

# **The Orissa Shops and Commercial Establishments Rules, 1958**

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### **Rule**

### **THE-ORISSA-SHOPS-AND-COMMERCIAL-ESTABLISHMENTS-RULES- of 1958**

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#### **1. Short title.**

- These rules may be called the Orissa Shops and Commercial Establishments Rules, 1958.

#### **2. Definitions.**

(a)The "Act" means the Orissa Shops and Commercial Establishments Act, 1956;(b)"Form" means a form appended to these rules;(c)"Government" means the Government of Orissa;(d)"Section" means a section of the Act;(e)"Schedule" means a schedule appended to these rules;(f)Words and expressions used in the Act and not defined in these rules shall have the meanings assigned to them in the Act.

#### **3. [Registration and renewal of registration. [Substituted vide O.G. No. 32 dated 9.8.1968]**

- The fees prescribed for registration and renewal of an establishment shall be as in the schedule below -]

## Schedule

[ \* \* \* ] [Omitted vide O.G. Part 111-Page 149 Of 1970.]

Sl. No.	Category of Establishment	Fees for registration	Fees for renewal of registration for five years
1	2	3	4
		Rs. P.	Rs. P.
1.	Shops and commercial establishment other than items 3 and 5 employing five or more employees	5.00	10.00
2.	Shops and commercial establishment other than items 3, 4 and 5 employing less than five employees	2.50	5.00
3.	Residential hotels	5.00	10.00
4.	Hotels other than residential, restaurants cafe, boarding and eating houses	2.50	5.00
5.	Theatres and other places of public amusement and entertainment	5.00	10.00

### 4. Application for renewal.

- Within the period specified in Sub-section (4) of Section 4 of the Act, the employer of every establishment shall submit to the Inspector of the area concerned an application in Form No. 1 together with the treasury challan in token of payment of the prescribed fee, for registration or renewal of registration of the establishment :Provided that an application for the renewal of the registration shall be made so as to reach the Inspector not less than two months before the date on which the current registration expires, and if the application is so made the premises shall be held to be duly registered until such date as the Inspector renews or otherwise disposes of the application :[Provided further that if the application for renewal is not received within the time specified in the above proviso, a fee of twenty-five per cent in excess of the fees ordinarily payable for the registration certificate shall, be payable for such renewal.] [Added by O.G.P.III, No. 21. P.149-Dated-12.6.1970]

### 5. [ Issue of Registration Certificate. [Substituted by O.G.P.III, No. 21. P.149-Dated-12.6.1970]

- [(a)]-The fees prescribed for registration and renewal of registration of a commercial establishment Shop shall be as specified in the Schedule below :]

## Schedule 2

Fees prescribed for registration and renewal of registration of shop/commercial establishments

Number of workers employed in Shop/Commercial Establishment	Fees for registration and renewal of registration per year
(1) [Substituted vide O.G.E. No. 1082 dated 11.8.2004.]	(2)
1 to 9	Rs.[50.00] [Substituted vide O.G.E. No. 1082 dated 11.8.2004.]
10 to 19	Rs.[100.00] [Substituted vide O.G.E. No. 1082 dated 11.8.2004.]
20 or more	Rs.[200.00] [Substituted vide O.G.E. No. 1082 dated 11.8.2004.]

(b)[ The registration certificate granted under rule 5 (a) may be amended by the Inspector on being satisfied about the correctness of the statement in the application and register the amendment on the registration certificate. [Added by O.G.P. Ill No. 21 P-148 Dated 12.6.1970.](c)An employer who desires to have his registration certificate amended shall submit to the Inspector an application in Form I in duplicate duly filled-in stating the nature of amendment required and reasons therefore, alongwith the registration certificate for necessary amendment therein.(d)The fees for the amendment of a registration certificate shall be amountd rupees [twenty] plus the amount, if any, which the fees that would have been payable if the certificate has been originally issued in the amended form exceeds the fees originally paid for the certificate].(e)[ A fee on fifty percent in excess of the fees ordinarily payable for registration and renewal a registration as specified in clause (a) of Rule (5) shall be payable after gap of every five year] [Added vide O.G.E. No. 1082 dated 11.8.2004.].

### **6. [ Validity of the Registration Certificate. [Substituted vide Notification No. 13536/13.8.1982.]**

- Every certificate granted under Rule 5 shall remain in force for a period of one year.]

### **7. [ Refund of the paid on application under Rule 4, if rejected. [Substituted vide O.G. Part 111 No. 21P 149 dated 12.6.1970.]**

(a)All fees to be paid under these rules shall be paid into the local treasury under the provincial receipt head [087-Labour and Employment-(a) Receipts under labour laws-(B). Fees realised under the Orissa Shops and Commercial Establishment Act, 1956] and the receipt obtained, shall be submitted to the Inspector along with the application for grant, renewal, amendment, transfer or issue of a duplicate registration certificate.(b)If an application for grant, renewal, amendment, transfer for issue of a duplicate registration certificate is rejected, the fees paid shall be refunded to the applicant.]

## **8. Procedure when duplicate registration certificate is to be issued.**

- If a registration certificate issued under Rule 5 is lost, destroyed or defaced the employer of the establishment shall forthwith report the matter to the Inspector, who had issued the certificate, and shall apply with a fee of [twenty per cent of the fees of registration paid in the manner specified in Rule 5] [Added vide O.G.E. No. 1082 dated 11.8.2004.] for the issue of a duplicate registration certificate. Upon receipt of such application and the fee, the Inspector shall furnish the employer with a duplicate copy of the certificate bearing the stamp 'Duplicate'.

## **9. Display of Registration certificate.**

- The employer shall display the certificate of registration in a conspicuous place of the establishment.

## **10. [ Notice of change in establishment. [Substituted vide O.G.E. Part 111 No. 44 dated 8.11.1974.]**

(a)An employer holding a registration certificate may, at any time, before the expiration of its period of validity apply for permission to transfer the certificate to another person in Form No. 4.(b)Such application shall be made to the Inspector who shall, if he approves of the transfer, enter up to the registration certificate under his signature, an endorsement to the effect that the registration certificate has been transferred to the person named.(c)The fees chargeable for transfer of registration certificate shall be [fifty per cent of the amount in the manner specified in Rule 5](d)If an employer holding a Registration certificate dies or becomes insolvent, the person carrying on the business of the establishment/shop shall not be liable to any penalty under the Act for exercising the powers granted to the employer by the registration certificate during such time as may reasonably be required to allow him to make an application in Form 4 for transferring the registration certificate in his own name.]

## **11. Hours of work.**

- The employer shall exhibit in his establishment a notice specifying the daily periods of work of each employee. The notice shall be in Form No. 5 and shall continue to be exhibited so long as the hours of work specified in it remain in force.

## **12. Manner of calculating ordinary rate of wages.**

- [(1)] [Rule 12 re-numbered as sub-rules (1), (2), (3), & (4) inserted O.G.P. Part III No. 32 dated 9.8.1963.] For the purpose of Sub-sections (1) and (2) of Section 8 ordinary rate of wages per hour shall be calculated by dividing the total wages payable to a person employed during the wage period by number of hours actually worked by him :Provided that the hours worked by a person employed in excess of the normal daily hours during the wage period shall be excluded in calculating the number of hours actually worked by him.(2)Monthly average market rate of foodgrains and other

articles shall be computed at the end of every month.(3)The cash equivalent of the advantage through the concessional sale of foodgrains and other articles payable to the worker doing overtime work shall be the difference between the value at the average rate in the nearest market prevailing during the month immediately preceding the overtime work and the value at the concessional rates allowed of foodgrains and other articles, he is entitled.(4)[ Every Employer shall maintain Combined Register of Overtime Working and Payment in Form 12.] [Substituted vide O.G.E. No. 423 dated 23.3.2009.]

### **13. Enquiry before fixing of opening and closing hours of establishments.**

(1)The Government shall make an enquiry under Sub-section (2) of Section 11 before fixing the opening and closing hours of the establishments in the manner specified in Sub-rule (2).(2)The Government shall give notice of their intention to pass an order fixing the opening and closing hours of establishments in Form No. 6. Such notice shall specify the area and the establishment or establishments or class or classes of establishments to which the order shall apply. The hours of opening or the hours of closing or both, which are proposed to be fixed and the day in respect of which such hours are so proposed to be fixed. The notice shall also state that objections and suggestions if any with respect to such may be sent to the Chief Inspector within one month from the date of issue of such notice.(3)The notice shall be published in the Orissa Gazette and in one or two of the leading daily newspapers of the State.(4)The Government shall consider all objections and suggestions received under Sub-rule (2) before passing any order under Sub-section (1) of Section 11.

### **14. Weekly holidays.**

- The notice of weekly holidays shall be in Form No. 7.

### **15. Registers to be maintained by every employer.**

- Every employer shall maintain the following registers in respect of the employees of his establishment namely :(1)[ \* \* \* ] [Deleted vide O.G.E. No. 423 dated 23.3.2009.](2)Service and Leave Account in Form No. [8] [Substituted vide O.G.E. No. 423 dated 23.3.2009.] retainable for one year after termination of the service of the employee.(3)[ A Combined Muster Roll-cum-Register of Wages in Form 10 retainable for three years.] [Substituted vide O.G.E. No. 423 dated 23.3.2009.]

### **16. Holiday, how treated for purpose of Section 14.**

- A holiday shall be treated as a day of work for purpose of computing the number of days worked by an employee for purposes of Section 14.

## **17. Sickness leave.**

(1) If a worker absents himself from work on ground of illness, he shall, If so required by his employer by a notice in writing, submit a medical certificate signed by a registered medical practitioner or by a registered or recognised Vaidya or Hakim stating the cause of absence and the period for which the worker is in the opinion of such medical practitioner, Vaidya and Hakim, unable to attend to his work. (2) Every application from an employee, for sickness leave under Subsection (3) of Section 14 shall be submitted in writing. The employer shall record his orders on the application and retain them till the end of the succeeding calendar year.

## **18. Wages.**

- The payment of Wages Act, 1936 (Act IV of 1936), shall apply mutatis mutandis, to all employees referred to in the Act.

## **19. Gratuity.**

- An employee shall be entitled to a gratuity under Section 21 on-(i) being incapacitated to work due to an accident or otherwise rendered medically unfit; (ii) completion of the 60th year of age.

## **20. Age of child employee.**

- The Inspector may require the employer to produce an authentic extract from the records of any School, Panchayat or Municipality or, in absence of such extract, a certificate from a Registered Medical Practitioner stating the age of any person employed by such employer.

## **21. Maternity benefit .**

- The rates of the maternity benefit payable to a woman employee and the manner of its payment shall be regulated by the Orissa Maternity Benefits Act, 1953. Health, safety and welfare of employees

## **22. [] [Rule 22 deleted vide O.G.E. No. 423 dated 23.3.2009 and Rule 23, 24 and 25 renumbered as 22, 23 and 24.] Rubbish not to be allowed to accumulate.**

- No rubbish, filth or debris shall be allowed to accumulate or to remain on any premises in an establishment in such position that effluvia therefrom can arise within the establishment.

## **23. [] [Rule 22 deleted vide O.G.E. No. 423 dated 23.3.2009 and Rule 23, 24 and 25 renumbered as 22, 23 and 24.] Precautions against fire.**

- No person shall smoke or use a naked light or cause or permit any such light to be used, in the immediate vicinity of any inflammable material in any establishment.

**24. [] [Rule 22 deleted vide O.G.E. No. 423 dated 23.3.2009 and Rule 23, 24 and 25 renumbered as 22, 23 and 24.] Qualifications of Inspectors.**

(1) No person shall be appointed to be an Inspector under the Act unless (i) he is a graduate of a recognised University, (ii) obtained a diploma or degree in social work of a recognised University, and (iii) able to speak, read and write in Oriya : Provided that in special circumstances the State Government may relax any of the above conditions. (2) No person shall be appointed to be an Inspector under the Act, or having been so appointed, shall continue to hold office in the area for which he is to be or has been appointed if he has or acquires, directly or indirectly by himself or by any partner, any share or interest in any establishment in such area to which the Act applies. Miscellaneous

**25. [] [Rules 26 and 27 deleted vide O.G.E. No. 423 dated 23.3.2009 and Rule 28 renumbered as 25.] Annual Returns.**

- [Every employer shall send to the Inspector the combined Annual return in Form 14 for the calendar year so as to reach him not later than the 31st March of the year next following year to which such return relates.] [Substituted vide O.G.E. No. 423 dated 23.3.2009]

**26. [] [Rule 29 re-numbered vide O.G.E. No. 423 dated 23 3.2009.] Penalty.**

- Any person who contravenes any of the provisions of these rules shall, on conviction, if no other penalty is already provided in the Act for such contravention, be punishable with fine which may extend to fifty rupees.

**27. [ Submission of Self Certification Undertaking. [Inserted vide O.G.E. No. 423 dated 23.3.2009.]**

(1) The Employer/ Owner authorized executives prescribed authority, within the ambit of Section 2(4), (7), (8), (16) and (19) of the Act, shall submit a Self Certification Undertaking for the ensuing calendar year, in respect of their Shops and Commercial Establishments in Form 15 to the specified Authority of the area incorporating therein, the required details-cum-Self Certification Undertaking in duplicate before 31st December of each calendar year. (2) In the event of any subsequent change of variation of the facts and facts incorporated in the annual self certification undertaking referred to above, it shall be mandatory/obligatory on the part of the concerned person(s) to communicate the same by way of submission of modified self certification undertaking afresh, within a month's period from the date of occurrence of such change and variation to the concerned specified authority. Provided in course of subsequent verification/check up inspection by the concerned specified Authority, if the information-cum-self certification undertaking including modified undertaking so furnished subsequently as the case may be, found to be incorrect, erroneous and

distortive, the concerned persons shall inevitably be jointly/severally liable for violation of the provision of the Sub-section (3) of the Section 42 of the Act.]Form I[See Rule 4]Application for Registration or Renewal of Registration of an Establishment

- 1. Name of the employer [and his father's/her husband's name in case of married female employer] [Added vide CFG. Part III Page 203-70.]**
- 2. Full postal address of the employer**
- 3. The name, if any, of the establishment**
- 4. Full postal address of the establishment**
- 5. The category of the establishment**
- 6. The date on which the establishment commenced work**
- 7. Number of employee/employees employed on the date of application**
- 8. In case of renewal of registration whether the registration certificate of the previous year enclosed**
- 9. An amount of Rs.....(Rupees.....only) has been paid.....Treasury.....on.....under the head of Account ..... (vide Challan No..., dated.....enclosed)**

Signature of the employer.....Dated.....\*State if it is a shop, an establishment, residential hotel, non-residential hotel, restaurant, cafe, boarding or eating house, theatre or other place of public amusement or entertainment. Received an application in Form No. 1, with Treasury Challan No.....dated.....from this day of.....20.....Signature of the Inspector, Shops and Commercial Establishments Area.....Form 2[See Rule 5]Register of Establishments

## **Part I – Shops**

## **Part II – Commercial Establishments v**

## **Part III – Residential Hotels**



## Part IV – Non-residential hotels, restaurants, cafe, boarding or eating houses.

## Part V – Theatres or other places of public amusement or entertainments

Serial No.	Date of receipt of application	Name and address of employer	Name and address of establishment	Number of employees	Amount of fee paid	Registration Certificate No.	Period for which granted or renewed	Remarks
1	2	3	4	5	6	7	8	9

Form 3[See Rule 5]Registration CertificateNo.....Fees Rs.....It is hereby certified that the establishment mentioned below has been registered for carrying on business of..... for the period ending with the 31st December, 20.....Name of establishment, if any.....Name of employer.....Postal address of the shop/establishment.....Inspector of Shops and Commercial Establishment .....Area

Date of Renewal Date of expiry Signature of the Inspector of Shops andCommercial Establishment

1 2 3

Form 4[See Rule 10]Notice of change in the establishmentToThe Inspector of Shops and Commercial EstablishmentsSir,I hereby give notice of the following change in the establishment which requires correction of the relevant entries in the Registration Certificate No .....enclosed.Yours faithfully Signature of the Employer Dated.....Form 5[See Rule 11]Notice of daily hours of work of employeecommencing.....20.....Name of Employer/Establishment.....Registration Certificate No.....

Name of employee Whether adult male or female or child From To From To

1 2 3 4 5 6

Dated.....Signature of EmployerNote - (1) The notice shall be in such language as may be read by any person whom it affects.(2)The hours to be specified in the notice shall be the normal hours of work exclusive of overtime.Form 6[See Rule 13 (2)]Notice is hereby given that the Government of Orissa propose to pass an order under Sub-section (1) of Section 11 of the Orissa Shops and Commercial Establishments Act, 1956 that with effect from..... no shop/commercial establishment situated in..... shall be opened on any day earlier than..... and/or shall be closed on any day later than .....Any person wishing to make any objection or suggestion with respect to the above order shall send in writing to the Chief Inspector before this .....the day of.....20.....Dated this.....day of .....20.....Secretary to Government Labour DepartmentForm 7[See Rule 14 (1)]Name of Employer/Establishment .....Registration Certificate No .....Notice is hereby given that with effect from.....the establishment shall observe.....as the weekly

holiday. Signature of Employer Date..... Form 8[\* \* \*] [Form 8 deleted Vide O.G.E. No. 423 dated 23.3.2009 and Form 9 renumbered as Form 8.] [Form 8] [Form 9 renumbered as Form 8 vide O.G.E. No. 423 dated 23.3.2009.] [See Rule 15 (2)] Service and leave account

Name of employer/establishment..... Name of employee.....

Registration Certificate No..... Adult, male or female, or child.....

Name of employment, if any	Monthly or weekly rate of pay or wages	Date of employment	Leave earned	Period of leave refused to be carried over	Leave availed					
From	To	Number of days	At credit	Earned	Total	From	To			
1	2	3	4	5	6	7	8	9	10	11

Number of days	Balance of leave at credit	Sickness leave	Number of days availed	Balance after each occasion	Signature or thumb impression of the employee	Signature of employer	Remarks			
From	To									
12	13	14	15	16	17	18	19	20		

[Form 10] [Substituted vide O.G.E. No. 423 dated 23.3.2009.] [See rule 15(3)] Appendix-2(a) Combined Muster Roll-cum-Register of Wages In lieu of 1. Form No.29 (Muster Roll) Rule 104 of Orissa Factories Rules, 1950.

**2. Form No.V (Muster Roll) Rule 26(5) of Orissa Minimum Wages Rules, 1945.**

**3. Form No.X (Wages) Rule 26(1) of Orissa Minimum Wages Rules, 1954.**

**4. Form No.XIII (Muster Roll) Rule 33(1) of Orissa Beedi & Cigar Workers (Condition of employment) Rules, 1969.**

**5. Form No. XVI (Muster Roll) Rule 239(1) a of Orissa Building & Other Construction Workers etc. Rules, 2002.**

**6. Form No.XVII (Register of Wages) Rule 239(1) a of Orissa Building & Other Construction Workers etc. Rules, 2002.**

**7. Form No. XVIII (Register of Wages-cum-Muster Roll) Rules 239(1) a of Orissa Building & Other Construction Workers etc. Rules, 2002.**

**8. Form No. XVII (Muster Roll) Rule 52(2)(a) of Orissa Inter-State Migrant Workmen (RE&CS) Rules, 1980.**

**9. Form No. XVIII (Register of Wages) Rule 52(2)(a) of Orissa Inter-State Migrant Workmen (RE&CS) Rules, 1980.**

**10. Form No. 10 (Register of payment) of Orissa Shops and Commercial Establishment Rules, 1958.**

**11. Form No. 8 (Daily record of works & orders relating to compensating Leave and Deduction from wages of Orissa Shops and Commercial Establishment Rules, 1958.**

**12. Form X (Muster Roll) Rule 36 of Orissa Motor Transport Workers Rules, 1966.**

**13. Form XIII (Wages) Rule 77(2)(a) of Orissa Contract Labour (R&A), Rules, 1975.**

**14. Form XII (Muster Roll) Rule 77(2)(a) of Orissa Contract Labour (R&A), Rules, 1975.**

**15. Form VI (Muster Roll) Rule 9 of Orissa Industrial Employment (N&F) H. Rules, 1972.**

[Form 11] [Deleted vide O.G.E. No. 423 dated 23.3.2009.][Form 12] [Form 11 is deleted and Form 12 Substituted vide O.G.E. No. 423 dated 23.3.2009.][See rule-12 (4)]Appendix-2(c)Combined Register of Overtime Working and PaymentIn lieu of 1. Form No.10 of Rule 79 of Orissa Factories Rules, 1950 (N.B. : Rule 80 & Form 11 may be annulled)

**2. Form No. IV of Rule 25(2) of Orissa Minimum Wages Rules, 1954.**

**3. Form No. XIX of Rule 77(2)(e) of Orissa Contract Labour (R&A) Rules, 1975.**

**4. Form No. 12 of Rule 12(4) & Rule 15(3) of Orissa Shops & commercial Establishment Rules, 1956.**

**5. Form No.XIV of Rules 33(5) of Orissa B.C.W. (COE) Rules, 1969.**

**6. Form No.XI of Rule 37 of Orissa M.T. Workers Rules, 1966.**

**7. Form No.XVII of Rule 52(2)(a) of Orissa ISMW (RE & CS) Rules, 1980.**

**8. Form No.XXII of Rule 239(1)(c) of Orissa Building and other Construction Workers (Regulation of Employment & Condition of Service) Rules, 2002.**

Sl. No.	Name of the Employee/ Father's name/ Husband's name	Sex	Designation	Emp. No/ Sl. No. in register of employees	Particulars of O.T. Worked
Date	Hours				

Normal rate of the wages per hour/ day	Overtime rate of wages per hour	Total O.T. earning	Signature of the employee	Signature of the paying authority
--	---------------------------------	--------------------	---------------------------	-----------------------------------

[Form 13][see rule 25]Combined Annual ReturnsIn the Lieu of(i)Form-21, Rule-101 (I) Orissa Factories Rules, 1950(ii)Form XX, Rule-81 (I) Form XXI, Rule-81 (2) Orissa Contract Labour (R&A) Rule-1975(iii)Form-III, Rule-21 (4-A) Orissa Minimum Wages Rules - 1954(iv)Form-IV, Rule-18, Orissa Payment of Wages Rules-1936(v)Form 'D', Rule-5, Payment of Bonus Rules, 1975 (Central)(vi)Form 13, Rule-28, Orissa Shops and Commercial Rules-1958(vii)Form XIII, Rule-39, Orissa Motor Transport Workers Rules, 1966(viii)Form L, Rule-16, Orissa Maternity Benefit Rules, 1966(ix)Form 'V', Rule-8, O.I.E. (N&A) II Rules, 1972.(x)Form XXV, Rule 240, Orissa Building and Other Construction Workers (RECS), Rules-2002.(xi)Form XXIV, Rule 56(2) of Orissa Inter-State Migration of Workers (RECS) Rules, 1980A. General Particulars -

**1. (a) Name and full address of the Factory/Establishment (including Building and Other Construction of Work/Motor Transport undertakings)**

Factory/Establishment	Regd./Administrative/ Head Office
-----------------------	-----------------------------------

NameAddressTel :Fax :E-mail :Website  
:

(b)Name and Residential address of the Proprietor/Partner/Directors/  
Employer/Principal/Employer/Occupier, (tick which ever is applicable).

Sl. No.	Name	Father's Name	Designation	Residential Address	Tel/Mobile/E-mail
(1)	(2)	(3)	(4)	(5)	

(c)Name and Residential Address of the Person responsible for the day to day conduct and control of business.

Name Residential Address Tel/Mobile/E-mail

(d) Name and Residential address of the occupier and Mgr. As named under the Factories Act, 1948.

Sl. No. Name Designation Residential Address Tel/Mobile/E-mail

(1) (2) (3) (4) (5)

## 2. Date of commencement of Manufacturing/Business/Estt./Factories/Construction of Works.

### 2.

(A) Nature/Type of Industries/Estts.

### 2.

(B) Particulars of Products Manufactured/Services Rendered.

Name of the Product/ Services	Annual Installed capacity	Quantity Manufactured	Percentage achieved	Value
(1)	(2)	(3)	(4)	(5)

## 3. Registration and License Regn. No. License No.

(a) Factories Act, 1948 (b) Contract Labour (R&A) Act, 1970 (c) O.S. and C.E. Act, 1956 (d) ISMW (R&CE) Act, 1979 (e) M.T.W. Act, 1961 (f) Building and Other Construction Workers (RECS) Act, 1996

## 4. No. of Workmen/employees/employed.

Sl. No.	Category	Male	Female	Adolescent/ Adult	Child	Total No. of Employees
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Unskilled					
2	Semi-skilled					
3	Skilled					
4	Highly skilled					
5	ITI / Diploma					
6	Degree-Engg.					
7	Executive					
8	Probationer /Trainees					

Form 15[See rule 27(1)](to be submitted in Duplicate before 31st December for the preceding calendar year)Self Certificate FormatForSubmission by Employer of Shops and Commercial Establishments under Orissa Shops and Commercial Establishments Act, 1956 and The Orissa

Shops and Establishment Rules, 1958.

- |   |    |
|---|----|
| 01. Name and Address of the Establishments  | :- |
| 02. Registration Number and Date (Section 4 Read with Rules 3 and 5)  | :- |
| 03. Number of Employees Employed  | :- |
| Male  | :- |
| Female  | :- |
| Total   | :- |
| 04. Whether the Registration is Renewed (Section 4, Read with Rules 3 and 5)  | :- |
| 05. Whether the prescribed Registers are maintained. (Section 38 Read with Rule 15)   | :- |
| 06. Whether exemption for maintaining Computerized and alternative Forms are obtained   | :- |
| 07. Whether prescribed Hours of work Holidays, Leaves, Maternity Benefit is being implemented (Sections 7 to 10 and 27 and Rule 11) | :- |
| 08. Whether the Annual Returns are submitted (Rule 28)  | :- |

Certificate(i) Certified that we have complied/are complying with all the provisions under Orissa Shops and Commercial Establishment Act, 1956 and the Orissa Shops and Commercial Establishment Rules, 1958 are made thereunder, in addition to those specifically mentioned above.(ii) We are the authorized persons to issue the above certificate and the above certificate is issued with full knowledge of the statute. We are jointly and severally responsible for any information found incorrect subsequently and liable for prosecution under provisions of the said Act and Rules made thereunder.

Signature of the Manager

Signature of the Occupier

Name :

Name :

Designation :

Designation :

Date :

Date :

Seal :

Seal :

Accepted :

Accepted :

Conveyed /Submitted to D.L.O./A.L.C./Dy. L.C.

Appendix-2(b) Combined Register of Fines, Deductions for Damage or Loss and Advances In lieu of 1. Form No. I.II of Rule 21(4) of Orissa Minimum Wages Rules, 1954.

**2. Form Nos. XVII, XVI, XVIII of Rule 78 (d) (fine), 77 (22) (d) (dedu.) 77(2) (d) (adv.) of Orissa Contract Labour (R&A) Rules, 1975.**

**3. Form Nos. I, II, III under Rule 3(1) (fine), 4 (deductions) and 17(3) (advances) of Orissa Payment of Wages Rules, 1936.**

**4. Form XIX, XX, XXI of Rule 52(2) C of Orissa I.S.M.W. (RE & CS) Rules, 1980.**

## 5. Form XX, XIX and XXI under Rule-239(1 )(b) of Orissa Building and Other Construction Workers (RE & CS) Rules, 2002.

Sl. No.	Name of the Employee/ Father's/ Husband's name	Designation Emp. No./ Sl. No. in register of employees	Nature & date of offence for which fine imposed	Date and particulars of damages/ loss caused	Whether worker showed cause against fine or deductions
	Amount of the fine imposed/ deduction made	Date & purpose for which advance was made	Amount of advance made & purpose thereof	No. of instalments granted for repayment offines/ deductions/ advances	Wages period and rate of fine/deduction/ wages payable
	First Instalment	Last Instalment			Date of recovery of advance Remarks

Signature of the Employer/Principal Employer/Authorized signatory

Name and Address of the Factory / Establishment	Name and Address of the Contractor (if any) Place of work	Name of Address of the Principal employer Month/Year
Sl. No.	1. Name of the employee Father/ Husband name	2. Sex M/F
	Date of Birth	Emp No./Sl. No. in Register of employees
	Degn/ Department	Date of joining

ESI No.	P.F. No.	ATTENDANCE done (if piece rated)	Unitsof work	No. of payable days/ Total units of work done	Name of N & FH for which wages have been paid
		1		2	3
		8		9	10
		15		16	17
		22		23	24
					4
					5
					6
					7
					11
					12
					13
					14
					18
					19
					20
					21
					25
					26
					27
					28

29					30			31			
Month & Year											
EARNINGS											
Basic	DA/ VDA	HRA	Conv. allow.	Med. allow.	ATT/ bonus	allow.- Spl. all	OT	Misc Earnings	Others	Total ESI	
DEDUCTIONS											
PF	PT	TDS	Socy	Insurance	Sal. Adv.	Fine	Damage	Others	Total	Net payable	Date of payment
Complete Signature of the Employer/Principal Employer/Authorized Signature											

**5. Particulars of Employment/Payment in Factories/ Estts./ Motor Transport Undertakings/Building Construction of Work.**

(a){||-| No of Person on Roll as on 1st January| No. of Person on Roll as on 31st December| No. of days Factory/ Establishment/ Building & Other Construction Works/Carried on| No. of days Factory / Establishment/ Closed| No. of Mandays worked during the year| No. of man-hours worked including O.T. during theyear| Total Amount of salary/ wage paid including O.T.wages & allowances|-|||}|(b)Average Number of Employment during the year:-

	Men	Women	Total
1. <i>Very good</i>	10	10	20
2. <i>Good</i>	10	10	20
3. <i>Fair</i>	10	10	20
4. <i>Poor</i>	10	10	20
5. <i>Very poor</i>	10	10	20
<b>Total</b>	<b>50</b>	<b>50</b>	<b>100</b>

(c) No. of employees discharged/dismissed/terminated/retrrenched/resigned or retired during the year.

Men Women Total

In respect of Minimum Wages & Payment of Wages etc.

**6. Particulars of deduction made from salary (wages) under M.W. and P.W. Act.**

No. of Employees involved	Total Amount of deduction made
1	1000
2	2000
3	3000
4	4000
5	5000
6	6000
7	7000
8	8000
9	9000
10	10000
11	11000
12	12000
13	13000
14	14000
15	15000
16	16000
17	17000
18	18000
19	19000
20	20000
21	21000
22	22000
23	23000
24	24000
25	25000
26	26000
27	27000
28	28000
29	29000
30	30000
31	31000
32	32000
33	33000
34	34000
35	35000
36	36000
37	37000
38	38000
39	39000
40	40000
41	41000
42	42000
43	43000
44	44000
45	45000
46	46000
47	47000
48	48000
49	49000
50	50000
51	51000
52	52000
53	53000
54	54000
55	55000
56	56000
57	57000
58	58000
59	59000
60	60000
61	61000
62	62000
63	63000
64	64000
65	65000
66	66000
67	67000
68	68000
69	69000
70	70000
71	71000
72	72000
73	73000
74	74000
75	75000
76	76000
77	77000
78	78000
79	79000
80	80000
81	81000
82	82000
83	83000
84	84000
85	85000
86	86000
87	87000
88	88000
89	89000
90	90000
91	91000
92	92000
93	93000
94	94000
95	95000
96	96000
97	97000
98	98000
99	99000
100	100000

1. Fines
2. Damages / Loss
3. Breach of Contract
4. Others
5. Total

In respect of the Factories Act/Orissa Shops & Commercial Establishment Act, 1956/Orissa Industrial Establishment (National & Festival) Holidays Act, 1972



## 7. Particulars of Earned Leave with Wages/National Festival Holidays with Wages.

Total No. of Persons employed	No. of Employees eligible for Earned Leave	No. of employees availed/granted Earned Leave	No. of employees paid wages/salary in lieu of Earned Leave	No. of Person who were paid wages for the NFIT(separate figure for each day may be furnished) (i) 26th January(ii) 1st May(iii) 15th August(iv) 2nd October(v)(vi)(vii)(viii)
1. Man 2. Woman				

In respect of Payment of Bonus

## 8. Payment of Bonus Paid during the year

Name of the Accounting year	Total No. of employees	No. of Employees eligible for Bonus	Percentage of Bonus/Ex gratiadeclared	Total amount of Bonus/Ex gratiapaaid	Date of Payment
1	2	3	4	5	6

Relating to the Factories Act

## 9. Does the factory carry on hazardous process under Section-2(cd) dangerous operation U/s 87 of Factories Act, 1948.

If Yes .....	Yes/No
(i) Whether Health and Safety Policy prepared and published	Yes/No
(ii) Whether occupational Health Centre provided	Yes/No
(iii) Whether Medical Officer appointed	Yes/No
(iv) Whether Ambulance Van provided	Yes/No
(v) Average no. of persons employed daily in hazardousprocess/dangerous operation	Yes/No

## 10. Safety and Welfare Officers :

(a){||-|| No. of Officers required to be appointed| No. of Officer actually appointed|-| (i) Safety Officers as per Section

#### 40.

(B) of Factories Act. (ii) Welfare Officers as per Section 49 of the Factories Act. ||| (b) Whether the following Welfare measures are provided ?

- |   |        |
|---|--------|
| (i) Ambulance Room as per Section 45(A)   | Yes/No |
| (ii) Canteen as per Section 46(1)   | Yes/No |
| (iii) Whether the canteen is run departmentally or through contractor departmentally/Contractor |        |
| (iv) Creche as per Section 48(i)  | Yes/No |
| (v) Shelters, Rest Rooms and Lunch Room as per Section 47(1)                                    | Yes/No |

#### 11. Particulars of Accidents, Man's days lost and others:-

- (i) Total no. of accidents that have taken place in the year.
- (ii) Number of employees involved in such accidents:- (a) Male (b) Female
- (iii) Total number of man days lost in such accident
- (iv) No. of employees returned to work within 48 hours of the accident
- (v) No. of employees returned to work after 48 hours of the accident (Reportable accident)
  - (a) Without Permanent / Partial / Total Disablement
  - (b) With Permanent / Partial / Total Disablement
- (vi) Number of employees involved in accidents with either immediately or later within 7 days resulted in death.

Maternity Benefit Act,

#### 12. (a) Rating to Maternity Benefits :-

- (i) Total no. of women workers who worked for a period of 160 days in the last 12 months immediately preceding the date of delivery.
- (ii) No. of women workers discharged/dissmissed in the last 12 months.
- (iii) No. of women worker for whom pre-natal confinement and postnatal confinement.
- (iv) No. of women workers died.
  - (a) Before delivery. -
  - (b) After delivery -

(b) Leave/additional leave details :-

Item	No. of women applied for leave	Leave sanctioned	Leave reject
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(i) Mis-carriage (ii) Illness (additional leave under sec-10)

(c) Maternity Benefit Paid

Item	No. of claim received	No. of leave sanctioned	No. of claims rejected	Total benefit paid in rupees
(i) Confinement				
(ii) Mis-carriage				
(iii) Illness				
(iv) Medical Bureaus				
Rating to Contract Labour (R&A) Act				

### 13. (a) Contractor Labour

Name & Address of the Contractor/ Contractors	Period of contract From/To	Nature of work/ operation in which contractlabour were employed Department/ Section	No. of person employed	Maximum no. of contract workman employed on anyday during the year	No. of days worked	No. of man days worked
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(i)(ii)(iii)(iv)

Total

(b) Whether contract has provided ?

- |                      |         |
|----------------------|---------|
| (i) Canteen          | Yes/No. |
| (ii) Rest Room       | Yes/No. |
| (iii) Drinking Water | Yes/No. |
| (iv) Creche          | Yes/No. |
| (v) First Aid        | Yes/No. |
| (vi) Remarks         | Yes/No. |

Relating to Building and Other Construction Workers (RE&CS) Act.

### 14. Particulars of accident that took place during the year

- (i) The total No. of accident.
- (ii) The number of accidents resulting in disablement of buildingworkers for less than 48 hours, the number of building workersinvolved and the number of man-days lost.  
The number of accidents resulting in disablement of buildingworker beyond 48 hours, but not
- (iii) resulting in any permanentpartial or permanent total disablement, the number of buildingworkers involved and the number of man-days lost on account ofsuch accident.
- (v) The number of accidents resulting on permanent partial ortotal disablement, the number of building workers involved andthe number of man-days lost on account of such accident.
- (v) The number of accident resulting in deaths of building workersand the number of resultant deaths.

## 15. Inter-State Migrant Workmen (RE&CS) Act,

In respect of Principal Employer(i)Number of contractors who worked in the establishment during the year with details.

Name & Address of the Contractor	Period of Contract	Nature of work	Maximum number of workers supplied by eachcontractor	No. of days worked	No. of man days worked
From	To				

## 16. Beedi and Cigar Workers (Condition of Employment) Act, 1966

(i)Average number of employees employed daily in the industrial Premises:-MenWomenYoung personMaleFemale(ii)Average monthly number of home workers employed (i.e. who work in their homes)(iii)Number of days worked in the year in the industrial establishment.(iv)No. of employees who were granted leave during the calendar year.

Young persons (a) employees in the Industries Premises.  
(b) employees in home.

Other than young Persons (a) employees in the Industrial Premises  
(b) employed in home

(v)Number of female employees who were given maternity benefit during the year(a)employees in the Industrial Premises(b)employed in home