

## **Compliance Inspection under the Payment of Wages Act, 1936**

The Payment of Wages Act, 1936 and Odisha Rules, 1936 mandate regulation of payment of wages of certain classes of employed persons.

### **Inspection Procedure :**

- i) Sec. 14 of the P.W. Act prescribes appointment of Inspectors by the appropriate Government and their functions. Accordingly, Inspectors have been notified by the State Government with local limits.
- ii) Inspections are conducted under the Composite Inspection Scheme schedule of the Labour Directorate and under the Central Inspection Framework scheme schedule generated by Industries Department.
- iii) Under the Composite Inspection Scheme different establishments in a district are identified for inspection under various labour laws and monthly schedule of inspection allocating different Inspectors are prepared. The final annual schedule of inspection is approved by the District Collector or by the Labour Commissioner, Odisha.
- iv) Under the Central Inspection Framework, on-line inspection schedules are generated in GO-SMILE Portal for synchronized inspection by the Central Inspection Co-ordination Group (CICG), where in all concerned including the employers are intimated regarding date of inspection.
- v) Inspector conducts visit to the establishment for inspection and examines any register/record any person in the premises whom he has reasonable cause to believe, is an employee, require the employer to produce any register or other document related to compliance inspection.
- vi) Makes copies of or take extracts from any register, record, notice or other relevant documents.
- vii) Inspector validates the following documents/ records and collects copy of the same if required.
  - Combined Register of Fines, Deductions for Damage or Loss and Advances\*
  - Combined Annual Returns
  - Display of Notice on dates of payment
  - Abstract of the P.W. Act
- viii) In case of detection of non-payment/illegal deduction of wages made by an employer due amount to be claimed before Authority appointed by the appropriate Government under Section 15 of the P.W. Act.
- ix) After completion of the inspection, Inspector prepares an Inspection Report in the Composite Inspection Scheme format on the basis of available information and sends to the concerned employer on-line or off-line endorsing copy to the next higher authority.
- x) Inspection Report is uploaded in the GO-SMILE Portal if inspection is conducted under CICG schedule. Facility for uploading the inspection reports pertaining to Composite Inspection Scheme will be available after completion of the e-Governance project of the Labour & ESI Department.
- xi) For any non-compliance the Inspector issues show-cause notice to the employer for necessary rectification within the prescribed timeline.
- xii) Employer/Management submits compliance report with documents within prescribed timeline.
- xiii) If the concerned Inspector finds the compliance satisfactory after assessment of the documents, then the file is closed following due procedure.
- xiv) If the rectifications/ documentations are not found proper/sufficient, Inspector will initiate action for filing prosecution in court of Sub-Divisional Judicial Magistrate (SDJM) / Judicial Magistrate First Class (JMFC) following due procedure.

**Combined Register of Fines, deductions for Damage or Loss and Advances**

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 of finds / deductions /advances	Wages period and rate of wages payable	Date of recovery of fine / deduction / advance	
											First Instalment	Last Instalment
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)

**Signature of the Employer / Principal Employer / Authorized signatory**

# Combined Annual Return

## General Particulars -

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

	Factory / Establishment	Regd. / Administrative / Head Office
Name		
Address		
Tel:		
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 occupier and Manager 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/Establishment/ Factories/ Construction of Works.**

**2(A) Nature/Type of Industries/Establishments.**

**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**Registration No.License No.

- (a) Factories Act, 1948  
 (b) Contract Labour (R&A) Act, 1970  
 (c) O.S and C.E. Act, 1956  
 (d) ISMW (RE & CE) Act, 1979  
 (e) M.T.W. Act, 1961  
 (f) Building and Other Construction Workers (RECS) Act, 1996.  
 (g) Beedi and Cigar Workers (C.E) Act, 1966.

**4. No. of workmen/employees directly employed**

Sl. No.	Category	Male	Female	Adolescent	Child	Total
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					

**5. Particulars of employment in Factories / Establishments / Motor Transport Undertakings / Building Construction of Work, etc.**

(a)

No. of person or Roll as on 1 <sup>st</sup> January	No. of Person on Roll as on 31 <sup>st</sup> December	No. of days Factory/ Establishment/ Building & Other Construction Works, etc. carried on	No. of days Factory/ Establishment/ closed	No. of mandays worked during the year	No. of man-hours worked including O.T. during the year	Total amount of salary/ wages paid including O.T. wages & allowance
1	2	3	4	5	6	7

(b) Average number of employment during the year :-

Men	Women	Adolescent	Child	Total

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

	No. of workers				Amount of benefits paid (benefit-wise)
	Retired on superannuation	Retrenched	Discharged/ terminated/ dismissed	Paid terminal benefit	
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. 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, 1969.**

**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 National & festival holidays (separate figure for each day may be furnished)
1. Man				(i) 26 <sup>th</sup> January
2. Woman				(ii) 1 <sup>st</sup> May
				(iii) 15 <sup>th</sup> August
				(iv) 2 <sup>nd</sup> October
				(v)
				(vi)
				(vii)
				(viii)

**In respect of the Payment of Bonus**

**8. Bonus paid during the year**

Name of the accounting year	Total No. of employees	No. of employees eligible for bonus	Percentage of bonus/ ex-gratia declared	Total amount of bonus/ ex-gratia paid	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 hazardous process /  
 (vi) 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 Sec.-40(B) of Factories Act.		
(ii) Welfare Officers as per Sec-49 of the Factories Act.		

**(b) Whether the following Welfare measures are provided ?**

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

**12. (a) Relating to Maternity benefits under the Maternity Benefit Act :-**

- (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 / dismissed in the last 12 months.  
 (iii) No. of women worker for whom pre-natal confinement and post-natal 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
(i) Mis-carriage			
(ii) Illness (additional leave under Section-10)			



**16. Beedi and Cigar Workers (Condition of Employment) Act:-**

(i) Average Number of employees employed daily in the Industrial Premises :-

Adult		Young Person	
Male	Female	Male	Female

(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.

Adult		Young Person	
Employed in the Industrial premises	Employed in home	Employed in the Industrial premises	Employed in home

(v) Number of female employees who were given maternity benefit during the year.

(a) employed in the Industrial Premises

(b) employed in home.

**Digital Signature / Signature of the Employer / Manager** \_\_\_\_\_

**Place:**

**Date:**

**Name of the signatory** \_\_\_\_\_

**Designation in the establishment** \_\_\_\_\_