GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Incentives for Promoting the Information Technology Industry and Information Technology enabled Services, Bio-Technology Establishments, Export Oriented 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-IT) DEPARTMENT

G.O.Ms.No.28.


Read:-

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

ORDER:-

1. 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 Law:-

(i) The Factories Act, 1948 and Andhra Pradesh Factories Rules, 1950;

(ii) The Maternity Benefit Act, 1961 and Rules made thereunder;


(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


(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

Communicated.

The Act's I, II, III & IV under, Ig
The Act's I & II Re-Print.
Annexure – I

(to be submitted in Duplicate before 31st December for ensuing year)

FORMAT

FOR SELF CERTIFICATION FOR LT. (HARDWARE) 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 the total installed power does not exceed 30 H.P. no approval is required)
   (Section 6, Rule 3 A)

(contd. 2)
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 a competent person and duly certified in the prescribed form
   (Indian Pressure Vessels Act, 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 prescribed 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 appointed 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 up to 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 24 hours absence including serious and fatal to Factory Inspectorate as per provision. (Section 88 & Rule 96)

Registers & Returns

35. Whether Muster 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 31st 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:
Name:
Designation:
Date:
Seal:

Signature of Occupier
Name:
Designation:
Date:
Seal:

Concerned Inspector of Factories

B. DANAM
PRINCIPAL SECRETARY TO GOVERNMENT
Annexure -II

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

FORMAT

FOR SELF CERTIFICATION FOR LT. (HARDWARE) 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) Female

   Total 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 benefit is claimed / paid (Section 5)

10. No. of cases of leave for miscarriage 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) (b))

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 31st 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 and 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 the authorized 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

Name:

Designation:

Date:

Seal:

Accepted:

Concerned Inspector of Factories:

Name:

Designation:

Date:

Seal:

Signature of Occupier

B. DANAM

PRINCIPAL SECRETARY TO GOVERNMENT
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.l.o.)
Annexure – IV

(to be submitted in Duplicate by 31st 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 possess 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)
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
Name: ____________________________
Designation: ______________________
Office Seal: _______________________
Date: ____________________________

Signature of the Employer
Name: ____________________________
Designation: ______________________
Office Seal: _______________________
Date: ____________________________

Accepted

Assistant Commissioner of Labour

B. DANAM
PRINCIPAL SECRETARY TO GOVERNMENT
Annexure - V

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

FORMAT

FOR SELF CERTIFICATION FOR I.T. (HARDWARE) 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 the 10th day 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 31st 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

Name:

Designation:

Date:

Seal:

Accepted

Payment and\\n

Concerned Inspector of Factories

Signature of Occupier

Name:

Designation:

Date:

Seal:

B. DANAM

PRINCIPAL SECRETARY TO GOVERNMENT
Annexure-VI

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


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.)

Signature of Proprietor

Date: 21st March, 2023

Accountant's Name: [Signature]

Date: [Signature]
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

Name:
Designation:
Office Seal:
Date:
Accepted:

Signature of the Employer:

Name:
Designation:
Office Seal:
Date:

Assistant Commissioner of Labour

B. Danam
PRINCIPAL SECRETARY TO GOVERNMENT
Annexure-VII

(To be submitted in Duplicate by 31st 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-1 RETURN AND THE BIENNIAL ER-1 RETURN TO THE PRESCRIBED LOCAL EMPLOYMENT EXCHANGE, WITHIN THE PRESCRIBED TIME LIMIT.

(p.t.o.)
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, ALONG WITH 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