



बिहार गजट

असाधारण अंक

बिहार सरकार द्वारा प्रकाशित

15 वैशाख 1938 (श10)
(सं0 पटना 372) पटना, बृहस्पतिवार, 5 मई 2016

श्रम संसाधन विभाग

अधिसूचनाएं

26 अप्रील 2016

एस0 ओ0 103, दिनांक 5 मई 2016—बिहार राज्य में उद्योग/व्यवसाय को बढ़ावा देने के उद्देश्य से श्रम संसाधन विभाग, बिहार सरकार द्वारा विभिन्न श्रम अधिनियमों के ऑनलाईन विवरणी दाखिल करने की व्यवस्था लागू की गयी है। इस व्यवस्था के अन्तर्गत विभिन्न पंजियों एवं अभिलेखों को संधारित करने के लिए पूर्व से विकसित प्रपत्रों में अपेक्षित बदलाव कर समेकित प्रपत्र विकसित किया गया है साथ ही पंजियों तथा अभिलेखों को डिजीटल (Digitally) अथवा कम्प्यूटरीकृत कर संधारण की व्यवस्था भी लागू की गयी है।

उपरोक्त वर्णित व्यवस्था को लागू करने के उद्देश्य से निम्नांकित स्तम्भ-2 में उल्लेखित नियमावलियों के स्तम्भ-3 में उल्लेखित नियमों में एतद विषयक संशोधन किये गये हैं :-

क्रमांक	नियमावली का नाम	संशोधित नियम
1	2	3
1	बिहार दूकान एवं प्रतिष्ठान नियमावली, 1955	नियम-42
2	बिहार न्यूनतम मजदूरी नियमावली, 1951	नियम-21 (4)
3	बिहार ठेका मजदूर (विनियमन एवं उन्मूलन) नियमावली, 1972	नियम-82(2)
4	बिहार कारखाना नियमावली, 1950	नियम-100
5	बिहार भवन एवं अन्य सन्निर्माण कर्मकार (नियोजन एवं सेवाशर्तें विनियमन) नियमावली, 2005	नियम-242

क्रमांक	नियमावली का नाम	संशोधित नियम
1	2	3
6	बिहार अन्तर्राज्यीय प्रवासी कर्मकार (नियोजन, विनियमन एवं सेवाशर्त) नियमावली, 1980	नियम-56 (2)
7	बिहार मजदूरी भुगतान नियमावली, 1937	नियम-18
8	बिहार मातृत्व प्रसुविधा नियमावली, 1964	नियम-16
9	बिहार बीड़ी एवं सिगार कर्मकार (नियोजन एवं सेवाशर्त) नियमावली, 1968	नियम-32
10	बिहार मोटर परिवहन कर्मचारी नियमावली, 1962	नियम-39

2. इन संशोधनों के आलोक में उपर्युक्त स्तम्भ-2 में उल्लेखित नियमावलियों के लिए On-Line विवरणी दाखिल करने हेतु संलग्न प्रपत्र 'क' विहित किया जाता है। इस प्रपत्र में बिहार कारखाना नियमावली, 1950 को छोड़कर अन्य सभी उपरोक्त नियमावलियों में प्रत्येक वर्ष के 30 जून तक On-Line विवरणी दाखिल किया जाना आवश्यक होगा। कारखाना अधिनियम, 1948 के अन्तर्गत आने वाले कारखानों /उद्योग / व्यवसाय के लिए यह समय सीमा प्रत्येक वर्ष के 15 जनवरी तक होगा, जो स्थापक/दखलकार /नियोजक निर्धारित समय सीमा के भीतर इस प्रपत्र में On-Line विवरणी दाखिल नहीं करते हैं, उन्हें विनिर्दिष्ट नियमावलियों के प्रयोजनार्थ On-Line विवरणी नहीं माना जाएगा।

3. इस व्यवस्था का लाभ उन्हीं नियोजकों/दखलकारों/स्थापकों को मिलेगा जो स्तम्भ-2 में उल्लेखित नियमावलियों में यथा विहित उपस्थिति पंजी/वेतन भुगतान पंजी/मास्टर रॉल/अधिकाल पंजी/अग्रिम पंजी/दण्ड एवं कटौती पंजी के समेकित Digital रूपान्तरण (अनुलग्नक 'ख') में श्रम संसाधन विभाग, बिहार सरकार के वेबसाईट पर On-Line संधारित करेंगे।

स्तम्भ-2 में उल्लेखित नियमावलियों में विहित पंजियों तथा अभिलेखों को डिजिटल रूप (अनुलग्नक-'ख' के रूप में विकसित) में संधारण इस शर्त के साथ अनुमान्य किया जाता है कि निरीक्षक के द्वारा मांगे जाने पर संधारित पंजी यथा उपस्थिति पंजी/वेतन भुगतान पंजी/मास्टर रॉल/अधिकाल पंजी/दण्ड एवं कटौती पंजी/अग्रिम पंजी इत्यादि का हस्ताक्षरित प्रति संबंधित निरीक्षक के समक्ष उपस्थापित करना आवश्यक होगा।

(सं01एफ01-102/2016श्र0सं0-1559)

बिहार-राज्यपाल के आदेश से,
अमरेन्द्र नारायण मिश्र,
सरकार के अवर सचिव।

26 अप्रील 2016

एस0 ओ0 104, एस0 ओ0 103, दिनांक 5 मई 2016 का अंग्रेजी भाषा में निम्नलिखित अनुवाद बिहार-राज्यपाल के प्राधिकार से इसके द्वारा प्रकाशित किया जाता है जो भारतीय संविधान के अनुच्छेद 348 के (खण्ड) 3 के अधीन अंग्रेजी भाषा में उसका प्राधिकृत पाठ समझा जायेगा।

(सं01एफ01-102/2ब16श्र0सं0-1560)

बिहार-राज्यपाल के आदेश से,
अमरेन्द्र नारायण मिश्र,
सरकार के अवर सचिव।

The 26th April 2016

S.O. 103 dated 5th May 2016—In order to promote trade/Industry in the state of Bihar, Labour Resource Department has started an online Return filing system under various labour laws. For implementing this system, requisite changes have been made in earlier return forms and a new consolidated form has been developed. Also, a new digital format has been developed for record keeping.

For implementing the above mentioned system amendments have been made in the Rules as in column 3 of the corresponding state Rules as in column 2.

SL. No.	Name of State Rules	Amended Rules
1	2	3
1	Bihar Shops and Establishment Rules, 1955	Rules, 42
2	Bihar Minimum Wages Rule, 1951	Rule-21(4)
3	Bihar Contract labour (Regulation and Abolition) Rules, 1972	Rule, 82(2)
4	Bihar Factories Rules, 1950	Rule 100
5	The Bihar Building and Other Construction Workers (Regulation of Employment and Condition of Service) Rule, 2005	Rule 242
6	Bihar Inter State Migrant Work men(Regulation of Employment and Condition of Service) Rule, 1980	Rule 56 (2)
7	Bihar Payment of Wages Rule, 1937	Rule 18
8	Bihar Maternity Benefit Rule, 1964	Rule 16
9	Bihar Bidi and Cigar Workers (Condition of Employment) Rule ,1968	Rule 32
10	Bihar Motor Transport Workers Rule, 1962	Rule 39

2. In the light of amendments made in State Rules as in column 2, form in Annexure 'A' has been developed for filing online return. Online return will be filled in all rules in form 'A' by 30 June every year except under Bihar Factory Rules, 1950 where return has to be filled by 15 January every year. Those employer/ Occupier / In charge who do not file return within the time frame, their filing of return will be not considered as online return under the specified rules in column 2.

3. Only those employer/ Occupier / Incharge will be benefited by this system who will keep record digitally (Annexure B) on the website of Labour Resource Department. Annexure B incorporates Attendance register/ Payment register / Muster roll / Overtime register / Advance register / Fine and Deducting register.

Record keeping in Annexure 'B' will only be allowed, if on demand by Inspector, self attested records like Attendance register/ Payment register / Muster roll / Overtime register / Advance register / Fine and Deducting register etc. will be produced before him/ her.

[No-1/F1-101/2016 L&R-1559]

By order of the Governor of Bihar,
AMARENDRA NARAYAN MISHRA,
Under Secretary to Government.

अनुलग्नक:- 'क'**Consolidated Online Annual Return form****PART-A**

(Applicable for Bihar Shops and Establishment Rules,1955, Bihar Minimum Wages Rule,1951, Bihar Contract Labour (Regulation & Abolition) Rule,1972,The Bihar Building and other Construction Workers (Regulation of Employment and Condition of Service)Rule,2005, Bihar Inter State Migrant Workmen (Regulation of Employment and Condition of Service) Rule,1980,Bihar Payment of Wages Rule, 1937, Bihar Maternity Benefit Rule,1964, Beedi Cigar Workers(Condition of Employment)Rule,1968, Bihar Motor Transport Workers Rule,1962)

(Kindly Fill Only Those field which are applicable to your shop/establishment/factory)

- Name and address of the establishment/shop/factory :
 - Nature/Type of work carried on :
 - License/Registration Number under any of the below mentioned Rule. :
 - (i) Bihar Shops and Establishment Rule , 1955 :
 - (ii) Beedi and Cigar workers (C & E) Rule,1966 :
 - (iii) Contract Labour Act (R & A) Act, 1970 :
 - (iv) Building and other construction worker Act, 1996 :
 - (v) Motor Transport workers Act,1961 :
 - (vi) Inter State Migrant workman Act,1979 :
 - Name and postal address of the Employer/Manager/Occupier / Owner/Director/Partner Incharge :
 - Name and postal address of the contractor :
 - Name and postal address of the Principal Employer :
 - Number of days the Employee of Shop/establishment worked during the year :
 - Number of man days worked during the year :
 - Maximum number of employee employed on any day in the year :
 - Number of average daily employees employed during the year :
 - Number of Service Cards Issued :
 - Average No. of workers working from home :
 - Total Number of working hours in the year :
 - Total Number of working days in a year :
 - Total Number of leave in the year :
 - No. of workers availed compensatory holiday :
 - No. of workers who were granted leave during the year :
 - Rest Intervals (In Hours) :
 - No. of workers discharged or dismissed from service during the year :
- Wages**
- Total wages paid category wise

	Male :	: Rs
	Female :	: Rs
 - Overtime Wages :
 - Total Cash value of wages paid in kind :
 - Non profit sharing bonus, in respect of all employment :
 - Any other bonus :
 - Dearness and other allowances paid in cash :
 - Money value of concession :
 - Profit sharing bonus :

- Arrear of pay in respect of previous year (s) :
- Any other amount paid which may form part of wages :
- Basic Wages excluding overtime wages, bonus, profit sharing bonus :
- Contribution made in any social security fund:
- No. of workers who are entitled to annual leave with wages during the year :
- No. of discharged workers paid wages in lieu of leave :
- Total amount of wages paid in lieu of leave :

Deduction

- No. of cases in which Fine is imposed : Rs.
- Total Fine Imposed; if any : Rs.
- Deduction for damage or loss : Rs.
- Deduction for breach of contract : Rs.
- Disbursement from the fine fund
- 1. Purpose :
- 2. Amount : Rs.
- Balance of Fines fund at the end of the year: Rs.
- Other deductions; if any : Rs.

Welfare

- Aggregate number of women permanently or temporarily employed during the year :
- Number of women who worked for a period of not less than eighty days in the twelve months immediately preceding the date of delivery :
- Number of women who give notice under section 6 of Maternity Benefit Act, 1961 :
- Number of women who were granted permission to absent on receipt of notice of confinement :
- Number of claims for maternity benefit paid :
- Number of claims for maternity benefit rejected :
- Number of cases where-pre-natal confinement and post-natal care was provided by the management free of charge (As per Maternity Benefit Act, 1961) :
- Number of claims for medical bonus paid (As per Maternity Benefit Act, 1961) :
- Number of claims for medical bonus rejected :
- Number of women who died -
- (a) before delivery
- (b) after delivery
- No. of women deprived of maternity benefit and/or medical bonus under the proviso to sub section 2 of section 12 of the Maternity Benefit Act, 1961 :
- Number of women discharged or dismissed while working :
- Number of cases in which payment was made on the order of the competent authority or inspector :
- Detail of payment made under Maternity Benefit Act, 1961 during the year ending on 30 June :
- Date of Payment :
- No. of cases in which prosecution has been launched under Maternity Benefit Act, 1961 :
- No. of cases which resulted in conviction under Maternity Benefit Act, 1961 :
- Is Canteen Facility provided :
- Is Rest Room/Creches Facility provided :
- Is Drinking Water Facility provided :

ACCIDENT**(Only for Establishment Registered under Building and other Construction Workers Act,1996)**

- Total Number of Accident :
- The Number of Accident resulting in disablement of building workers for less than 48 hours, the number of building workers involved and the number of man days lost :
- The Number of Accident resulting in disablement of building workers beyond 48 hours but not resulting in any permanent partial or permanent total disablement, a number of building workers involved and the number of man days lost due to such accident :
- The Number of Accident resulting in permanent partial or total disablement, the number of building workers involved and the number of man days lost on account of such accident :
- The Number of Accident resulting in death of the building workers :

PART-B

The Part B information to be furnished if the maximum number of employees employed on any day during the year under report exceed 9 (Nine)

- Percentage of bonus paid :
- Number of eligible beneficiaries :
- Total amount of bonus paid :
- Date of payment :
- If bonus not paid, reason there of :

PART-C

(Kindly Fill Only those field which are applicable)

- Nature of work/operations of contractor :
- Maximum Number of workers employed by each contractor :
- Total number of days during the year on which contract labour/ Migrant Workman/Construction Worker was employed (male and female separately) :
- Total number of man days during the year by contract labour/ Migrant Workman/ Construction Worker (male and female separately) :
- Duration of contract (from-to) :
- Average number of contract labour/Migrant Workman/ Construction Workers worked in any day during the year :
- Nature of work contract labour/ Migrant Workman/ Construction Worker (male and female separately) :
- Details of : (a) working hour
(b) over time
(c) weekly holiday
(d) Spread over :
- Total number of days during the year in which direct labour was employed :
- Total number of man days worked by directly employed labour/workman :
- Maximum number of workman employed directly on any day during the year :
- Change, if any, in the management of establishment its locations, or any other particulars furnished to the Registering Officer in the application for the registration (Details may be furnished with dates of changes) :

Note:- In case the number of contractors are more the details of each contractor may be furnished in same columns.

PART-D
Applicable for Factories under Factories Act, 1948

(A) Factory Identification details

- (i) Sector (Public/Private/Co-operative/ joint Venture) :
- (ii) Registration under Section {2m(i)/ 2m(ii)/85 } :
- (iii) Registration No/License No :
- (iv) Name of Factory :
- (v) Name of Occupier/ Manager :
- (vi) Details Address :
- (vii) Licensed workers: **Licensed H.P** :
- (viii) Finished products :
- (ix) Intermediates :
- (x) Raw materials :

(B) Details of employment

- (i) Average daily workers : Male..... Female.....
- (ii) Number of days the factory worked during previous year.....
- (iii) Number of man days worked (i.e aggregate attendance during the previous year)
 - (a) Adults: (i) Men:..... (ii) Women:..... (iii) Total:.....
 - (b) Adolescents: (i) Men:..... (ii) Women:..... (iii) Total:.....
- (iv) Average number of workers employed daily. i.e. Man days worked divided by number of days worked.
 - (a) Adults: (i) Men:..... (ii) Women:..... (iii) Total:.....
 - (b) Adolescents: (i) Men:..... (ii) Women:..... (iii) Total:.....
- (v) Total number of man-hours worked including overtime but excluding rest interval.
 - (a) Adults: (i) Men:..... (ii) Women:..... (iii) Total:.....
 - (b) Adolescents: (i) Men:..... (ii) Women:..... (iii) Total:.....
- (vi) In respect of factories carrying on processes or operation declared dangerous under section 87, furnish the following information

Name of the dangerous processes or operation carried on	Average number of persons employed daily in each of the process or operation given	Number of persons			
		Medically examined		Declared unfit	
		Male	Female	Male	Female
1	2	3	4	5	6
(i)					
(ii)					
(iii) etc.					

- (vii) In respect of factories carrying on processes on "hazardous process" as defined in section 2 (cb) furnish the following information.

Name of the hazardous processes or operation carried on	Average number of persons employed daily in each of the process or operation given	Number of persons			
		Medically examined		Declared unfit	
		Male	Female	Male	Female
1	2	3	4	5	6
(i)					
(ii)					
(iii) etc.					

(C) Compliance Status for Health Provisions

- (1) Measure taken for prevention of dust/ fumes generated in process :
- (2) Provisions of wholesome drinking water :
- (3) Provisions of Urinals, Latrines facilities separately for men and women
(give Number for each) :
- (4) Provisions of Occupational Health Centre :
- (5) Provision of Factory Medical Officer if applicable
(Retainer ship base/Part time/Full time) :

(D) Compliance status for Safety provisions

- (1) Compliance of safety provisions prescribed under Schedules,
including guarding of machinery. :
- (2) Details of fire fighting equipment including water storage capacity
& trained personals :
- (3) Whether hoists, lifts, cranes, lifting tackles & lifting devices are
tested, examined & inspected by competent person? :
- (4) Whether pressure vessels in use are tested, examined & inspected
by Competent persons & duly certified by a competent person? :
- (5) Details of personal protective equipments provided and special
and special safety equipments if any :
- (6) Details of safety officers & Safety Supervisors (If applicable) :
- (7) Safety Committee functioning? (If applicable) :
- (8) Whether provisions of Chapter-IV A of the Act and rules there
under complied with (If applicable) :
- (9) Whether On-site emergency plan prepared/amended/approved?
(If applicable) :
- (10) Whether Rehearsal done for On-site Emergency plan during
last year? (Give dates)(If applicable) :
- (11) Details of Safety Policy, Safety Audit and Safety Report
(If applicable) :
- (12) Whether information regarding hazards and actions taken provided
to public, workers and authorities?(If applicable) :
- (13) Number of Safety programs for training and safety awareness
arrange during last year and number of workers trained through it. :

(E) Compliance status for Welfare provisions

- (1) Whether first aid facilities are provided as per rules :
- (2) Provisions of Ambulance Room, required staff, Ambulance Van
(If applicable) :
- (3) Whether canteen facility provided as per standards prescribed?
(If applicable) :
- (4) Whether Rest Rooms and Lunch Rooms are provided?
(If applicable) :
- (5) Whether crèche facilities are provided for the use of children of
women employees? (If applicable) :
- (6) Whether Welfare Officer is appointed as per the Provisions laid
down(Sec.49) (If applicable) :

(F) Compliance status of Working Hours provisions

- (1) Compliance of provisions relating to working hours for adult i.e. 9
hours a day and 48 hours per week. :
- (2) Whether notice of period of work displayed on notice board? :
- (3) Shift timings
1st shift from.....to 2nd shift from.....to.....
3rd shift from.....to General shift from.....to.....

- (4)(a) Normal working time for women workers-
In case of relaxation granted for working hours of women workers, whether return & transport and security facilities provided. (If applicable).
- (b) Whether certificates of fitness are obtained for employment of young persons(above 14 yrs) in the prescribed Form :
- (5)(a) Whether overtime wages is being paid at the double rate or not?
- (b) Whether overtime slip is provided to the worker in prescribed form or not? :

(G) Compliance status for annual leave with wages,

- (a) Whether leave with wages are allowed to the eligible workers? :
- (b) Total number of workers discharged /dismissed from the Service /quit employment/superannuated /died while in service during the previous year :
- (c) Number of workers in respect of whom wages in lieu of leave were paid
- (d) Whether leave book provided to all eligible workers? :

Leave with wages

Total number of workers employed during the year

- (a) **Adults:** (i) Men:..... (ii) Women:..... (iii) Total:.....
- (b) **Young persons** (i) Men:..... (ii) Women:..... (iii) Total:.....

Number of workers who were entitled to annual leave with wages during the year

- (a) **Adults:** (i) Men:..... (ii) Women:..... (iii) Total:.....
- (b) **Young persons** (i) Men:..... (ii) Women:..... (iii) Total:.....

Number of workers who were granted to annual leave with wages during the year

- (a) **Adults:** (i) Men:..... (ii) Women:..... (iii) Total:.....
- (b) **Young persons** (i) Men:..... (ii) Women:..... (iii) Total:.....

(H) Reporting of accidents to Factory Inspectorate -

- (1) Whether arrangements are made to report the accident involving more than 48 hours absence including serious and fatal to Factory Inspectorate in prescribed Form? Yes/No :

(2) Number of Fatal and Non-Fatal Accidents and Dangerous occurrences during Previous year.

	Accident involving							
	Only non-fatal injuries			Fatal injuries as well as non-fatal injuries				
	Number of			Number of				
	Accidents/ Occurrences	Persons injured inside	Persons injured outside	Accidents/ Occurrences	Persons injuring inside	Persons injuring outside	persons died inside	persons died outside
The factory								
1	2	3	4	5	6	7	8	9
1. Accidents including dangerous and major accidents involving injuries/deaths								
2. Dangerous occurrences not involving injuries /deaths								
3. Dangerous occurrences involving injuries /deaths								
4. Major accidents involving injuries /deaths								
5. Major accidents not involving injuries /deaths								

(3) Injuries occurring inside the factory during the previous year

Number of injuries occurring in								
Hazardous process under section 2 (b)			Dangerous operations under Section 87			Others		
Number of			Number of			Number of		
Accidents	Persons injured		Accidents	Persons injured		Accidents	Persons injured	
	Fatal	Non-Fatal		Fatal	Non-Fatal		Fatal	Non-Fatal
1	2	3	4	5	6	7	8	9

- (4)(i) Non-fatal injuries (workers injured) during the year in which injured workers returned to work during the same year :
- (a) Number of injuries :
- (b) Man days lost due to injuries :
- (ii) Non-fatal injuries (workers injured) occurring in the previous year in which injured workers returned to work during the year to which this information relates :
- (a) Number of injuries :
- (b) Man days lost due to injuries (this should be the total man days lost during the previous year as well as in the current year) :

अनुलग्नक:- 'ख'
Consolidated

Adult Worker Register/Attendance cum wages/Deduction/Overtime/Advance
Month.....

Name and address of Establishment/Factory/Principal Employer	
Work Place	
Name of Employer/Occupier/Manager/Contractor	
Nature of work/Product /Business etc.	

Sl. No.	Name of the Worker	Sr.No. in Workmen Register/Adult Worker Register	Age/ Date of Birth	Address	Educational Qualification	Sex M/F/ Others	Name of Father/ Husband	Name and address of Nominee	Post/ Category Nature of Work
1	2	3	4	5	6	7	8	9	10

Date of Appointment	Total Working Days	Nature of Leave	Availed Leave (No. of Days)	Leave in A/c	Wages/ Wage Rate(Piece Rate/Per Unit)	Other Allowance	Normal daily Working hours	Overtime Work (Total hours in month)	Overtime Wages Amount	Amount of Maternity Benefit	Other Amount if any (Please specify)	Total received wages/income
11	12	13	14	15	16	17	18	19	20	21	22	23

Amount of advance/ Loan Objective (If any)	Penal deduction/ Penalty (If any)	Bank Account No. in which salary paid	Other deductions ie (EPF/ESI/ Welfare fund etc) if any	Net Paid Wages	Amount of Bonus if any	Signature/ Thumb impression	Comments
24	25	26	27	28	29	30	31

AMARENDRA NARAYAN MISHRA,
Under Secretary to Government.

अधीक्षक, सचिवालय मुद्रणालय,
बिहार, पटना द्वारा प्रकाशित एवं मुद्रित।
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