

राजस्थान सरकार  
श्रम एवं नियोजन विभाग

क्रमांक:एफ.1(1)श्रनि/2002-

जयपुर, दिनांक: 20 फरवरी, 2002

आदेश

राज्य में सूचना प्रौद्योगिकी, कम्प्यूटर, आर्टिकल फाईबर तथा बायोटेक्नोलोजी के उत्पादन व सर्विस क्षेत्र के विकास हेतु निवेश की सम्भावनाओं को ध्यान में रखते हुए इन क्षेत्रों की इकाईयों को व्यवधान रहित वातावरण उपलब्ध कराने के उद्देश्य से बोर्ड ऑफ इन्फ्रास्ट्रक्चर एण्ड इन्वेस्टमेन्ट (टण्णक्ण्ण) द्वारा दिनांक 10.1.2002 को सम्पन्न बैठक में यह निर्णय लिया गया है कि उपरोक्त वर्णित क्षेत्र में आने वाली इकाईयों को विभिन्न श्रम अधिनियमों के अन्तर्गत सामान्य निरीक्षण व्यवस्था से "स्वप्रमाणीकरण" ँमसंभितजपपिबंजमद्ध प्रणाली के आधार पर सुविधा प्रदान की जावे ।

2. अतः राज्य सरकार एतद्वारा सूचना प्रौद्योगिकी, कम्प्यूटर आर्टिकल फाईबर तथा बायोटेक्नोलोजी के उत्पादन व सर्विस क्षेत्र में कार्यरत तथा आने वाली इकाईयों को निम्नलिखित अधिनियमों के अन्तर्गत "स्व. प्रमाण पत्र" ँमसंभितजपपिबंजमद्ध प्रस्तुत करने की अनुमति प्रदान करती है :-

- क. कारखाना अधिनियम, 1948 एवं राजस्थान कारखाना नियम, 1951 ।
- ख. मातृत्व प्रसूति लाभ अधिनियम, 1961 एवं राजस्थान मातृत्व प्रसूति लाभ नियम, 1967 ।
- ग. राजस्थान दुकान एवं वाणिज्यिक संस्थान अधिनियम, 1958 एवं राजस्थान दुकान एवं वाणिज्यिक संस्थान नियम, 1959 ।
- घ. ठेका श्रम (नियमन एवं उन्मूलन) अधिनियम, 1970 एवं राजस्थान ठेका श्रम नियम, 1971 ।
- च. वेतन भुगतान अधिनियम, 1936 एवं राजस्थान वेतन भुगतान नियम, 1961 ।
- छ. न्यूनतम वेतन अधिनियम, 1948 एवं राजस्थान न्यूनतम वेतन नियम, 1959 ।
- ज. एम्प्लॉयमेन्ट एक्सचेन्ज (कम्पलसरी नॉटीफिकेशन ऑफ वेकेन्सी) एक्ट, 1959 ।

3. उक्त अधिनियमों के अन्तर्गत स्व प्रमाणीकरण की छूट इस शर्त पर इकाईयों को प्राप्त होगी कि उनके द्वारा इकाई प्रारम्भ किये जाने से तीन माह की अवधि में तथा तत्पश्चात प्रत्येक वर्ष की जनवरी माह में इस आदेश के साथ संलग्न प्रपत्र में अधिनियमों के प्रावधानों की पालना करने का स्व प्रमाण पत्र ँमसंभितजपपिबंजमद्ध श्रम/कारखाना/नियोजन विभाग के जिला कार्यालय को प्रस्तुत किया जावेगा ।

4. यह भी स्पष्ट किया जाता है कि स्व प्रमाण पत्र प्रस्तुत करने वाली किसी इकाई के बारे में उपरोक्त वर्णित अधिनियमों तथा उनके अन्तर्गत बने हुए नियमों के उल्लंघन की कोई शिकायत प्राप्त होने अथवा निर्धारित समयावधि में स्व प्रमाण पत्र प्रस्तुत न करने की स्थिति में राज्य सरकार के सम्बन्धित विभाग द्वारा ऐसी इकाई का निरीक्षण करने एवं उल्लंघनकर्ता नियोजकों के विरुद्ध अधिनियम व नियमों के अनुसरण में आवश्यक कार्यवाही की जा सकेगी ।

ह0/—

(पी0एल0 मीणा)  
उप शासन सचिव,  
श्रम एवं नियोजन,  
राजस्थान, जयपुर ।

क्रमांक:एफ.1(1)श्रनि/2002—

जयपुर, दिनांक: 20 फरवरी, 2002

प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है :-

1. निदेशक, मुद्रण एवं लेखन सामग्री विभाग, राजस्थान, जयपुर को राजस्थान राजपत्र के विशेषांक में प्रकाशनार्थ ।
2. शासन सचिव, उद्योग विभाग, राजस्थान, जयपुर ।
3. शासन सचिव, श्रम एवं नियोजन, राजस्थान, जयपुर ।
4. श्रम आयुक्त, राजस्थान, जयपुर ।
5. मुख्य निरीक्षक, कारखाना एवं बॉयलर्स विभाग, राजस्थान, जयपुर ।
6. निदेशक, नियोजन विभाग, राजस्थान, जयपुर ।
7. गार्ड पत्रावली ।

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उप शासन सचिव,  
श्रम एवं नियोजन,  
राजस्थान, जयपुर ।

#### स्व प्रमाण पत्र

यह प्रमाणित किया जाता है कि मैसर्स .....  
..... द्वारा निम्नलिखित अधिनियम एवं राज्य के नियमों के प्रावधानों की पूर्ण पालना की जा रही है ।

क. कारखाना अधिनियम, 1948 एवं राजस्थान कारखाना नियम, 1951 ।

- ख. मातृत्व प्रसूति लाभ अधिनियम, 1961 एवं राजस्थान मातृत्व प्रसूति लाभ नियम, 1967 ।  
ग. राजस्थान दुकान एवं वाणिज्यिक संस्थान अधिनियम, 1958 एवं राजस्थान दुकान एवं वाणिज्यिक संस्थान नियम, 1959 ।  
घ. टेका श्रम (नियमन एवं उन्मूलन) अधिनियम, 1970 एवं राजस्थान टेका श्रम नियम, 1971 ।  
च. वेतन भुगतान अधिनियम, 1936 एवं राजस्थान वेतन भुगतान नियम, 1961 ।  
छ. न्यूनतम वेतन अधिनियम, 1948 एवं राजस्थान न्यूनतम वेतन नियम, 1959 ।  
म. एम्प्लॉयमेन्ट एक्सचेन्ज (कम्पलसरी नॉटीफीकेशन ऑफ वेकेन्सी) एक्ट, 1959 ।

उक्त अधिनियमों का उल्लंघन पाये जाने की स्थिति में नियोजक नियमानुसार कार्यवाही के लिये उत्तरदायी होगा ।

हस्ताक्षर

प्रबन्ध निदेशक /  
अधिकृत प्रतिनिधि  
(संस्थान का नाम व पता)

सत्यमेव जयते	राजस्थान राजपत्र विशेषांक	RAJBII/2000/1717 JPC/3588/02/2003-05
		Regd. No. RJ. 2539 <b>RAJASTHAN GAZETTE</b> <i>Extraordinary</i>
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भाग 5(घ)

औद्योगिक विवाद अधिनियम के अन्तर्गत दिये गये निर्णय ।

**GOVERNMENT OF RAJASTHAN**  
**DEPARTMENT OF LABOUR**  
**NOTIFICATION**  
Jaipur, May 11, 2005

No. F-13(26)Shram/Vidi/2002 :- The Governor of Rajasthan is pleased to formulate “Self Certification Scheme” for the industries and various establishments in the State to liberalize the enforcement of various labour laws and to provide option of Self Certification Scheme for various returns to be submitted under various labour laws as under:-

1. **INTRODUCTION** : This Self Certification Scheme is being introduced to streamline the functioning of the Department of Labour and Employment for effective implementation of various laws being implemented by the Labour and Commissioner and also to facilitate the employer or entrepreneurs. The Self Certification Scheme aims at making the employer or an entrepreneur a conscious and truthful citizen and law abiding person who is willing to take care of the interests of the work and

employees by following all the laws as applicable and enable the Department of Labour to effectively protect the interest of the workers as well as the employers and entrepreneurs and create a friendly environment and relationship between the Government and the employers and entrepreneurs.

2. **OBJECTIVE :-** The objectives of this Self Certification Scheme is to curtail unnecessary visits of Government officials for inspection of those units who opt for this Scheme without compromising on the safety, health, social security and welfare of the workers.

3. **PROCEDURE :-** This Scheme shall be optional and any employer or entrepreneur can opt for this Scheme after applying to the District authorities of Labour Department i.e. the Jt. Labour Commissioner/Deputy Labour Commissioner/Asstt. Labour Commissioner/Labour Welfare Officer in the prescribed proforma at Annexure-I alongwith prescribed details as per Annexure-II and undertaking/affidavit as prescribed in Annexure-III. Any discrepancy in the application or enclosures shall be communicated to the applicant within 30 days from the receipt of the application in the office of the district authorities of Labour Department. In case no discrepancy is so communicated, the applicant shall deemed to have been enrolled under the Self-Certification Scheme.

4. **FILLING OF RETURN :-** After being enrolled for the Self Certification Scheme, the concerned employer/entrepreneur shall file the Self Certification Return in the prescribed performa given at Annexure-IV alongwith the required documents and informations. The return can be fled

between. The return can be filed between 1st of April and 30<sup>th</sup> of April every year on any working day between 10.30 A.M. to 4.30P.M.

5. **VALIDITY OF UNDERTAKING :-** Factual information given in the prescribed return shall be the same as on the date of filing the return. The undertaking to abide by all the laws as applicable to the employer/entrepreneur shall be valid for a period of next one year.

6. **VALIDITY OF SCHEME :-** Once opted for the Scheme, the same shall be valid for five years and the employer/entrepreneur shall file annual return as prescribed. After the successful compliance under the Self-Certification Scheme for five years, the employer/entrepreneur shall have option either to remain covered under the Self Certification Scheme or opt out of the Scheme. The option must be exercised in written to make before the concerned District authorities of Labour Department. In case the employer/entrepreneur successfully completes five years under the Scheme and during any inspection carried out, if no violations of law (s) is detected the security so deposited shall be refunded. No interest shall be payable on the security deposited.

7. **AMOUNT OF SECURITY TO BE DEPOSITED :** Any entrepreneurs/employer who opts for the Scheme shall deposit a security by way of account payee bank draft in favour of Concerned District authorities of Labour Department. At the opening of this scheme, the security amount shall be Rs. 5000/- for small-scale industries, Rs. 10,000/- for medium scale industries and Rs. 20,000/- for large-scale industries.

8. FORFEITURE OF SECURITY DEPOSIT : In case any entrepreneur or employer withdraws prematurely from the Scheme i.e. before 5 years or fails to follow the terms and conditions of the Self Certification Scheme or fails to file return in time under this scheme or fails to abide by any undertaking given by him or any violation of law(s) is detected then security so deposited shall be forfeited and in case of violation of laws. Further necessary action as per the law will be initiated and he will cease to continue under the scheme. However, there will be no bar on fresh inclusion in the Scheme if applied afresh.

9. LABOUR LAWS FR WHICH THE SCHEME IS VALID : This Self Certification Scheme shall be valid for following Acts and Rules made thereunder as applicable to the concerned employer/entrepreneur.

- (i) Minimum Wages Act, 1948 and Rajasthan Rules made thereunder as amended from time to time.
- (ii) Payment of Wages Act, 1936 and Rajasthan Rules made thereunder as amended from time to time.
- (iii) Contract Labour (Regulation & Abolition) Act, 1970 and Rajasthan Rules made thereunder as amended from time to time.
- (iv) Payment of Bonus Act, 1965 and Rules made thereunder as amended from time t time.
- (v) Payment of Gratuity Act, 1972 and Rajasthan Rules made thereunder as amended from time to time.
- (vi) Maternity Benefit Act, 1961 and Rajasthan Rules made thereunder as amended from time to time.

- (vii) Child Labour (Prohibition & Regulation) Act, 1986 and Rajasthan Rules made thereunder as amended from time to time.
- (viii) Rajasthan Shops & Commercial Establishments Act, 1958 and Rules made thereunder as amended from time to time.
- (ix) The Bidi & Cigar Workers (Conditions of Employment) Act, 1966 & Rajasthan Rules, 1969.
- (x) The Inter-State Migrant Workmen (RECS) Act, 1979 & Rules, thereunder.
- (xi) The Equal Remuneration Act, 1976 & Rajasthan Rules thereunder.
- (xii) Motor Transport Workers Act, 1961 & Rajasthan Rules made thereunder.

10. WHOM TO APPLY : Under the Self Certification Scheme the application for inclusion under the Self Certification Scheme as per Annexure-I shall be made in duplicate addressed to the Concerned District authorities of Labour Department with a copy to Labour Commissioner, Rajasthan, Jaipur. Similarly the return to be filed in Annexure-IV shall also be filed in duplicate complete in all respect, of which one copy shall be sent to the concerned District authority alongwith relevant documents and one copy shall be sent to the Labour Commissioner, Rajasthan, Jaipur. The return in Annexure-IV needs to be filed well in time as per this Scheme. The date shall mean the date on which application or return is received in the office of concerned District authorities/Labour Commissioner, Rajasthan, Jaipur.

11. INSPECTION PROCEDURE UNDER THE SCHEME : Under the Self Certification Scheme not more than 20 per cent of the units covered under the Scheme shall be picked up randomly for inspection in year and which shall be carried out only once regarding the implementation of all the laws to which this scheme applies. Once inspected, the same unit is not likely to be inspected in the same year or in next three years provided that no specific violation of terms, conditions, undertaking given and laws by the employer/entrepreneur is brought to notice. However, on specific complaint, only the concerned District authority or Labour Commissioner himself/herself shall be competent to order inspection at any time.

12. A random inspection list of units shall be prepared by the concerned District authority and normally the inspection of those units will take place in year where specifically order by such Authority or by Labour Commissioner.

13. The inspection will be a joint inspection under all labour laws, which are applicable under the scheme. Hence it will normally be a one-time inspection.

14. The copy of Scheme along with all prescribed application forms and inspection procedure shall be available with all District authorities of Labour Department and Labour Commission in their offices and can be obtained at a prescribed price. Any application shall only be made in forms attached with the Scheme as printed by the Labour Commissioner, Jaipur.

By order of the Governor,

Sd/-

(मनोहर कान्त)

Secretary to Government of Rajasthan,  
Department of Labour and Employment.

**ANNEXURE-I**

From:

M/s -----,  
-----.

To:

Regional/Joint/Deputy/Asstt.  
Labour Commissioner/Labour Welfare Officer,  
-----.

Subject: Application for Registration under Self Certification Scheme under laws being implemented by Department of Labour as per the terms & conditions of Scheme.

Sir,

Reference Government of Rajasthan notification No. -----  
----- dated ----- regarding, Self Certification Scheme of Department of Labour

I/We have gone through the above said scheme and have understood the same. I/We wish to be covered under the said Scheme. As such I/We request you kindly issue me/us necessary approval for the same. The necessary information and other documents as required under the scheme, are enclosed. I/We undertake to abide by all terms and conditions of the Scheme. It is also certified that I/We are competent & duly authorized to make any statement or provide any information to any central/state govt. agency on behalf of this establishment/enterprise.

Kindly issue the necessary Registration at the earliest.

Yours faithfully,

(Name & Address of the Manager/Occupier)

- Exe. (i) Annexure-II (List of documents)  
(ii) Annexure-III (undertaking/affidavit)

**ACKNOWLEDGEMENT SLIP**

This is to acknowledge that an application regarding Self Certification Scheme under labour laws has been received by the undersigned from M/s ----- (full address in capital) and the same has been entered in the office receipt register at Sr. ....dt., ..... Any further correspondence in future in this regard may be done by stating this Sr. No.

Authorized Signatory,  
Regional/Joint/Deputy/Asstt.  
Labour Commissioner/Labour Welfare Officer.

## **ANNEXURE-II**

List of documents to be attached with Annexure-I.

1. Status of the unit  
(Company/Firm/Shop/Others/(Pl. specify))
2. Nature of the unit (What work/business, it is carrying on)
3. Status of the industry (SSI/MS/LSI) (attach attested copy of registration with Department of Industries. (attached/List attached.)
4. Registration No. and date along with attested copy of registration under the Factories Act, if applicable.
5. Registration No. and date along with attested copy of registration under Shop and Commercial Establishment Act, 1958, if applicable.
6. Registration No. and date along with attested copy of sales tax registration number.
7. List of raw materials used and end products if the unit is a manufacturing of processing unit.
8. Number of workers being employed.
9. Details of bank draft attached.

Note: In case any of the above is not being attached/provided please give specific reasons.

**ANNEXURE-III**

**Undertaking**

(To be filed by the Occupier/Manager on a non-judicial stamp per of Rs.  
10/-)

I.....S/o.....  
.....R/o..... and  
occupier/manager of M/s ..... hereby states as under:

1. That I have applied for grant of coverage of unit by the Name of .....situated at (complete address of the unit) ..... under the Self Certification Scheme of Department of Labour, Government of Rajasthan as notified vide notification no. .... dated.....
2. That I have gone through the Scheme and have fully understood the contents of this Scheme and undertake to abide by name.
3. That it is declared that I/We are complying and will continue to comply with all provisions of labour laws covered under this Self Certification Scheme.
4. That I agree to accept the penalty prescribed under law in case of violation detected in the unit under any labour law covered under the Scheme after filing of the return under the Scheme.

Deponent

Place:

Date:

### **Verification**

I/We the above named deponents do hereby further solemnly affirm that the contents given above are true and correct to my knowledge.

Deponent

Place:

Date:

**ANNEXURE-III**

Self Certification Return under various Labour Laws  
Return Form

Return being filed before: 1.  
2.  
3.

Assessment Year: .....

1. Name of the Applicant Designation  
of Applicant

2. a) Name of Industry/Shop/Agency  
Establishment.

b) Address (in capital letters)

c) Telephone N./Fax no.

3. Reg. No. & Date as applicable

a) Under Factories Act, 1948

b) Shops & Commercial  
Establishment Act, 1958.

c) Any other Act (please specify).

d) No. and date of building plans of  
the factory approved under the  
Factories Act, 1948.

d) Registration No. with date as  
registered with Department of  
Industries.

4. Name and residential address of

a) Occupier

b) Manager

5. Average number of workers  
employed during the year

a) **Male**

i) Adults more than 18 years

ii) Adolescents (More than 14 but less than 18 years)

iii) Children (below 14 years)

**b) Female**

i) Adults more than 18 years

ii) Adolescents (More than 14 but less than 18 years)

iii) Children (below 14 years)

**c) Total**

i) Adults more than 18 years

ii) Adolescents (More than 14 but less than 18 years)

iii) Children (below 14 years)

6. Nature of Industry Hazardous/Non- Hazardous

7. Manufacturing Process

a) Raw materials used

b) end product

8. Code of Industry  
(to be specified as per NIC  
Classifications enclosed as Annexure-  
VI)

9. Shift timings General

A shift

B shift

C shift

10. Self Certification applied for:

(Please mark (X) on the Act which is not applicable to your unit/establishment as per law)

i. Minimum Wages Act, 1948 and Rajasthan Rules made thereunder as amended from time to time.

- ii. Payment of Wages Act, 1936 and Rajasthan Rules made thereunder as amended from time to time.
- iii. Contract Labour (Regulation & Abolition) Act, 1970 and Rajasthan Rules made thereunder as amended from time to time.
- iv. Payment of Bonus Act, 1965 and Rules made thereunder as amended from time to time.
- v. Payment of Gratuity Act, 1972 and Rajasthan Rules made thereunder as amended from time to time.
- vi. Maternity Benefit Act, 1961 and Rajasthan Rules made thereunder as amended from time to time.
- vii. Child Labour (Prohibition & Regulation) Act, 1986 and Rajasthan Rules made thereunder as amended from time to time.
- viii. Rajasthan Shops & Commercial Establishments Act, 1958 and Rules made thereunder as amended from time to time.
- ix. The Bidi & Cigar Workers (Conditions of Employment) Act, 1966 & Rajasthan Rules, 1969.
- x. The Inter-State Migrant Workmen (RECS) Act, 1979 & Rules, thereunder.
- xi. The Equal Remuneration Act, 1976 & Rajasthan Rules thereunder.
- xii. Motor Transport Workers Act, 1961 & Rajasthan Rules made thereunder.
- xiii. Maternity Benefit Act, 1961 & Rajasthan rules, 1976.

### **Clarification**

I/We do hereby certify that the contents given above are true and correct.

Signature  
(With Name(s) and the stamp of Organization)

Place:

Date: