process Major Accident Hazards (MAH) Installation; or

iv. employment of more than 50 workers.

5. **NOTE** - Seal bearing "Authorised Signatory shall not be used.

Place: _____

Date: _____

e-sign/Signature of occupier with seal: _____

(Name of occupier)

VERIFICATION

I the above named Occupier do hereby further solemnly affirm that the contents given above are true to the best of my knowledge.

Place: _____

Date: _____

e-sign/Signature of occupier with seal: _____

(Name of occupier)

Form-8

(see rule 9)

Form of Certificate of Stability

1. Name of the factory:
2. Village, town and district in which the factory is situated:
3. Full postal address of the factory:
4. Name of the occupier of the factory:
5. Nature of manufacturing process to be carried on in the factory:
6. Name and description of building / block of building:
7. Year of construction:
8. Manufacturing process to be carried out in the building/ block of building:
9. Number of floors on which workers will be employed:

I certify that I have inspected the building / block of building and carried out the required tests, the plans of which have been approved by the Chief Inspector-cum-Facilitator in his letter No..... dated and examined the various parts including the foundations with special reference to the machine, plant etc., that have been installed, I am of the opinion that the building / block of building which have been constructed/ reconstructed /extended / taken to be use is/are in accordance with the plans approved by the Chief Inspector-cum-Facilitator in his letter mentioned above, that it / they/ is/are structurally sound and that its/their stability will not be endangered by its /their use as factory/part of factory for the manufacture of for which the machinery, plant, etc. installed are intended.

Signature with Name, address,
Qualification and Contact details
Of Competent Person

Enclosures:

(1) Details of Competency Certificate issued by Chief Inspector-cum-Facilitator

(2) Test reports

Form-9

(see rule 11(1) & 16(2))



Government of Rajasthan

Licence to work a Factory

Registration No.

Fee Rs.

Licence No.

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... (Power Unit – HP/KW) 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 March, 20.....

Chief Inspector-cum-Facilitator

Description of the licenced premises

The licenced premises shown on Plan No.....dated are.....situated in.....and carrying out the manufacturing process

Date:

Signature of licensing authority

Conditions of Licence:

- 1.
- 2.
- 3.

Form-10
(see rule 11(1))
Common Licence for Factory and Establishments



Government of Rajasthan

Registration No.

Date

Licence No.

Fee Rs.

A common licence containing the following particulars is hereby granted under the Occupational Safety, Health and Working Conditions Code, 2020 to..... (Name of the factory/establishment etc.)

1. Nature of work carried on in the establishment (Please tick mark)

(a) Factory

(b) Building and Other Construction Works

(c) Contract Work

(d) any other work (not covered above)

2. Details of the Factory, Establishment, BOCW, Contract Work, etc.:

(a) For factories 1. Valid up to ----- (Date) 2. Plan approval no. ...date....3. Annual Fees.....

Name of the factory	Full postal address of the factory	Manufacturing process	Name of the occupier	Maximum number of workers proposed to be employed on any day	Maximum power (HP/KW) installed/use/sanctioned
1	2	3	4	5	6

Date of issue/renewal:

Signature/ E -Sign/DSC of Licensing Authority along with designation

(b) For establishment Valid up to -----(Date)

Type of work	Probable period of commencement of work	Expected period for completion of work	Details of approval of the authority
1	2	3	4

(a) Total Number of the workers and employees engaged directly and through contractor:

(b) Total Number of Contractors and their details:

(c) Number of inter-state migrant workers engaged:

Amount of fee paid:

Date:

Signature/ E -Sign/DSC of Licensing Authority along with designation

(c) Other Valid up to -----(Date)

Type of work	Probable period of commencement of work	Expected period for completion of work	Details of approval of the authority
1	2	3	4

(a) Total Number of the workers and employees engaged directly and through contractor:

(b) Total Number of Contractors and their details:

(c) Number of inter-state migrant workers engaged:

Amount of fee paid:

Date:

Signature/ E -Sign/DSC of Licensing Authority along with designation

Conditions of Licence.- Licence shall be subject to the following conditions, namely:

- (1) the number of workers employed in a factory or establishment directly and contract employees shall not, on any day, exceed the maximum number specified in the license;
- (2) the employer shall intimate the change, if any, in the number of workers or the conditions of work to the Licensing Officer within 30 days
- (3) the employer shall, within thirty days of the commencement and completion of any work, intimate to the Inspector-cum-Facilitator , having jurisdiction in the area where the proposed establishment or as the case may be work is to be executed, intimating the actual date of the commencement or, as the case may be, completion of establishment such work in Form-IV of Occupational Safety, Health and Working Conditions (Central) Rules, 2020 electronically.
- (4) a copy of this licence shall be displayed at the conspicuous places at the premises where the work is being carried on.

Other conditions for:

(1) Factory

- 1.
- 2.
- 3.

(2) Building and other construction work

- 1.
- 2.
- 3.

(3) Other work

- 1.
- 2.

Form-11
(see rule 14)
Notice of change of Manager

1. Name of factory with registration and licence number :
2. Postal address:
3. Name of outgoing Manager:
4. Name of new Manager with postal address of the residence and Telephone number, if installed:
5. Date of appointment of the new Manager :

Signature and seal of new Manager
(Name)

Signature and seal of occupier
(Name)

Form-12
(see rule 28)
Health Check-up for employee
PART-A

(Sl. No. 1-11) : To be filled by the Employee:..... Date.....
Note.— Exact details of cause of physical disability should be clearly stated.

1. Name of employee.....2. Sex..... 3. Age (with DOB).....
4. Company..... 5.Designation.....5a. UAN:.....
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. Wt. Chest, Waist Circumference, Body Mass Index:
- b. Vision (Ophthalmologist tests):
 - i. Visual Acuity both Right & left eyes
 - ii. Colour Vision.....
- c. Blood Pressure
- d. Complete Blood Count:
- e. Blood Sugar (Fasting/PPBS/HbAC1).....
- f. SpO₂.....
- g. Blood Urea Nitrogen (BUN).....
- h. SGOT/SGPT.....
- i. Lipid profile.....
- j. ESR.....
- k. Thyroid profile.....
- l. X-ray Chest etc.....
- m. ECG.....
- n. Others if any

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

14. Does the person have seizure (s) related disorders or 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

NOTE: All the above information is highly confidential between the Applicant and the Examining Physician. Sharing of the above with Employer or any other agency/persons is permitted only on obtaining Consent from the Applicant/Employee.

Form-13
(see rule 30(1), (2) & (3))
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 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 hour of return of 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 and Name and Designation of owner/ employer /manager/agent

Place:

Registration number Name of factory or factory or
establishment.....Address.....District.....Year

Sr. No.	Name of worker/employee and work id	Father's / Husband's / Mother's name	Date on which weekly holiday not given	Date on which compensatory holiday allowed as per sub-section (3) of section 26 for weekly holiday in column 4	Remarks
1	2	3	4	5	6

January to March	April to June	July to September	October to December
7	8	9	10

Date of compensatory holidays given in				Last rest days carried to the next year	Remarks
January to March	April to June	July to September	October to December		
11	12	13	14	15	16

Name of the Establishment.....Place.....District.....

[illegible]

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 Occupier/owner/employer/manager:

Date :

Form-16

(see rule 49(1)(a))

Register of employees

Registration number Name of factory or
establishment.....Address.....District.....

Labour Identification Number (LIN):.....

(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 employees / worker	
14.	Mobile Number	
15.	Universal Account Number (UAN)	
16.	PAN	
17.	PPF No.	
18.	Nominee	
19.	EPS/NPS	
20.	Details of Family	
21.	Details of Posting	
22.	Scale of Pay	
23.	Promotion	
24.	ESIC Insurance No.	
25.	Aadhaar number	
26.	Bank A/c No.	
27.	Bank	
28.	Branch(IFSC)	
29.	Present address	
30.	Permanent address	
31.	Service Book No.	
32.	Date of Exit	
33.	Reason for Exit	
34.	Mark of Identification	
35.	Photo	
36.	Specimen Signature/Thumb Impression	
37.	Remarks	

Form-17
(see rule 49(1)(b))
Attendance muster roll register

Registration number Name of factory or factory or
establishment.....Address.....District.....
Month---Year

(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 or relay															
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															

Form-18
(see rule 49(1)(c))

Month ending.....20...

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:		
Labour Identification Number (LIN)/Registration Number of Establishment		
Wage Period from dd/mm/yyyy to dd/mm/yyyy (Monthly/Fortnightly/Weekly/Daily/Piece Rated)		
1.	Serial Number	
2.	Employee Code Number	
3.	Name	
4.	Designation	
5.	Rate of Wage	
	a)Basic	
	b)DA	
	c)Other allowance	
	d)Total	
6.	No. of days worked	
7.	Overtime hours worked	
8.	Amount of Wages Earned	
	a)Basic	
	b)DA	
	c)Other allowance	
	d)Payment of overtime	
	e)Total wages earned	
9.	Deductions	
	a)EPF	
	b)ESIC	
	c)Society	
	d)Income Tax	
	e)Insurance	
	f)Others	
	g)Recovery of Fine	
	h)Recovery of Damaged/Losses	
	Total Deductions	
10.	Net Payment	

11.	Receipt by Employees/Bank Transaction ID	
12.	Date of Payment	
13.	Initials of Employer/Representative	
14.	Remarks	

Form-19
(see rule 49(1)(d) & 53)
Register of leave with Wages

Registration No. of factory or establishment.....

Name of factory or establishment:

Part I - Adults

Part II - Adolescents

Name of worker :

Father's Name:

Department :

Sl. No	Sl.no. in the register of worker s	Date of entry into service	Interruptions				
			Sickness and accident s	Authoriz ed Leave	Lock Out or Legal Strike	Involuntary unemployment	Others
1	2	3	4	5	6	7	8

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		Remarks
				Date of Discharge	Date & amount of payment made in lieu of leave due	
9	10	11	12	13	14	15

Note: - Separate page shall be allotted to each worker

FORM-20
Wage slip
(see rule 49(2))

Name of the Establishment				
Address:.....			Period:.....	
1.	Name of the Employee:			
2.	Father'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			

Form-21
(see rule 50(1))
Display of notice

Registration number

Labour Identification Number (LIN):.....

1. Name and address of the factory or establishment,
2. Rates of wages,
3. Hours of work,
4. Wage period,
5. Date of payment of such wages,
6. Name and address of the Inspector-cum-Facilitator

Form-22**(see rule 49(5), rule 51 & 75(8))****UNIFIED ANNUAL RETURN FORM
FOR THE YEAR ENDING.....**

Single Annual Integrated Return to be filed On-line 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, 2019 and the rules made there under.

Instructions to fill up the Annual Return

- (1) This return is to be filled-up and furnished on or before 1st February every year.
- (2) The return has two parts i.e. Part-I to be filled up by all establishments.
- (3) Part-II to be filled-up by the establishments who are a Mine only in addition to Part-I.
- (4) The terms Establishment and Mines shall have the same meaning as under the Occupational Safety, Health and Working Conditions Code, 2020.
- (5) This return is to be filled-up in case of Contractor or manpower supplier who have engaged more than 50 workers and in case of Mines even if there is one worker employed in the relevant period.

Applicable to All Establishments - Part-I**A. General Information:**

Sl. No.			Instructions for filling the column
1.	Labour Identification Number		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.	Premise name		
8.	Sub-locality		
9.	District		

10.	State								
11.	Pin code								
12.	Geo Co-ordinates								
B(a).	Hours of Work in a day								
B(b).	Number of Shifts								
C. Details of Manpower Deployed									
Details	Directly employed				Employed through Contractor				Grand Total
Skill Category	Highly Skilled	Skilled	Semi-Skilled	Un-Skilled	Highly Skilled	Skilled	Semi-Skilled	Un-Skilled	
(i) Maximum No. of employees employed in the establishment in any day during the year	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	
(ii) Average No. of employees employed in the establishment during the year	No. to be indicated	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	
(iii) Migrant Worker out of (ii) above	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	
(iv) Number of fixed term	M/F/T	M/F	M/F/T	M/F/					

employee engaged		/T		T					
D. Details of contractors engaged in the Establishment:									
Sl. No.	Name with LIN of the Contractor		No. of Contract Labour Engaged						
E. 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 OSH Code, 2020)		Tick yes or no in the box		Applicable to all establishments where in hundred or more worker including contract labour were ordinarily employed				
2.	Crèches (as per section 67 of Code on Social Security Code, 2020 and Section 24 of the OSH Code 2020)		Tick yes or no in the box		Applicable to all establishments where fifty or more workers are employed				
3.	Ambulance Room (as per section 24(2)(i) of OSH Code, 2020)		Tick yes or no in the box		Applicable to mine, building and other construction work wherein more than five hundred workers are ordinarily employed				
4.	Safety Committee (as per Section 22(1) of OSH Code, 2020.		Tick yes or no in the box		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 OSH Code, 2020)		No. of safety officers appointed		In case of mine 100 or more workers and in case of BoCW 250 or more workers are ordinarily employed.				
6.	Qualified Medical Practitioner (as per Section 12 (2) of OSH Code 2020.		No. of Qualified Medical Practitioner appointed.		There is no specification for minimum number of Qualified Medical Practitioner employed in establishment. However, this detail is required to have data on occupational health.				

F. The Industrial Relations:					Instructions for filling
1.	Is the Works Committee has been functioning. (section 3 of IR Code, 2020)		Yes/No		Industrial establishment in which 100 or more workers are employed
(a)	Date of its constitution.				
2.	Whether the Grievance Redressal Committee constituted (section 4 of IR Code, 2020)		Yes/No		Industrial establishment employing 20 or more workers are employed
3.	Number of 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 (Section 14 of IR 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 mandays lost	Loss in term of money	
(a)	Strike				
(b)	Lockout				
8.	Details of retrenchment / lay off				
Sl. No.	No. of persons retrenched during the	Details of payment paid to retrenched	No. of workers laid off during	No. of man-days lost due to lay-off	

	period	employees	the period		

G. Details pertaining to maternity benefit:

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

H. Details of payment of bonus:

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

I. Details of accidents, dangerous occurrence and notifiable diseases:

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

J. Mandays and Production Lost due to accidents / dangerous occurrence

Sl. No.	Accident/Dangerous Occurrence	Mandays lost	Production Lost

PART II**(see rule 75)****ANNUAL RETURN****Period ending 31st December.....****(to be submitted by the principal employer on Shram Suvidha Portal/Official 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.	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:
principal employer

Signature of the

Form-23**(see rule 75(6))**

(Half Yearly Return (January to June / July to December) to be submitted by Contractor to be filed electronically to the concerned licensing authority under rule 75(6))

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:
5. 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									
	February									
	March									
	April									
	May									
	June									

Signature of the contractor:

Date:

Place:

Form-24
(see rule 52)

REGISTER OF ACCIDENTS AND DANGEROUS OCCURRENCES

Name of Injured person/deceased (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-25
(see rule 65(1), 68(2) & 84)
APPLICATION FOR LICENSE

On Line Application for License/ Renewal of License/Amendment of License (including Common/single license)	
Government of India, Ministry of Labour and Employment	
ESTABLISHMENT PROFILE:	
Labour Identification Number	Date
Acknowledgement Number: Date of Application:	
I. Particulars of Establishment for which licence 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) : esign/digital sign	
II. Details of Employer:	
1. Full Name of Employer: relationship with establishment.	
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 Incharge
1	2		3	4	5	6

1. Maximum number of workmen proposed to be employed on the Establishment on any date: **24**

2. Amount of Licence Fee: **INR** (Transaction Id :)

3. Amount of Security Deposit: **INR** (Transaction Id :)

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

Type of Establishments	Name & Address of establishment	(i) Nature of work carried out in the establishment (ii) Activity as per National Ind'l classification	Date of commencement	Permanent establishment or probable date of completion	Maximum number of employees 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 States in which the establishments are situated	Name of each work	Maximum number of labour will be/is employed	Date of commencement	Permanent establishment or probable date of completion	Maximum number of employees employed/ proposed to be employed	Registration number, if obtained, then details thereof
1	2	3	4	5	6	7

Signature of Contractor

(eSign/DSC)

Note: This is an online application summary applied on Shram Suvidha Portal.

APPLICATION FOR RENEWAL OF LICENCE

1. Licence No.	Date :
2. LIN & PAN	
2. Name and address of the establishment:	
3. Date of expiry of previous licence :	
4. Whether the licence of the employer/contractor was suspended or revoked:	
5. Details of Fees paid : (Enclose e-payment receipt): Amount date of payment :	
E-sign /digital sign of the employer/contractor date:	
APPLICATION FOR AMENDMENT OF LICENCE :	
1. Licence No	Date:
2. LIN & PAN	
3. Name and address of the establishment:	
4.Details for which amendment is sought :	
(a). Maximum number of worker presently employed : (If there is increase in the maximum number of workers to be employed, then additional fees/security deposit as per law needs to be deposited:	
(b). Details of fees paid through e payment date on which made :	
©. 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-26
(see rule 65(2) & rule 66)
CERTIFICATE BY THE PRINCIPAL EMPLOYER

Certified that I have engaged the applicant/contractor
(Name and registration number of the contractor establishment) as a contractor in my Establishment,
namely, ...(Name and registration number of the establishment).

That the contract work shall commence from(date) and shall be effective till(date).

I undertake to be bound by all the provisions of the Occupational Safety, Health and Working
Conditions Code, 2020 and State rules made thereunder, in respect of the employment of contract labour by
the applicant in my Establishment.

Signature of Principal Employer

Name and address of the Establishment

Registration Number.....

Place: Date:

Form-27
(see rule 67(1) & 90(1))
PROFORMA OF LICENSE

Licence No. ----- Reg. No. ----- Date of Reg. ----- Licence is hereby granted to ----- for the premises known as ----- situated at ----- nature of work..... for use as a establishment within the limits stated herein after, subject to provisions of the Occupational Safety, Health and Working Conditions Code, 2020, and the rules made there under.

The ----- 20..

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					
1	2	3	4	5	6	7	8

AMENDMENTS:

Year when Amended	Maximum number of Contract labour /workers on any one day	Date of payment of amendment fee	Date of Payment	Signature of the Issuing Authority
1	2	3	4	5

E-sign /digital sign of the designated authority

Form-28
(see rule 77)
EXPERIENCE CERTIFICATE OF CONTRACT EMPLOYEE

<u>To whom so ever concerned</u>	
1.	Name of contractor/employer*:
2.	LIN/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/PAN No. of the Principal Employer :*
8.	Email Id of the Principal Employer : *
9.	Mobile No. of the Principal Employer :*
10.	Name of the worker*:
11.	UAN / Aadhaar No.:
12.	Mobile No. :
13.	Serial Number in the Employee Register :
14.	Registration number, date and name of the Board if the building and other construction worker is registered as a beneficiary:
15.	Period of Employment:
16.	Designation:
Seal and Signature of Contractor	

Form-29
(see rule 82)

Agreement between Producer and Audio-visual worker

This agreement is made on this day month year..... between Messers..... having office at (hereinafter referred to as the —Producer) on the first part and Shri/Smt/Kum son/daughter/wife of Shri residing at (hereinafter referred to as the —audio-visual worker) on the second part. The terms ‘Producer’ and ‘audio-visual worker’ shall include their heirs, successors, administrators and legal representatives:

Now, therefore this agreement is made as follows:

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.

That the audio-visual worker agrees to attend studio, location or work place, as the case may be, subject to the requirement of his previous engagement and on his confirmation, to his respective job punctually as and when he shall be required by a written intimation by the Producer or the person duly authorised by him in writing.

That in consideration of the audio-visual worker services, as aforesaid, the Producer agrees to pay and the audiovisual worker agrees to receive a sum of Rs.(Rupees) payable as advance on signing of this agreement and the balance of Rs. payable in equal installments.

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.

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.

That the audio-visual worker shall, if so required, attend the studios, location or work-place, as the case may be, earlier than the a 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.

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.

That the Producer shall provide transport and food or pay traveling allowances to and fro to report to duty and food allowance while on duty as are customary or fixed by bilateral arrangements between the Producer’s and audio-visual worker’s representative organizations.

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.

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.

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 :-

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

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.

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 titled to employ another audio-visual worker in his/her place.

That the Producer shall have the right to terminate this agreement on ground of misconduct on the part of the audio-visual worker in relation to performance of his/her duties or his/her unwillingness to perform the service required under the agreement, upon payment to the audio-visual worker of the amount due at the time of termination, calculated taking into consideration the audio-visual worker's total work in the audio-visual and the work he/she has completed till the date of termination of this agreement. Termination under this clause shall not be made unless the charges of the Producer against the audio-visual worker are proved before a forum comprising equal number of representatives of the Producers' Organisation and the audio-visual worker's Organisation to which the Producer and the audio-visual worker respectively may belong. The decision of the forum shall be binding on both the parties. The producer can engage another audio-visual worker for the job towards this agreement only after the forum has given a decision in favour of such termination and the audio-visual worker has been paid all his dues.

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 audiovisual worker whether or not to allow his/her name to go on the credit titles of the film.

That the Producer shall have the right to decide the manner of representing the audio-visual worker's personality on the screen, his/her clothes, make-up and hair-style and the audio-visual worker shall fully and willingly comply with the direction of the Producer in this regard, provided that the requirements of the Producer in this respect have been notified to the audio-visual worker and accepted by him/her.

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.

17. That the Producer shall also pay for all traveling and accommodation expenses, fares, cost of food and such other allowances as are customary when the audio-visual worker is required to work on location outdoors.

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.

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 :-

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 audiovisual worker and shall pay all his/her dues up to the date of service of such notice. Upon resumption of work on the film, this agreement shall revive and shall remain valid for the period stipulated in Clause I excluding the period of suspension there from ; or

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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.

That the audio-visual worker shall comply with all the regulations of the studio, location or work place as the case may be.

That the Producer shall not without the consent in writing of the audio-visual worker, assign or transfer the benefit of this agreement to any other person.

That the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 shall be applicable to this agreement.

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.

Name Address

[illegible]

Form-32
(see rule 93(1)(c))
(Format for recording proceedings)
Record of Decision or Order (Dispute relating to raw material)

1. Serial No.:
 2. Date of application:
 3. Name or names, parentage, address or addresses of applicants or some or all of the
applicants
 4. Name and address of the employer:
 5. Substance of the dispute:
 6. Plea of parties and their examination, if any:
 7. Documents seen:
 8. Substance of the evidence taken:
 9. Finding and brief statement of the reasons therefor:
 10. Decision:
- Date.....

Signature

Form-33
(see rule 97(1) & (2))
(Work permitted out-side)
Home Workers' Log Book

1. Name of home worker.....
2. Address of the home where the manufacturing process is carried on.....
3. Month.....

Account of Work Done at Home

Date	Raw Material supplied to the worker			Signature or thumb impression of the worker	No. of beedis received by the employer
	Tendu patta	Tobacco	Thread		
(1)	(2)	(3)	(4)	(5)	(6)

No. standard of beedis	Number of substandard or chhat beedis	Wages payable to worker	Wages paid to the worker

		For standard beedis	For sub-standard or chhat beedis	
(7)	(8)	(9)	(10)	(11)

Date	Amount of wages to date in arrears	Signature or thumb impression of the worker	Signature of the Employer
(12)	(13)	(14)	(15)

Form-33A
(see rule 101)

PART-I

APPLICATION FOR APPRAISAL OF SITES

Application number-

1. Previous online application id (if any):
2. Name, address, Contact details of the applicant:
3. Address and details of site proposed to be used as factory involving a hazardous process or for the expansion of such factory:
4. Has the site been used/approved previously by any other or same factory. If yes then details:
5. Details of surrounding area such as Site Plan with clear identification of boundaries and total area proposed to be occupied and showing details nearby the proposed site.
6. Site plan of the factory showing the entry and exit points, roads within, water drains, etc.
7. Project Report: A summary of the salient features of the project.
 - (a) Status of the organization (Government, Semi Government, Public or Private etc.)
 - (b) Maximum number of person likely to be working in the factory.
 - (c) Maximum amount of electric power HP/KW/MVA.
 - (d) Block diagram of the buildings and installations, in the proposed factory.
8. Area allocated for treatment of waste and effluent.
9. Manufacturing process information with Process flow diagram.

10. Information of hazardous materials: Raw materials, intermediates, products and by-products and their quantities (enclose Material Safety Data Sheet in respect of hazardous substance).
11. Information on dispersal/disposal of wastes and pollutants.
12. Process hazards information, information on safety and health measures and proposed Health and Safety Policy.
13. Any other relevant information:

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

Name, Signature and Seal of the Occupier.

PART II

Recommendation of Site Appraisal Committee

1. Application Number: -----
2. Name, address, Contact details of the applicant: -----
3. Recommendations:-----
4. Whether Site is suitable for grant of permission or not : Yes/No
5. If no, then reasons thereof; -----

Signature, Name, Designation of site appraisal committee members

Form-34 (see rule 125)

The Rajasthan Occupational Safety, Health and Working Condition Rules, 2026

Inspection Book containing headings as under:

Covering page	Inspection Book for Inspector/Sr. Inspector/ Dy. Chief Inspector of Factories only.
Every Numbered Page	Inspector's/Sr. Inspector's/Dy. Chief Inspector's of Factories remarks.

Form-35
(see rule 119 and 126)
Appeal

LIN.....

Registration number

Name of factory or establishment.....

Address.....

District.....

Manufacturing process.....

Occupier or employer Particulars

Name with Father's name/Husband's name

Full residential address with PINCODE

Contact number and email.....

Manager Particulars

Name with Father's name/Husband's name

Full residential address with PINCODE

Contact number and email.....

Date of accident (if any)

Date(s) of inspection(s).....

No. and date of notice by the Inspector-cum-Facilitator

No. and date of order of the enquiry officer under section 111(1).....

Facts and grounds for Appeal:

.....

.....

.....

Relief wanted

.....

Details of fees.....

Enclosures:

1.

2.

.....

Signature of Occupier / Manager.....

Name with designation and seal

Date.....

Place-----

Form-36
(see rule 100 & 127)
Health Register

(In respect of persons employed in occupations declared to be dangerous operations under section 82).
Name of Medical Practitioner/Officer

Dr.....

From.....To.....

Serial No.	Works No.	Name of worker	Sex	Age (last birthday)
1	2	3	4	5

Date of employment on present work	Date of leaving or transfer to other work	Reason for leaving, transfer or discharge	Nature of job or occupation	Raw material or by product handled
6	7	8	9	10

Date of Medical Examination by Medical Practitioner/Officer						
Result of Medical Examination						
11						

If suspended from work, state period of suspension with detailed reasons	Re-certified to resume duty on (with signature of Medical Practitioner/Officer)	If certificate of unfitness or suspension issued to worker	Signature, with date of Medical Officer
12	13	14	15

For transfer or discharge should be stated Unfit/Suspended.

Form-37
(see rule 128)
Certificate of Fitness

1. Serial No..... Date.....	Serial No..... Date.....
2. Name.....	I certify that I have personally examined (name).....
3. Father's Name.....	

4. Sex.....	son/daughter of.....
5. Residence.....	
6. Date of birth, if available/and certified age.....	Residing at who is desirous of being employed in a factory, and that his/her age as nearly as can be ascertained from my examination date of birth is.....years,
7. Physical fitness.....	that he/she is fit for employment in factory, as an adult
8. Descriptive marks.....	His/Her descriptive marks are
9. Reason for - (1) Refusal of certificate (2) certificate being revoked	
	Initials of Medical Practitioner/Officer

Note: Exact details of cause of physical disability should be clearly stated.

[No. F-PS-HQ-RajFAB(1)F&B, Rajasthan/2018-000302]

By order of the Governor,

Sohan lal meena

Senior Deputy Secretary to the Government.

Government Central Press, Jaipur.