

## **SELF-CERTIFICATION-CUM-COMBINED ANNUAL RETURNS SCHEME**

(Reference: G.O (MS) No 134 Labour and Employment (M2) Department dated 03.08.2017)

### **1) Objectives of the Scheme :-**

The objective of this scheme is to reduce visits of the Government officials for inspection of Factories / Building and other construction establishments which opt for the scheme without compromising on safety, health, welfare and social security of workers and allow them to submit combined annual returns in lieu of multiple returns under various labour laws. At the same time ensure and enable Ease of Doing Business in the State.

### **2) Scope of the Scheme :**

This scheme of "Self-Certification-cum-Combined Annual Returns Scheme" is open to the medium and low risk category of Factories/Building and other construction establishments in the state. This scheme will apply only to those Factories/Building and other construction establishments which opt to join the scheme by applying for the same as prescribed in **Form A / Form B**, annexure to the Government Order.

Participation in this scheme is voluntary on the part of occupier of the factory/ employer of the building and other construction establishment. There is no time limit for joining the scheme. The occupier of a factory/employer of the building and other construction establishment can opt to join the scheme at any point of time by applying online through the web portal maintained by the Directorate of Industrial Safety and Health, in the prescribed Form A / Form B, along with remittance of prescribed Security Deposit (validity for 5 years). If no reply is received by the occupier within 30 days of the application made under Self-Certification-cum-Combined Annual Returns Scheme, the applicant shall be deemed to have been enrolled under the Scheme. These Factories/ Building and other construction establishments will be given prior notice of inspections. During inspection, if any deficiency is noticed then notice will be issued to the Occupier/Manager of the factory or the employer of the building and other construction establishment to take corrective action. Failure to correct shall entail action as per law.

The Security Deposit payable shall be as follows:

#### **A) Factories:**

Category of Factories and No of workers	Security Deposit (in Rs.)
Low risk category of factories (employing up to 250 workers)	10,000
Medium risk category of factories employing more than 250 workers and up to 500 workers	30,000

Medium risk category of factories employing more than 500 workers and up to 1000 workers	50,000
Medium risk category of factories employing more than 1000 workers and up to 5000 workers	80,000
Medium risk category of factories employing more than 5000 workers	1,10,000

**B) Building and other Construction Establishment:**

Category of Building and other construction establishment and No. of Workers	Security Deposit (in Rs.)
Low risk category of building and other construction establishment	20,000
Medium risk category of building and other construction establishment	30,000

The Security Deposit is refundable to the factory / building and other construction establishment after 5 years. The Security Deposit will be forfeited in the following circumstances, namely:-

- i) On failure to file Annual Return under the Scheme
- ii) In case of any legal action / prosecution launched by the officials of Directorate of Industrial Safety and Health for any labour law violations.
- iii) On failure to fully comply with the provisions pertaining to workers safety and health, which led to an accident or occupational disease in the factory.

In case, any Factory / Building and other construction establishment decides to exit from the Self-Certification-cum-Combined annual returns scheme before five years, then, there shall be proportionate deduction of Security Deposit, i.e., 20% if the exit is before one year, 40% if the exit is between 1 to 2 years, 60% if the exit is between 2 to 3 years, 80% if the exit is between 3 to 4 years and 100% if its exit is after 4 years and before 5 years.

**3) Coverage under the Scheme**

The Scheme will cover the following labour laws along with the respective state rules as applicable to factories / building and other construction establishments:-

- 1 The Factories Act, 1948
- 2 The Building and other Construction workers (Regulation of Employment and Conditions of service) Act, 1996
- 3 The Contract Labour (Regulation & Abolition) Act, 1970
- 4 The Child Labour and Adolescent (Prohibition & Regulation) Act, 1986
- 5 The Equal Remuneration Act, 1976
- 6 The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979
- 7 The Labour Laws (Exemption from furnishing Returns and maintaining Registers by certain Establishment) Act, 1988
- 8 The Maternity Benefit Act, 1961
- 9 The Minimum Wages Act, 1948
- 10 The Payment of Wages Act, 1936
- 11 The Payment of Gratuity Act, 1972
- 12 The Payment of Bonus Act, 1965
- 13 Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989
- 14 The Tamil Nadu Industrial Establishments (Conferment of Permanent Status to workmen) Act, 1981
- 15 The Tamil Nadu Industrial Establishments (Conferment of Permanent Status to workmen) Act, 1981
- 16 Tamil Nadu Labour welfare Fund Act, 1972
- 17 The Tamil Nadu Payment of Subsistence Allowance Act, 1981
- 18 The Tamil Nadu Control of Industrial Major Accident Hazards Rules, 1994

#### **4) Inspection of factories / building and other construction establishments covered under Self Certification-cum-Combined Annual Returns Scheme:**

##### **A) Factories**

Self-Certification-cum-Combined Annual Returns Scheme is applicable to the following factories:

- a) Medium risk category of factories employing more than 250 workers.
- b) Low risk category of factories

Low risk category of factories enrolled under the Self-Certification-cum-Combined Annual Returns Scheme shall be exempted from physical inspection. The medium risk factories enrolled in the above scheme shall be randomly inspected once in

five years. However such factories may be inspected with the authorization of the Director of Industrial Safety and Health in case of complaint, accident or other exigencies.

##### **B) Building and other Construction Establishment**

Self-Certification-cum-Combined Annual Returns Scheme is applicable to the following building and other construction establishments:

- a) Medium risk category of establishments
- b) Low risk category of establishments

Low risk category of building and other construction establishment enrolled under the self-certification-cum-Combined annual returns scheme shall be exempted from physical inspection. The medium risk category of building and other construction establishment enrolled in the above scheme shall be randomly inspected once in three years. However such building and other construction establishment may be inspected with the authorization of the Director of Industrial Safety and Health in case of complaint, accident or other exigencies.

#### **5) Filing of Combined Annual Returns:**

The Factory / Building and other construction establishment enrolled under this scheme shall furnish the Combined Annual Return in Form No 22 as per Rule 100 of Tamil Nadu Factories Rules, 1950 / Form XXV under Schedule XIII, as per Rule 242 of Tamil Nadu Building and other Construction workers (Regulation of Employment and Conditions of service) Rules, 2006.

ANNEXURE

FORM — A

**Application for Self-Certification under various Labour Laws by the Factories  
Registered under Factories Act 1948**

1	Name and Address of the Factory				:	
2	Registration No					
3	Name and Address of the Occupier					
4	Name and Address of the Manager					
5	Name of the other Acts under which Registration / license obtained (if so please specify the No. and Date of such approvals)					
6	No of workers employed					
		Men	Women	Total		
	a. Regular					
	b. Contract					
	c. Others					
7	Whether minimum wages paid (specify the name of the scheduled employment)				:	
8	Whether appointment letters / ID cards Issued to the persons employed				:	
9	Whether required register under all the relevant Acts maintained by the Principal Employer and Contractor					
10	Whether returns as per Schedule under the Act/Rules submitted before due date				:	
11	Whether Maternity benefit extended to the women employees					

12	Whether arrangements are made to pay wages to the employees by 7th / 10th of the succeeding month	:	
13	No of employees paid bonus	:	
14	Whether wages paid to the employees through Bank Account	:	
15	Whether the retired / resigned employees are paid gratuity, leave encashment etc. as per the provisions of the Act/Rules	:	
16	Whether the conditions of service, holidays, leaves, weekly offs etc. allowed to the employees under the relevant Acts/Rules	:	

CERTIFICATE

- a) Certified that we have gone through the Scheme and have fully understood the contents of this Scheme and undertake to abide by the same.
- b) Certified that we have complied/are complying with all the provisions under all the Act and Rules applicable to the factory.
- c) Certified that we will furnish the Combined Annual Return in Form No 22 as per Rule 100 of Tamil Nadu Factories Rules, 1950.
- d) We are the authorized persons to issue the above certificate and the above certificate is issued with full knowledge of the statutes. We jointly and severally responsible for any information found incorrect subsequently and liable for prosecution under the provisions of the Acts/Rules.

SIGNATURE OF THE MANAGER  
NAME AND DESIGNATION  
DATE & OFFICIAL SEAL

SIGNATURE OF THE OCCUPIER  
NAME AND DESIGNATION  
DATE & OFFICIAL SEAL

**FORM - B**

**Application for Self-Certification under various Labour Laws by the Building and other Construction establishments Registered under Building and other Construction workers (Regulation of Employment and Conditions of service) Act, 1996**

1	Name and Address of the Building and other Construction establishments				
2	Registration No				
3	Name and Address of the Employer				
4	Name and Address of the Contractors if any				
5	Name of the other Acts under which Registration / license obtained (if so please specify the No. and Date of such approvals)				
6	No of workers employed				
		Men	Women	Total	
	a Regular				
	b. Contract				
	c. Others				
7	Whether minimum wages paid (specify the name of the scheduled employment)	:			
8	Whether appointment letters / ID cards issued to the persons employed	:			
9	Whether required register under all the relevant Acts maintained by the Principal Employer and Contractor	:			
10	Whether returns as per Schedule under the act/ Rules submitted before due date	:			
11	Whether Maternity benefit extended to the women employees	:			

12	Whether arrangements are made to pay wages to the employees by 7 / 10 <sup>th</sup> of the succeeding month	:	
13	No of employees paid bonus	:	
14	Whether wages paid to the employees through Bank Account	:	
15	Whether the retired/resigned employees are paid gratuity, leave encashment etc. as per the provisions of the Act / Rules	:	
16	Whether the conditions of service, holidays, leaves, weekly offs etc. allowed to the employees under the relevant Acts/Rules	:	

### CERTIFICATE

- a) Certified that I have gone through the Scheme and have fully understood the contents of this Scheme and undertake to abide by the same.
- b) Certified that I have complied/are complying with all the provisions under all the Act and Rules applicable to the Building and other Construction establishments.
- c) Certified that I shall furnish the Combined Annual Return in Form XXV under Schedule XIII, as per Rule 242 of Tamil Nadu Building and other Construction workers (Regulation of Employment and Conditions of service) Rules, 2006
- d) I am the authorized person to issue the above certificate and the above certificate is issued with full knowledge of the statutes. I am responsible for any information found incorrect subsequently and liable for prosecution under the provisions of the Acts/Rules.

SIGNATURE OF THE EMPLOYER  
NAME AND DESIGNATION  
DATE & OFFICIAL SEAL