

(91)

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Incentives for Promoting the Information Technology Industry and Information Technology enabled Services, Bio-Technology Establishments, Export Oriented Units/Units in Export Processing Zones and Tourism based Establishments - Self Certification to be issued by the Managements under various Labour Acts and Rules - Orders - Issued.

LABOUR EMPLOYMENT TRAINING AND FACTORIES (LAB. II) DEPARTMENT

G.O.Ms.No.28.

Dated:21-4-2001

Read:-

G.O.Ms.No.114, Finance and Planning (Plg.IT & C) Department,  
Dt.25-5-1999.

@@@

ORDER:-

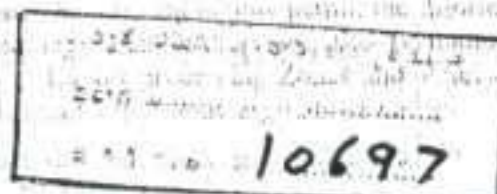
In the G.O. read above, the Government have recognised the strategic importance of Information Technology in creating a competitive economy equipped to face the challenges and exploit the opportunities of the future and then announced certain incentives for promoting the Information Technology Industry and Information Technology enabled services in the state of Andhra Pradesh. For simplification of procedure, to comply with various regulatory Acts and Rules made thereunder, the Government have agreed in principle for "Self-Certification" as far as possible for the managements in Information Technology Industry regarding the provisions of certain Labour Laws.

2. The Government have also recognised the need for development or growth of Bio-Technology Establishments, Export Oriented Units, Units in Export processing Zones and Tourism based Establishments and decided to extend similar facility of self certification to comply with Labour Laws to these Industries also on par with Information Technology based Industry.

3. Accordingly, the Government hereby permit the Information Technology Industry and Information Technology enabled Services, Bio-Technology Establishments, Export Oriented Units, Units in Export processing Zones and Tourism based Establishments to submit self-certificates under the following Labour Laws:-

- (i) The Factories Act, 1948 and Andhra Pradesh Factories Rules, 1950;
- (ii) The Maternity Benefit Act, 1961 and Rules made thereunder;
- (iii) The Andhra Pradesh Shops and Establishments Act, 1988 and the Andhra Pradesh Shops and Establishments Rules, 1990;
- (iv) The Contract Labour (Regulation and Abolition) Act, 1970 and Andhra Pradesh Contract Labour (Regulation and Abolition) Rules, 1971;
- (v) The Payment of Wages Act, 1936 and the Andhra Pradesh Payment of Wages Rules, 1937;
- (vi) The Minimum Wages Act, 1948 and the Andhra Pradesh Minimum Wages Rules, 1949; and
- (vii) The Employment Exchanges (compulsory Notification of Vacancies) Act, 1959.

(P.T.O)



4. The required formats under various Acts and Rules made thereunder, as stated above for issue of "Self Certificates" are as annexed to this order. No self-certificate need be issued in respect of the Workmen's Compensation Act, 1923.

5. However, the Government and their authorised officers shall have full powers to inspect the above related Industries at any time on any complaint received, and to take action on the erring managements for the deviations, if any found, as per Acts and Rules made thereunder.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. DANAM  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Commissioner of Labour, Andhra Pradesh, Hyderabad.  
The Director of Factories, Andhra Pradesh, Hyderabad.  
The Director of Employment and Training, Andhra Pradesh, Hyderabad.  
The Industries and Commerce Department.  
The Information Technology and Communications Department.  
The Youth Advancement Tourism & Culture (T) Department.

Copy to:

Department of Electronics, Electronics Niketan,  
6, C.G.O. Complex, Government of India, New Delhi-110 003.  
The Public Relations Officer to Chief Minister.  
The Special Secretary to Chief Minister.  
The Commissioner, Information and Public Relations.  
The Law (E) Department.  
SF/SC

//FORWARDED BY ORDER//

SECTION OFFICER

c/o the col, A.P. Hyd.

Encl. No. 11561/24

dt 4.5.2001

Communicated

*[Signature]*  
A.C.C. (A)

in the state  
The Act's I, II, III & IV circles, Hyd.  
The Act's I & II P.R. Dist.

with a request to  
communicate to all  
the S.O.s in their  
jurisdiction

Annexure -J

(to be submitted in Duplicate before  
31<sup>st</sup> December for ensuing year)

FORMAT

FOR SELF CERTIFICATION FOR LT. (HARD WARE) UNITS UNDER THE  
FACTORIES ACT 1948 & ANDHRA PRADESH FACTORIES RULES 1950

1. Name & Address of the Factory
2. (a) Registration Number if registered  
(b) Date of Registration under the  
Factories Act 1948  
(c) Whether licence fee is paid
3. Names of the Occupier and  
Manager and their addresses and  
Telephone numbers.
4. Nature of manufacturing activity
5. Horse Power of installed  
machinery and the capacity of  
Diesel Generator (if installed)  
to be indicated separately.
6. Maximum number of workers  
to be employed on any day
  - (a) Male
  - (b) Female
7. (a) Raw materials being used  
and their quantities (Maximum  
inventory at any given time)  
(b) Finished products  
(c) By Products, if any

APPROVAL OF PLANS

8. Whether plans are approved  
by Director of Factories, A.P.  
if so, No. and Date of approved  
Plans.  
(If the total installed power does  
not exceed 30 H.P. no approval  
is required)  
(Section 6, Rule 3 A)

(a) YES

(contd.2)



## LICENCE

9. Whether applied for licence  
(Licence is required if manufacturing process is carried on with the aid of power and with 10 or more persons employed if 20 or more persons employed where power is not used.  
(Section 6, Rule 4)

## HEALTH

10. Measures taken for prevention of dust/fumes generated in the process (Section 14)
11. Artificial lighting of the work rooms (General illumination shall not be less than 65 lux)  
(Section 17 (4) and Rule 30)
12. Provision of wholesome drinking water (Section 18 and Rule 34 to 39)
13. Provision of toilet facilities (Number) separately for Men & Women  
(Section 19 and Rule 40 to 49)

## SAFETY

14. Compliance of Safety provisions prescribed under the schedule including guarding of machinery (Section 21, Section 22 and Rule 53, Schedule 1 to VIII)
15. Whether safe means of access provided to plant & machinery  
(Section 32 and 33)
16. Whether emergency fire exits and fire fighting arrangements are provided - furnish details (under section 41 and Rule 61)
17. (a) Whether Hoists & Cranes, Lifting tackle tested and examined by a competent person and duly certified in the prescribed form?  
(Section 28 and Rule 55 and Section 29 and Rule 55-A)
- (b) Whether pressure vessels in use are tested by competent person and duly certified in the prescribed form  
(See Form No.8) (Section 31 and Rule 56)

18. Whether Electrical Safety  
Precautions are taken?  
(Section 41 and Rule 61-B)
19. Details of Personal Protective  
Equipment provided if any  
(Section 41 and Rule 61-E)

#### WELFARE

20. Whether provisions under  
Chapter IV-A are complied with  
(If covered under Schedule I  
framed under Section 2 (cb)  
(Sections 41B to 41 H and Rules  
made thereunder.)
21. Whether provisions under the  
relevant schedule are complied with  
(If dangerous operations enlisted  
under Section 87 and Rule 95 are  
being carried on)
22. Whether adequate washing  
facilities are provided as per  
provision (Section 42 and Rule 62)
23. Whether first-aid facilities are  
provided as per the scale applicable  
(Section 45 & Rule 63-A, 63-B and  
63-C)
24. Whether canteen facilities are  
provided as per the standards pre-  
scribed if more than 250 workers are  
employed (Section 46 & Rule 65-71)
25. Whether Rest rooms and lunch rooms  
are provided? (If more than 150 workers  
are employed) (Section 47 & Rule 72)
26. Whether Creche facilities for the  
use of children of women employees  
provided? (If more than 30 women  
are employed, Section 48 & Rule 73)
27. Whether Welfare Officer is appoin-  
ted as per the provisions laid down  
(if 500 or more workers are employed)  
(Section 49 & Rule 76-B)
28. Whether Safety Officer is  
appointed as per the provisions  
(If notified)  
(Section 40-B & Rule 61-A)

## WORKING HOURS:

29. Compliance of provisions relating to :  
Working hours of adults i.e., 9 hours  
a day and 48 hours per week.  
(Section 51 to Section 65)
30. Whether notice of periods of  
work displayed on notice board?  
(Section 61 & Rule 79)
31. (a) Normal working hours  
for women workers  
  
(b) If women are employed in the  
night shift upto 10 P.M.  
  
(i) whether return transport and  
security facilities provided to the  
women to ensure their safe return  
to the homes.  
  
(ii) whether consent of the women  
employees obtained.

## Employment of Young persons

32. Whether certificates of fitness  
are obtained for employment of  
young persons (above 14 years)  
in the prescribed format i.e. Form  
No. 5, (Employment of children  
below 14 years of age prohibited)  
(Section 67 & Section 70)

## Annual Leave with wages

33. Whether leave with wages are  
allowed to the eligible employees?  
(Section 79 & Rule 80)

## Reporting of accidents to the Factory Inspectorate

34. Whether arrangements are made to  
report the accidents involving more  
than 48 hours absence including  
serious and fatal to Factory Inspe-  
ctorate as per provision.  
(Section 88 & Rule 96)

## Registers & Returns

35. Whether Master Roll register  
is maintained? (Rule 103)

36. Whether Annual return in the prescribed common Annual Return Form under Factories Act, Payment of wages Act and Maternity Benefit Act is submitted to the Inspector of Factories by 31<sup>st</sup> January of the succeeding year.

(Note: Information against items not applicable may be indicated as not Applicable)

**CERTIFICATE**

- (i) Certified that we have complied/are complying with all the provisions under the Factories Act and Rules made thereunder, in addition to those specifically mentioned above:
- (ii) We are the authorised 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 Act & Rules.

Signature of Manager

Signature of Occupier

Name

Name :

Designation :

Designation :

Date

Date :

Seal

Seal :

Accepted

Concerned Inspector of Factories

B. DANAM  
PRINCIPAL SECRETARY TO GOVERNMENT

Annexure -II

(to be submitted in Duplicate before  
31<sup>st</sup> December for the ensuing calendar year)

FORMAT

FOR SELF CERTIFICATION FOR I.T. (HARD WARE) UNITS UNDER THE  
MATERNITY BENEFIT ACT 1961 & RULES MADE THEREUNDER

1. Name & Address of the Factory :
2. Registration Number if registered under the Factories Act, 1948 :
3. Date of Registration :
4. Nature of Manufacturing activity :
5. Names of Occupier and Manager and their addresses and telephone numbers :
6. Maximum number of workers to be employed on any day :
  - (1) Male
  - (2) FemaleTotal workers
7. Whether licence is obtained under the Factories Act, 1948. :
8. No. of women workers, claimed Maternity benefit/ no. paid (Section 4 and Section 5) :
9. No. of cases in which medical bonus is claimed / paid (Section 5) :
10. No. of cases of leave for miscarriage is applied / granted :
11. Number of cases of additional leave for illness applied/granted :
12. Total amount of maternity Benefit paid :
13. Whether Nursing breaks allowed to the eligible women employees (Under Section 11 & Rule 5) :



14. Whether women employees are dismissed from service during their pregnancy depriving of their entitled maternity benefit or medical bonus - if so, number of women dismissed and reasons thereof  
(Section 12 (2) (a))
15. Whether muster roll is maintained for women employees as prescribed (Section 20)
16. Whether annual return in the annual return format i.e. Form AR is submitted on or before 31<sup>st</sup> day of January of the succeeding year (Rule 16)

(Note: Information against items not applicable may be indicated as not Applicable)

### CERTIFICATE

- (i) Certified that we have complied are complying with all the provisions under the Maternity Benefit Act and Rules made thereunder, in addition to those specifically mentioned above.
- (ii) We are i.e. authorised 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 Manager

Signature of Occupier

Name

Name

Designation

Designation

Date

Date

Seal

Seal

Accepted

Concerned Inspector of Factories

B. DANAM

PRINCIPAL SECRETARY TO GOVERNMENT

(21)

Annexure -III

(to be submitted in Duplicate by 31  
December of the preceding year)

FORMAT FOR ESTABLISHMENTS  
SELF CERTIFICATION UNDER THE ANDHRA PRADESH SHOPS AND  
ESTABLISHMENTS ACT, 1988 AND THE ANDHRA PRADESH SHOPS  
AND ESTABLISHMENTS RULES, 1990.

1. Name and address of the Establishments
2. Registration Number and Date  
(Section 3 Read with rule 3 and 4)
3. Number of Employees Employed  
Male  
Female  
Total
4. Whether the Registration is Renewed  
(Section 4, Read with Rule 3 and 4)
5. Whether the prescribed Registers are maintained  
(Section 68 Read with Rule 29)
6. Whether exemption for maintaining Computerized and alternate Forms are obtained, (Rule 31)
7. Whether prescribed Hours of work, Holidays, Leaves, Maternity Benefit is being implemented.  
(Section 16, 19, 25, 30 and 31)
8. Whether the Quarterly Returns are Submitted, (Rule 33)

(p.t.c.)

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Annexure -IV

(to be submitted in Duplicate by 31<sup>st</sup>  
December of the preceding year)

FORMAT FOR ESTABLISHMENTS  
SELF CERTIFICATION UNDER THE CONTRACT LABOUR  
(REGULATION & ABOLITION) ACT, 1970 AND ANDHRA PRADESH  
CONTRACT LABOUR (REGULATION AND ABOLITION) RULES, 1971

1. Name and address of the Establishments :
2. Number of Contract Labour is Employed :
3. Number of Contractors are engaged :
4. Whether Registration is obtained (Section 7 Read with Rule 17) :
5. Whether Contractors possesses a Valid Licence. (Section 12 Read with Rule 21) :
6. Whether the conditions of service Prescribed under Rule 25 are provided to Contract Labour :
7. Whether the required Registers are being maintained by the Principal Employer or Contractors (Rules 18 (3), 75, 76 and 78) :
8. Whether Returns prescribed are sent by the Principal Employer and Contractor. (Rule 82 (1) and (2)) :

(p10)

CERTIFICATE

- (i) Certified that we have complied/are complying with all the provisions under the Contract Labour (Regulation and Abolition) Act, 1970 and the Andhra Pradesh Contract Labour (Regulation and Abolition) Rules, 1971 made thereunder, in addition to those specifically mentioned above.
- (ii) We are the authorised 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 Manager

Signature of the Employer.

Name :  
Designation :  
Office Seal :  
Date :

Name :  
Designation :  
Office Seal :  
Date :

Accepted

Assistant Commissioner of Labour

B. DANAM  
PRINCIPAL SECRETARY TO GOVERNMENT



Annexure -V

(to be submitted in Duplicate before  
31<sup>st</sup> December for the ensuing calendar year)

FORMAT

FOR SELF CERTIFICATION FOR I.T. (HARD WARE) UNITS UNDER THE  
PAYMENT OF WAGES ACT 1936 & RULES MADE THEREUNDER

1. Name and Address of the Factory :
2. Registration Number if registered :  
under the Factories Act, 1948
3. Date of Registration :
4. Nature of Manufacturing activity :
5. Names of Occupier and Manager :  
and their addresses and telephone  
numbers
6. Maximum number of workers to be :  
employed on any day

(1) Male

(2) Female

Total workers

7. Whether licence is obtained under :  
the Factories Act, 1948.
8. Whether arrangements are made :  
to pay wages to employees by 7<sup>th</sup>  
10<sup>th</sup> of the succeeding month-  
(Section 5)
9. Whether notice of date of :  
payment is displayed as per the  
provisions of the Act  
(Section 26 (3) (d) & Rule 8)
10. Whether the register of wages :  
is maintained in prescribed form  
(Rule 5)
11. Whether application in respect of :  
fines being imposed on the employees  
is sent to Chief Inspector of Factories  
as per the Provision (Rule 10)

(p.t.o.)

12. Annual returns in the prescribed common format i.e. Format AR is sent not later than the 31<sup>st</sup> day of January of the succeeding year (Section 26 (3) & Rule 18)

(Note: Information against items not applicable may be indicated as not Applicable)

### CERTIFICATE

- (i) Certified that we have complied/are complying with all the provisions under the Payment and Wages Act, 1936 and Rules made thereunder, in addition to those specifically mentioned above.
- (ii) We are the authorised 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 Manager

Signature of Occupier

Name

Name :

Designation

Designation :

Date

Date :

Seal

Seal :

Accepted

Concerned Inspector of Factories

B. DANAM  
PRINCIPAL SECRETARY TO GOVERNMENT

Annexure - VI

(to be submitted in Duplicate by  
31<sup>st</sup> December of the preceding year)

FORMAT FOR ESTABLISHMENTS SELF CERTIFICATION UNDER THE  
MINIMUM WAGES ACT, 1948 AND THE ANDHRA PRADESH MINIMUM  
WAGES RULES, 1949.

Note : I.T. Employment is not included in the Schedule under the Minimum Wages Act, 1948. However, they are covered by the Notification of Minimum Wages issued for the employment in Shops and Establishments. Till I.T. Employment is notified, the Minimum Wage notification in respect of Shops and Establishments is applicable to the categories enumerated therein.

1. Name and address of the Establishment :
2. Whether the prescribed Registers and records are maintained.  
(Section 18 read with Rules 29(2), 30(1)(2)(5).
3. Whether approval of Commissioner of Labour is obtained to maintain a combined Register. (Rule 31-B)

(P.T.O.)

CERTIFICATE

- (i) Certified that we have complied/are complying with all the provisions under the Minimum Wages Act, 1948 and Andhra Pradesh Minimum Wages Rules, 1949 made thereunder, in addition to those specifically mentioned above.
- (ii) We are the authorised 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 Manager

Signature of the Employer.

Name :  
Designation :  
Office Seal :  
Date :

Name :  
Designation :  
Office Seal :  
Date :

Accepted

Assistant Commissioner of Labour

B. DANAM  
PRINCIPAL SECRETARY TO GOVERNMENT



Annexure -VII

(To be submitted in Duplicate by 31<sup>st</sup> December  
every year in respect of the preceding year)

FORMAT

FOR SELF-CERTIFICATE TO BE GIVEN UNDER THE EMPLOYMENT  
EXCHANGES (COMPULSORY NOTIFICATION OF VACANCIES) ACT, 1959  
BY THE ESTABLISHMENTS

CERTIFIED THAT I, \_\_\_\_\_ (NAME) WORKING  
AS \_\_\_\_\_ (DESIGNATION) AT \_\_\_\_\_ (ORGANISATION)  
HAVE COMPLIED/AM COMPLYING WITH THE PROVISIONS CONTAINED IN  
SUB-SECTION (2) AND (3) OF SECTION 4 OF EMPLOYMENT EXCHANGES  
(COMPULSORY NOTIFICATION OF VACANCIES) ACT, 1959 READ WITH RULE  
3 TO 5 OF THE EMPLOYMENT EXCHANGES (COMPULSORY NOTIFICATION  
OF VACANCIES) RULES, 1960 RELATING TO:-

(A) NOTIFICATION OF VACANCIES BEFORE FILLING THEM UP TO THE  
PRESCRIBED LOCAL EMPLOYMENT EXCHANGE.

(B) NOTIFICATION OF RESULTS OF SELECTION OF CANDIDATES  
WITHIN FIFTEEN (15) DAYS OF THE SELECTION/INTERVIEW TO  
THE SAID EMPLOYMENT EXCHANGE.

DURING THE YEAR \_\_\_\_\_

I FURTHER CERTIFY THAT I HAVE COMPLIED WITH THE SECTION 5  
OF THE EMPLOYMENT EXCHANGES (COMPULSORY NOTIFICATION OF  
VACANCIES) ACT, 1959, READ WITH RULE 6 OF THE EMPLOYMENT  
EXCHANGES (COMPULSORY NOTIFICATION OF VACANCIES) RULES, 1960  
RELATING TO:-

(C) RENDITION OF THE QUARTERLY ER-I RETURN AND THE  
BIENNIAL ER-I RETURN TO THE PRESCRIBED LOCAL  
EMPLOYMENT EXCHANGE, WITHIN THE PRESCRIBED TIME LIMIT.

I SOLEMNLY STATE THAT I AM THE AUTHORISED OFFICER TO ISSUE THE SELF-CERTIFICATION IN RESPECT OF THE ABOVE STATUTORY PROVISIONS. I AM ISSUING THIS CERTIFICATE ON BEHALF OF THE ORGANISATION WITH FULL KNOWLEDGE OF FACTS AND OF ITS IMPLICATIONS.

IF, AT A LATER DATE I AM FOUND TO BE GUILTY OF NON-COMPLIANCE OF ANY OF THE ABOVE PROVISIONS OF THE SAID STATUTE, THEN I, ALONGWITH THE ORGANISATION, SHALL BE PERSONALLY LIABLE FOR PROSECUTION UNDER THE PROVISIONS OF THE SAID ACT.

PLACE:

DATE:

SIGNATURE OF AUTHORISED OFFICER  
DESIGNATION AND SEAL

ACCEPTED:

\_\_\_\_\_  
(SIGNATURE)

DISTRICT EMPLOYMENT OFFICER \_\_\_\_\_ (PLACE)

B. DANAM  
PRINCIPAL SECRETARY TO GOVERNMENT