

The Industrial Statistics (Labour) Rules, 1954

RAJASTHAN

India

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Rule THE-INDUSTRIAL-STATISTICS-LABOUR-RULES-1954 of 1954

- Published on 6 March 1954
- Commenced on 6 March 1954
- [This is the version of this document from 6 March 1954.]
- [Note: The original publication document is not available and this content could not be verified.]

The Industrial Statistics (Labour) Rules, 1954 Published vide Notification No. F. 15(8) Lab/53 dated 6th March 1954, published in Rajasthan Rajpatra, Part 4(b) dated 27-3-1954, page 210 In exercise of the powers conferred by sub-section (1) of section 12 of the Industrial Statistics Act, 1942 (IX of 1942), the Government of Rajasthan are pleased to make the following rules for carrying out the purpose of the Act in so far as such purposes relate to the collection of statistics relating to some of the matters specified in clause (b) of sub-section (1) of section 3 of the Act, the same having been previously published as required by sub-section (1) of section 12.

1. Short title and commencement.

- These rules may be called the Industrial Statistics (Labour) Rules, 1954. (2) They shall come into force at once.

2. Definitions.

- In these rules unless the context otherwise requires:- (a) "Act" means the Industrial Statistics Act, 1942 (XIX of 1942); (b) "employer" means- (i) in the case of a factory, the manager nominated under clause (f) of sub-section (1) of section 7 of the Factories Act, 1948 (LXIII of 1948); (ii) in the case of any other industrial establishment any person responsible for the supervision, control or management of the establishment; (c) "form" means a form set forth in the schedule annexed hereto; (d) "industrial establishment" means- "factory" as defined in clause (m) of section 2 of the Factories Act, 1948 (LXIII of 1948). (e) "Quarter" means a period comprising three months ending on the 31st March, 30th June, 30th September or 31st December, and (f) "Statistics Authority" means the Officer appointed under section 4 of the Act to be Statistics Authority for the purposes of collecting statistics in respect of the matters specified in clause (b) of sub-section (1) of section 3 of the Act.

3. Service of Notice on the Employer by the Statistics Authority.

(1)The Statistics Authority shall-(i)within two months from the date of the commencement of these rules, or(ii)if it is not possible to do so for any unavoidable reason, as soon as possible thereafter,serve a notice on each employer requiring him to furnish to Statistics Authority in duplicate-(a)Quarterly reports in the appropriate form; and(b)Statements showing the details of revisions in wages and allowance and of periodic bonuses granted to the workers together with the conditions of eligibility to such bonuses as and when such revision are made or bonuses granted:Provided that the Statistics Authority shall, in the case of an Industrial establishment which is not in existence at the time of commencement of these rules, serve the said notice on the employer as soon as may be after the coming into existence of the said establishment, requiring him to furnish the said returns and statements in duplicate, to the Statistics Authority by such dates as may be specified in the notice.(2)The Statistics Authority shall forward with the notice specified in sub-rule (i) an adequate number of forms in which the returns are to be furnished.(3)Similar notices after the first notice may be served by the Statistics Authority at such intervals as he may decide.

4. Furnishing of Returns by the Employer.

(1)Every employer on whom a notice under rule 3 has been served by the Statistics Authority shall furnish to him in duplicate:- (a)the quarterly returns referred to in clause (a) of sub-rule (i) of rule 3 within one month after the expiry of each quarter; and(b)the statements referred to in clause (b) of sub-rule (i) of rule 3 as and when such revisions are made or such bonuses granted:Provided that on the representation of the employer, the Statistics Authority may if he is satisfied that sufficient grounds exist, allow him such extension of time as he may deem fit:Provided further that where a change taken in the management of any industrial establishment, after the service of the said notice the new employer shall be responsible for the submission of the said returns and statements.(2)The employer shall retain with himself a true copy of each return and statement submitted under sub-rule (i).

5. Return of notice relating to an industrial establishment with which an employer is not connected.

- If an employer connected with an industrial establishment receives with the notice served under sub-rule (i) of rule 3 forms relating to an industry with the establishment is not connected he shall, within seven days of the receipt of the said notice, return the forms to the Statistics Authority stating the reasons therefor and giving the names of the industry with which the establishment is connected. The Statistics Authority shall thereupon send to the employer within seven days of the receipt of such intimation, the appropriate forms for such industry together with a fresh notice, if necessary, and the employer shall thereafter furnish the returns required therein within the time limit prescribed in rule 4.

6. Returns to be furnished in forms supplied for the purposes.

- The returns specified under rule 3 shall be furnished only in forms supplied by the Statistics Authority, but if the number of forms supplied is not sufficient the employer shall apply to the said authority for the supply of an adequate number of forms in time. If the forms applied for are not supplied by the Authority in time the employer may make copies of the forms already supplied.

7. Method of service of notice and furnishing of returns.

- The Statistics Authority shall serve the notice referred to in sub- rule (1) of rule 3 on the employer at his last known address by registered post or through a messenger under a cover entitled "Notice under the Industrial Statistics (Labour) Rules, 1954" and the employer shall furnish the returns and statements specified in sub-rule (1) of rule 4 by registered post acknowledgment due, or through messenger, under a cover entitled "Confidential Returns under the Industrial Statistics (Labour) Rules, 1954".

8. Information to be furnished in English.

- All information required under rule 3 shall be furnished in English. Form A Form of notice to be served on the employers calling for returns and Statements required under the Industrial Statistics (Labour) Rules, 1954. From: (Name and address of the Statistics Authority) To: (Designation and address of the employer) Subject: - Notice under the Industrial Statistics (Labour) Rules, 1954. Sir, In pursuance of sub-section (1) of section 5 of the Industrial Statistics Act, 1942, read with the Industrial Statistics (Labour) Rules, 1954, notice is hereby served on you that you should here after furnish to the undersigned information relating to labour employed in. your establishment directly or through contractors, in the premises called (name and address of the establishment) in such forms and such manner and at such intervals as indicated below:-(a) Quarterly returns should be submitted in the enclosed form in respect of the quarterly period ending 31st March, 30th June, 30th September and 31st December every year within a month each case after the end of the quarter to which the return relates. (b) As and when the systems of wages and allowances are revised detailed statements should be submitted showing the changes for various occupation, rates of dearness and other allowances and the methods of their computation giving in each case the position before the change and after the change the date, on which the change takes effect and the number of workers affected by the change. (c) As and when a periodical bonus is declared for payment to the workers, details should be furnished regarding the rate of bonus payable per worker, the conditions eligibility and the period to which the bonus relates.

2. Every return or statement forwarded to the undersigned as required above should be forwarded in duplicate by registered post, acknowledgment due, or through messenger under cover entitled "Confidential-Return under the Industrial Statistics (Labour) Rules, 1954, and a copy of each such return or statement should be retained for your record. The returns should be

furnished in the forms twelve copies of which are enclosed for your use. When the forms are exhausted you should apply to the undersigned for a further supply of the forms in time and if for any reason, the forms applied for are not received in time the returns may be furnished in forms copied out. If the forms supplied by the undersigned relate to a type of establishment with which you are not concerned, you should return the forms within 7 days after their receipt and apply for the appropriate forms.

3. You are requested to study carefully the enclosed forms and the instructions contained therein as soon as this notice is received with a view to taking the necessary steps for the maintenance of records in a manner which would enable filling up the forms at the proper time. If any point relating to the form or the instructions contained therein is not clear, it may be referred to the undersigned for clarification.

4. The submission of the information called for by this notice is compulsory. Your attention is invited, in this connection, to section 8 of the Industrial Statistics Act, 1942, which is reproduced below:-

"If any person required to furnish any information or any return-(a) wilfully refuses or without lawful excuse neglect to furnish such information or return as required under this Act, or (b) wilfully furnishes or causes to be furnished any information or return which he knows to be false, or (c) refuses to answer or wilfully gives a false answer to any question necessary for obtaining any information required to be furnished under this Act, or if any person impedes the right to access to relevant records and documents or the right of entry conferred by section 6, he shall for each such offence be punishable with fine which may extend to five hundred rupees and in the case of a continuing offence to a further fine which may extend to two hundred rupees for each day after the first during which the offence continues; and in respect of false information, returns or answers the offence shall be deemed to continue until true information or a true return or answer has been given or made."

5. The information furnished by you will be treated as confidential and will not be disclosed or published in a manner which may enable identification of any particulars relating to your establishment.

Yours faithfully, Statistical Authority.
The Industrial Statistics Act, 1942
The Industrial Statistics (Labour) Rules, 1954.
(Returns under Rules 4 and 6 for the year ending) Not to be filled by the Occupier.
State..... Code No.
Factories Declaration
I hereby declare that the information furnished in this return is complete and correct to the best of my knowledge and belief.
Signature of the Occupier of the Factory..... Full name and address of the Occupier who has signed this

return (in block letters).....Name and address of the Factory.

1. The name of the Factory in respect of which this return is made.....

2. Industry.....

3. Using Power/Not using power (mention which is applicable)

4. Postal address.....

District.....State.....

5. Business address of the Factory.....

The Return will be treated as strictly confidential and used only for Statistical purposes. Form 'A' Confidential To be submitted to the Statistics Authority within one month after the close of the quarter to which the return relates. The Industrial Statistics Act, 1942 The Industrial Statistics (Labour) Rules, 1954 Return for the quarter ending..... 19... Using power (Please strike out the term not applicable) Name of the factory..... Industry..... Not using power Postal address..... District..... State.....

Part I – Return on Employment Attendance { |

| - | Number of workers on rolls on the last working day of the quarter (vide instruction (a)) (| Men..... | - | (| Women..... | - | Number of working days during the quarter (vide instruction (b)) (| Children..... | }

1st Month of the quarter 2nd Month of the quarter 3rd Month of the quarter

Total Number of Man-shifts worked (vide instruction (c) during each month of the quarter	(Men.....
(Women.....	
(Children.....	
Total number of Man shifts lost on account of absence (vide instruction (d) during each month of the quarter due to	(Sickness
(Accidents	
(Other causes (including	
(statutory and other	
(authorised level)	

Total number of man-shifts lost through involuntary unemployment (vide instruction(e), during each month of the quarter.....If there are any marked changes in employment, attendance, absenteeism, etc. either in the month to month figures or as compared to the previous quarter, please account briefly for the changes.*Where the factory is engaged in more than one industry, please specify the various industries, and indicate the main industry taking into account the number of workers employed in each case.

Part II – Returns on Hours of Work and Earnings

The information given in this return should relate to the last month (English Calendar) of the quarter.Number of working days in the month

Average daily attendance during the month (vide instruction (f))	Aggregate No. of man hourd worked during themonth vide instructions (g)	Total cash earnings during month (vide instruction (h))	Estimated money value of concessions in kindearned during the month (vide instruction (j))	
Basic Wages	Dearness Allowance	Over-time payments	Other cash payment (vide instruction (i))	Total
Men	Women	Children		
Normal	hours of work	Rest	intervals	
1st Shift from..... to.....	From..... to.....			
2nd Shift from..... to.....	From..... to.....			
3rd Shift from..... to.....	From..... to.....			

Please give reference to statements regarding revisions in basic wages, allowances, etc., sent during the quarter, if any in accordance with clause (b) of sub-rule (1) of rule 4. Please furnish details regarding the scheme of deafness allowance, bonuses etc. and if the dearness allowance is linked to the cost of living index, indicate how the amount is calculated.....Please give in the space provided below a distribution of the number of workers on rolls at the end of the month according to the wage period (e.g. week, fortnight or any other period) adopted for payment in each case.

Wage period (please specify)	No. of workers.....	Certified that the information given above is correct Signature.....Name (in Block letters).....Designation (in block letters)
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Instructions(a)Workers (should include all workers as defined in section 2(1) of the Factories Act, 1948. Considering the Statistical use of the data furnished in these returns, the figures should relate to workers exclusive of clerical and supervisory staff. The figures in respect of clerical and supervisory staff, may be shown separately in these returns if available.Workers below 15 years of age should be classified as children. Workers who have completed the 15th year but have not completed the 18t.h year, if not certified as adults should also be included under children. Casual Labour should not be included in Part I of the return, but should be covered in Part II of the return.(b)"Working days" exclude all weekly and other scheduled holidays even if some of the workers or some of the departments are required to work either full time or part of the time on such

days unless a majority of the workers in the establishment are working on such day.(c)Total number of man-shifts worked during the month is obtained by adding together the numbers of workers who worked on each shift on each day of the month.(d)Total number of man-shifts lost during the month on account of absence is obtained by adding together the number of workers absent on each shift on each day during the month. Man-shifts loss by absence due to strike, lock-out or employer-ordered lay- off should be excluded.(e)Total number of man-shift lost through involuntary unemployment is obtained by adding together the number of workers who inspite of being on rolls, remained unemployed for want of coal or raw-materials. break down of machinery, inadequacy of work etc., on each shifts on each working day of the month.(f)Average daily attendance is obtained by dividing the aggregate number of attendance on all the shifts on all days during the period by the number of working days. Absences in hours need not be considered. Days on which the establishment was closed for whatever cause not be treated as working day.(g)Aggregate number of man-hours worked during the period is obtained together the number of man-hours worked on all shifts on all working days. The number of man-hours worked on each shift is obtained by adding together the number of hours worked by each worker on that, shift.(h)Please include all cash payments, deductions under the Payment of Wages Act, 1936, and taxes payable and deducted, if any. Contributions to provident, funds, pensions etc., should not be included. The figures should relate to wages, etc., earned during the month.(i)This should include other cash allowances, bonuses etc., if any earned during the month. Annual bonuses etc. should be excluded even if they are paid during the month.(j)This should be worked out by taking into consideration the differences between the wholesale prices of the articles such as foodgrains, cloth, fuel, etc.. which are supplied free to workers or at concessional prices and the actual prices at which they are supplied. The details under each head may kindly be furnished separately. The value of uniform supplied, to workers while on work and the cost of amenities provided such as housing, medical aid, etc., should not however, be included.