

# Labour Department, Chhattisgarh Government

## Inspection under The Minimum Wages Act, 1948

(Complete guide for Inspection of Units)

LABOUR DEPARTMENT, CHHATTISGARH GOVERNMENT |

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#### 1 Risk Based Assessment

This manual is for the Compliance Inspection under The Minimum Wages Act, 1948.

#### 1.1 Classification criteria

The Factory/ establishments will be categorised in High risk, Medium risk & Low risk entities based upon following risk parameters.

Table 1: Classification of Low Risk, Medium Risk & High Risk establishments in terms of verification required and deadline

Risk Parameters	Low Risk	Medium Risk	High Risk
Hazardous/Non-	Non-Hazardous	Non-Hazardous	Hazardous and
Hazardous			extremely hazardous
Lockouts/Strikes/Accident	No	No	Yes in any one area
Number of workers	Less than 250	More than 250	NA
Type of Inspection/	Exempted	Third Party	Departmental
Certification Required		Certification	Inspection
Deadline	30 June	30 June	30 June

The following link has the risk criteria to assess the risk in a unit/establishment http://www.cglabour.nic.in/ShramAyukt/EODSERVICES.aspx?ID=8

#### 1.2 Risk classification based inspection procedure

**Low Risk Industries**: Low risk industries are exempt from inspection. However, the department on a random basis through computerized based allocation will inspect 5% of the low risk industries.

*Medium Risk Industries*: The medium risk industries will have the option of third party certification and these units will be exempt from departmental inspection. The deadline of submitting the Third Party Certificate is 30<sup>th</sup> June of the year. From the industries not opting for third party certification, 20% of medium risk units/establishments will be inspected on random basis through **computerized based allocation**.

*High Risk Industries*: High risk industries will have mandatory departmental inspection for all labour/factory related compliances.

## 2 Inspection/Verification Procedure Steps

#### A. For Third Party Certification

#### **Detailed Third Party Certification Procedure**

Option of 3rd Party Certification

• Medium Risk Industries have the option to exercise 3rd party certification

**Site Visit** 

• The Third Party Certifier (D.G.F.A.S.L.I) will visit the unit/ establishment

Upload 3rd party Certificate  After issuance of third party certificate, the concerned unit will upload the report on the labour department portal by 30th June

Non-Compliance notice  The department may issue notice to establishment to rectify defects/ deviations/ non-compliance observed as part of inspection

Upload Compliance Report

- The establishment to do the necessary/ appropriate compliance and inform the office about the same
- Uploading Compliance report

Final action and approval

Acceptance of compliance report / initiation of proceedings.

#### Stepwise process to upload the Third Party Verification Certificate

Go to http://cglabour.nic.in/

#### For new users,

Factory/establishment not registered on Single Window, please follow the two step process given below:

**Step 1 User Registration:** User registers himself once with Single window (SW) and creates an account.

**Step 2 Unit Registration:** User can register their units after logging into the Single Window. Each unit after registration will have a unique ID called "Udyam Aakanksha Number" (UAN).

#### For existing users,

i. Login using single window login credentials



ii. After successful login, the system will ask for Udyam Aakanksha Number (Unit Number) as follows, enter UAN of the establishment for which you are applying online services, click on Submit.



- iii. After submitting UAN, the dashboard of Labour department opens up, showing services available through Single Window
- iv. On e-dashboard, click on "Upload 3<sup>rd</sup> Party certification"



#### v. Browse the file



vi. Click on upload. "File Has Successfully Uploaded" will show on screen



#### **B.** For Departmental Inspection

#### **Detailed Inspection Procedure Steps:**

Computerized Allocation  Computerized allocation of establishments to the concerned inspectors on the basis of risk classification. This is to be done in the first week of every month. The same inspector will not inspect the same establishment twice consecutively

Notice of Inspection  Notice of inspection is to be provided on the e-mail communication provided to the department

**Site Visit** 

• The department will ensure that joint/Synchronized visit of the inspectors to the unit/ establishment for applicable labour/factories act..

Inspection report in 48 hours  Online submission /uploading of the report by the inspector visiting the unit/ establishment with a unique member which can be accessed online by employer within 48 hours (as per Inspection format) Users to login to the portal and view and download inspection reports

Non-Compliance notice  The department may issue notice to establishment to rectify defects/ deviations/ non-compliance observed as part of inspection

Upload Compliance Report

- The establishment to do the necessary/ appropriate compliance and inform the office about the same
- Uploading Compliance report

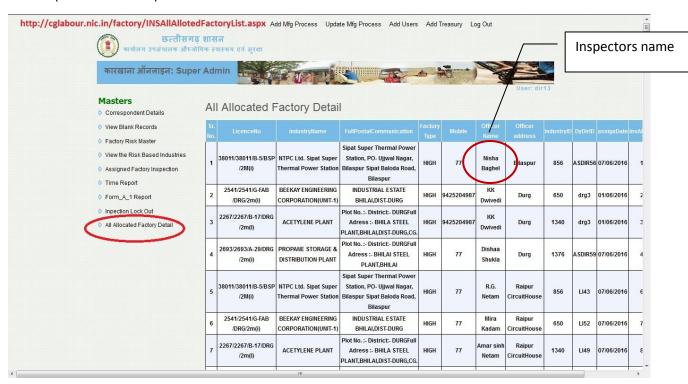
Final action

Acceptance of compliance report / initiation of proceedings.

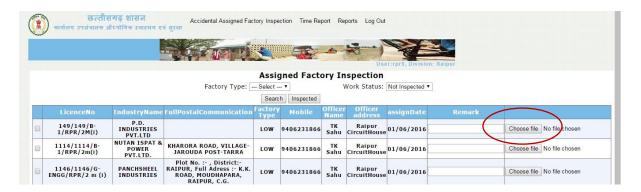
✓ Based on the risk criteria as given above, factories/establishments get classified into Low, Medium and High risk by the **online system** itself as shown below:

	33377333773	Thermal Power Station	Bilaspur Sipat Baloda Road, Bilaspur		**	Netam	CircuitHouse				Š	
6	2541/2541/G-FAB/DRG/2m(i)	BEEKAY ENGINEERING CORPORATION(UNIT-1)	A STATE OF THE PROPERTY OF THE	HIGH	77	Mira Kadam	Raipur CircuitHouse	650	LI52	07/06/2016	7	
7	2267/2267/B-17/DRG/2m(I)	ACETYLENE PLANT	Plot No. :- District:- DURGFull Adress :- BHILA STEEL PLANT,BHILAI,DIST- DURG,CG.	HIGH	77	Amar sinh Netam	Raipur CircuitHouse	1340	LI49	07/06/2016	8	
8	2693/2693/A-29/DRG/2m(i)	PROPANE STORAGE & DISTRIBUTION PLANT	Plot No. :- District:- DURGFull Adress :- BHILAI STEEL PLANT,BHILAI	HIGH	77	Mira Kadam	Raipur CircuitHouse	1376	LI52	07/06/2016	9	
9	4603/4603/B-1/BSP/2M(i)	Nova Iron & Steel Limited	Vill & Post- Dagori, Teh- Bilha	MEDIUM	8827270347	Anthony Tirkey	Bilaspur	846	bsp3	01/06/2016	11	
10	2503/2503/B-3 & B- 17/DRG/2m(i)	BHILAI ENGINEERING CORPORATION LTD,UNIT-1	POST BOX NO.31,INDUSTRIAL AREA,BHILAI,DIST-DURG.CG	MEDIUM	77	Dishaa Shukla	Durg	646	A SDIR59	07/06/2016	12	
1	4603/4603/B-1/BSP/2M(i)	Nova Iron & Steel Limited	Vill & Post- Dagori, Teh- Bilha	MEDIUM	77	R.G. Netam	Raipur CircuitHouse	846	LI43	07/06/2016	13	
1:	2503/2503/B-3 & B- 17/DRG/2m(i)	BHILAI ENGINEERING CORPORATION LTD,UNIT-1	POST BOX NO.31,INDUSTRIAL AREA,BHILAI,DIST-DURG.CG	MEDIUM	77	Amar sinh Netam	Raipur CircuitHouse	646	LI49	07/06/2016	14	
1:	3 4501/4501/G-O/BSP/2M(i)	M/S. DIGITAL WEIGHING SYSTEMS (P) LTD.	Plot No. :- , District:- BILASPUR, Full Adress :- INDUSTRIAL AREA TIFRA	LOW	77	Nisha Netam	Bilaspur	5259	A SDIR66	07/06/2016	17	
1-	4 4838/4838/B-25/BSP/2M(i)	Nandan Agro & Forest Product Pvt. Ltd.	Sector-B, Industrial Area Sirgitti, Bilaspur	LOW	77	Nisha Baghel	Bilaspur	331	A SDIR 56	07/06/2016	18	8
1:	5 4878/4878/GWF/BSP/2M(i)	Shri Shyam Industries	Sector-B, Industrial Area, Sirgitti	LOW	77	Nisha Baghel	Bilaspur	678	A SDIR 56	07/06/2016	19	9
10	6 4674/4674/GSM/BSP/85	M/S. MAGAN BHAI PATEL SAW MILL	Plot No. :- , District:- BILA SPUR, Full Adress :- MUNGELI ROAD BILA SPUR	LOW	77	Nisha Netam	Bilaspur	5202	A SDIR66	07/06/2016	20	
1	7 30847/30847/G-O/BSP/2M(i)	M/S. SAVIO ELECTRICAL INDUSTRIES	Plot No. :- , District:- BILA SPUR, Full Adress :- SECTOR-B, IDUSTRIAL AREA	LOW	77	Nisha Baghel	Bilaspur	5266	A SDIR 56	07/06/2016	21	

✓ Factories/establishments get allocated to departmental inspectors using the online system (as shown below):



✓ After the inspection is duly carried out, the inspector uploads the inspection report within 48 hours as shown below:



#### 3 Checklist

Following is the document checklist which the establishment/unit needs to present at the time of inspection.

#### For all units

- 1. Name of scheduled employment.
- 2. Wage period and date of payment.
- 3. Whether the payment is being made at the rate prescribed under the Act.
- 4. Whether the payment is being made in stipulated wage period.
- 5. Whether the weekly rest is provided to the employees and payment for over-time work is made at the prescribed rate.
- 6. Whether the Register of Attendance, Payment of wages, Over time, Fine and Deductions are maintained in prescribed format.
- 7. Whether the establishment displayed the notices in English and Hindi. And Abstract of Minimum Wages Act, 1948 and the Rules of the Government of Chhattisgarh. Name and address of the Inspector.
- 8. Whether the scheduled employment submitted return in the prescribed format.
- 9. Nature of violation, if any found during the inspection.

## 4 Inspection Certificate format

Inspection Certificate format for Departmental Certification in case of low, medium and high risk are available in the Annexure 1.

Please note that low risk industries have 5% inspection on random basis, medium risk have 20% on random basis while high risk necessarily have departmental inspection.

## 5 Timelines & other instructions for Inspector

- 1. The inspector must upload the Inspection Report within 48 hours of the physical inspection
- 2. Inspectors will be selected randomly through computerized allocation
- 3. **S**ame inspector will not inspect the same establishment twice consecutively.
- 4. Users can login, view and download the inspection report uploaded by the inspector only after 48 hours of inspection.

## **6 Download Inspection Report**

#### **Downloading inspection report**

Users can login, view and download the inspection report uploaded by the inspector only after 48 hours of inspection.

#### **Stepwise Procedure**

i. Login using single window login credentials



ii. After successful login, the system will ask for UdyamAkanksha Number (Unit Number) as follows, enter UAN of the establishment for which you are applying online services, click on Submit.

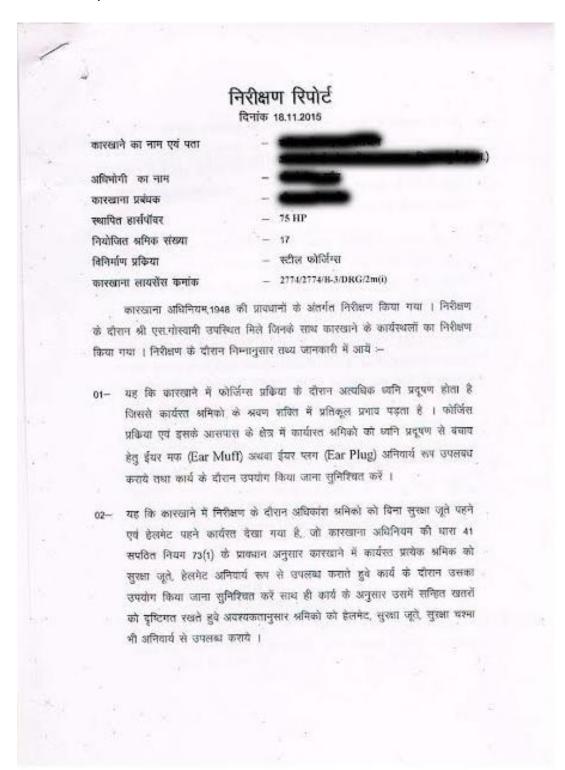


- iii. After submitting UAN, the dashboard of Labour department opens up, showing services available through Single Window
- iv. On e-dashboard, click on "Download" under Inspection



#### 7 Annexure 1

#### A. Format of Departmental Certification



- 03— यह कि कारखाने के निशेक्षण के वारान मशीनों की ट्रांसमिशन मशीनरी जैसे पुत्ली, बेल्ट, झड़व्ह तथा गियर झड़व्ह आदि के उपर कारखाना अभिनियम की धारा 21(1)(iv)(b) के प्रावधान अनुसार फेस्सिंग की उपयुक्त व्यवस्था नहीं पायी गयी । उक्त मशीनों के खुले गतिमान हिस्सों पर फेस्सिंग लगाये जिससे कि इनकी सभीप कार्यरत्त अभिकों को दुर्घटनाग्रस्त होने की संभावना न रहे ।
- 04— यह कि कारखाने में कार्यरत अनिकों के संबंध में कारखाना अधिनियम की धारा 62(2) सपित नियम 96(1) के प्रावधान अनुसार हाजरी पंजी फार्म नं, 14 बनाई जानी चाहिए तथा नियम 118 के अनुसार प्रतिदिन श्रमिकों की उपस्थिति दर्ज करने के उपरांत ही उन्हें कार्य में नियुक्त किया जाना सुनिश्चित करें ।
- 05— यह कि करखाना अधिनियम की घाल 83 सपंडित नियम 102 के अनुसार लवेतिनिक अवकाश पंजी फार्म में. 18 में बनी नहीं पायी गयी और न ही नियम 103 के अनुसार अमिकों को लीव्ह कार्ड फार्म मं. 19 में वितरीत किया गया । समस्त अमिकों के संबंध में सबैतनिक अवकाश पंजी फार्म मं. 18 में बनाये तथा सबैतनिक अवकाश पंजी फार्म में. 18 में बनाये तथा सबैतनिक अवकाश पंजी फार्म में. 18 में बनाये तथा सबैतनिक अवकाश पंजी कर फार्म में. 19 में अमिकों को उपलब्ध कराये ।
- 06— यह कि कारखाने में प्रथम उपचार की सामाग्री कारखाना अधिनियम की धारा 45(1) सपवित नियम 75— B के अनुसार उपलब्ध नहीं पायी गयी । शिव्र सी नियमानुसार प्रथम उपचार की समाग्री रखे तथा कारखाने के आसपास रिथत चिकित्सालयों के नाम एवं दुरभाप नंबर भी प्रदर्शित करें ।

(के के हिवेदी). उप संचालक, ओद्योगिक स्वास्थ्य एवं सुरक्षा एवं (उप मुख्य कारखाना निरीक्षक छ.ग.शासन) दुर्ग संभाग,दुर्ग (छ.ग.)

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कर्मांकः DDIHSDURG/I.R./2015/2367-6.2 पुर्ग,दिशांक 2.६-11-13८ प्रति

01-

- अधिमोगी गंसर्स-

और निशंक्षण रिपोर्ट की एक प्रति प्रेमित करते हुवे निर्देशित किया जाता है कि उपरोवत उल्लंघनों के संबंध में अपना लिखित स्पष्टीकरण 7 दिनों की अवधि में प्रस्तुत करें तथा आवश्यक कार्यवाही कर उपरोक्ता उल्लेखित बिन्युओं का पालन कर पालन प्रतिवेदन एक सलाह की अविध में प्रस्तुत करें । उल्लेखनीय है उल्लंघन जारी रहने पर आपके विरुद्ध वैद्यानिक कार्यवाही की जावेगी ।

01- कारखाना प्रबंधक मेसर्स-

भीर निरीक्षण रिधोर्ट की एक प्रति प्रेषित करते हुवे निर्देशित किया जाता है कि उपरोक्त उल्लंधनों के संबंध में अपना तिथित स्पष्टीकरण 7 दिनों की अयधि में प्रस्तुत करें तथा आवश्यक कार्यवाही कर उपरोक्त उल्लेखित बिन्दुओं का पालन कर पालन प्रतिवेदन एक राप्ताह की अवधि में प्रस्तुत करें । उल्लेखनीय हैं उल्लंधन जारी रहने पर आपके विरूद्ध वैद्यानिक कार्यवाही की जायेगी ।

(के.कं.डिवेदी),

उप संघालक, ओद्योगिक स्थास्त्र्य एवं सुरक्षा एवं (उप मुख्य कारखाना निरीक्षक छ.ग.शासन) दुर्ग संभाग,दुर्ग (छ.ग.)