Compliance Report on Business Reform Action Plan 2016: Bihar

Recommendation No.-272- Design and implement a system for computerized allocation of inspectors-Compliance Inspections under The Equal Remuneration Act, 1976

Recommendation No.-278- Design and implement a system for computerized allocation of inspectors-Compliance Inspections under The Factories Act, 1948

Recommendation No.-284- Design and implement a system for computerized allocation of inspectors-Compliance Inspection under The Minimum Wages Act, 1948

Recommendation No.-290- Design and implement a system for computerized allocation of inspectors-Compliance Inspection under The Shops and Establishments Act (as applicable)

Recommendation No.-296- Design and implement a system for computerized allocation of inspectors-Compliance Inspection under The Payment of Bonus Act, 1965

Recommendation No.-302- Design and implement a system for computerized allocation of inspectors-Compliance Inspection under The Payment of Wages Act, 1936

Recommendation No.-308- Design and implement a system for computerized allocation of inspectors-Compliance Inspection under The Payment of Gratuity Act, 1972

Recommendation No.-314- Design and implement a system for computerized allocation of inspectors-Compliance Inspection under The Contract Labour (Regulation and Abolition) Act, 1970

Ref: http://onlineinspectionbihar.org)

Compliance Report on Business Reform Action Plan 2016: Bihar



LABOUR RESOURCES DEPARTMENT, GOVT. OF BIHAR

Vikas Bhawan, Bailey Road, Patna - 800 001.

NIC Bihar State Centre, Govt. of India

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Vijay Prakash Hon'ble Minister





Latest updates ...

Overseas Employment Bureau, Patna. -22-12-2014.

- 6. Notification No. 18: Reg Posting & Joining of newly promoted Labour Superintendent in Bihar Labour Services (General) cadre. - 20-05-2014.
- 7 Notification No. 16: Regarding Posting &

Online e-Services available from - Labour Wing | Employment Wing New

Introduction

Department of Labour Resources functions to facilitate the workers for minimum wages, equal wages for men and women, gratuity to employees in organised sector. Similarly there are certain welfare schemes for unorganised sector workers like Bihar Shatabdi Asangathit Kamgar/Shilpkar Samajik Suraksha Yojna Inter State Migrant Workers Accident Scheme, Bonded Labour Rehabilitation Scheme, Child Labour Rehabilitation Scheme etc.

Department also facilitates conciliation between the management and workers under Industrial Dispute Act. Department has various ITIs for skill development and also has a wing namely Bihar Skill Development Mission as nodal organisation for skill development in the state of Bihar. Department has various Employment Exchanges as guidance centres to the unemployed youth as well as organizing Job Fairs.

Key Contacts

✓ Dipak Kumar Singh, IAS, Secretary. Tel: (0612)-2213855, Fax: 2215004, Mobile: 94731-91436, E-Mail: seclab-bih@nic.in

✓ Md. Salim, IAS, Labour Commissioner. Tel: (0612)-2215559. Fax: 2215559. E-Mail: lcbihar@gmail.com

 Gopal Meena, IAS, Director, Employment & Training. Tel: (0612)-2215142. E-Mail: detbihar@yahoo.co.in, gopalmeena.official@gmail.com

Website: Directorate of Employment & Training NEW

- Devnandan Yadav, Additional Secretary. Tel: (0612)-2215269.
- A Achal Kumar Cinah OCD Mahila: 00240-56572 04212-00271

नियोजन-सह-मार्गदर्शन मेला 2016

Useful Info



- Data Format for DET Bihar (Training Wing)
- · e-Services by Employment Wing
- nes for Online Registration with Employment E
- · Guidelines for LRD Form Bihar State Portal
- Bihar Skill Development Mission.
- Bihar Public Grievance Redressal System
- · Procedure for Opening of an I.T.I.
- Employee's State Insurance Corporation
- नियोजन मेला का जिलेवार/नियोक्तावार ब्यौरा, 2014-15
- 🎳 विभाग द्वारा आम जनों के व्यक्तिगत लाभ हेत् चलाई जा रही योजनाओं की अईत्ता सम्बन्धी विवरणी,

Downloads

😱 बिहार शताब्दी असंगठित कार्य क्षेत्र कामगार एवं शिल्पकार सामाजिक सुरक्षा योजना, 2011 के अधीन स्वाभाविक मृत्यु या दुर्घटना मृत्युँ के मामले में अनुदान प्राप्त करने हेत दावाँ प्रपन्न



बिहार गजट

असाधारण अंक बिहार सरकार द्वारा प्रकाशित

6 फाल्गुन 1937 (श0)

(सं0 पटना 176) पटना, वृहस्पतिवार, 25 फरवरी 2016

श्रम संसाधन विभाग

अधिसूचनाएं 24 फरवरी 2016

एस0ओ० 61, दिनांक 25 फरवरी 2016— औद्योगिक नीति एवं संवर्धन विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार से प्राप्त वर्ष 2015—16 के लिए अंतिम व्यवसाय सुधार कार्य योजना के क्रियान्वयन के अनुशरण में, किसी भी कारखाना / औद्योगिक स्थापनाओं का निम्नलिखित श्रम अधिनियमों के अधीन लगातार दुबारा निरीक्षण उसी निरीक्षक के द्वारा नहीं किया जायेगा:—

- (i) समान पारिश्रमिक अधिनियम, 1976
- (ii) कारखाना अधिनियम, 1948
- (iii) न्यूनतम मजदूरी अधिनियम, 1948
- (iv) दुकान एवं प्रतिष्ठान अधिनियम, 1953)
- (v) बोनस भगतान अधिनियम, 1965
- (vi) मजदूरी भुगतान अधिनियम, 1936
- (vii) उपादान भुगतान अधिनियम, 1972
- (viii) ठेका मजदूर (वि० एवं उ०) अधिनियम, 1970
- (ix) मातृत्व प्रस्विधा अधिनियम, 1961

परंतु दुबारा निरीक्षण आवश्यक होने पर श्रमायुक्त, बिहार की पूर्वानुमित से उस निरीक्षक से जिसके द्वारा निरीक्षण किया गया है, वरीय पदाधिकारी के द्वारा वांछित निरीक्षण कार्य सम्पादित किया जायेगाः

परंतु और कि वैसे कारखाना प्रतिष्ठानों में, जिसमें 10 या अधिक कामगार नियोजित होते है, उपरोक्त श्रम अधिनियमों की स्थानीय अधिकारिता के अधीन सभी निरीक्षकों द्वारा एकल संयुक्त निरीक्षण किया जा सकेगा।

3. यह अधिसूचना निर्गत होने की तिथि से प्रवृत्त होगी किंतु ऐसे मामलों में (यथा दुर्घटना आदि) लागू नहीं होगी जहाँ सुसंगत अधिनियम के अधीन निरीक्षण एक नियत अवधि में अनिवार्य हो।

(सं0 1 / एफ01—102 / 2016 श्र0सं0—716) बिहार—राज्यपाल के आदेश से, अमरेन्द्र नारायण मिश्र, सरकार के अवर सचिव। 24 फरवरी 2016

एस0ओ० 62, एस0ओ० 61, दिनांक 25 फरवरी 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 जायेंगा

> (सं0 1/एफ01–102/2016श्र0सं0–717) बिहार–राज्यपाल के आदेश से, अमरेन्द्र नारायण मिश्र, सरकार के अवर सचिव।

The 24th February 2016

S.O. 61, dated 25th February 2016— In pursuance of implementation of final Business Reforms Action Plan for 2015-16 received from the Department of Industrial Policy & Promotion, Ministry of Industry & Commerce, Government of India,no continuous second inspection of any factory/Industrial Establishment will be made by the same inspector under the following Labour Acts:-

- I. The Equal Remuneration Act, 1976
- II. The Factories Act, 1948
- III. The Minimum Wages Act, 1948
- IV. The Shops and Establishment Act, 1953
- V. The Payment of Bonus Act, 1965
- VI. The Payment of Wages Act, 1936
- VII. The Payment of Gratuity Act, 1972
- VIII. The Contract Labour (Regulation and Abolition) Act, 1970
- IX. The Maternity Benefit Act, 1961

Provided that if the inspection is required, an official senior to the inspector concerned who had carried out the inspection earlier, will perform the necessary inspection with the prior permission of the Labour Commissioner:

Provided further that in case of factories / industrial establishments employing 10 or more workmen, a single joint inspection may be carried out by the inspectors under their local authorities for the inspectors under their local authorities for the above mentioned Acts.

3. This notification will come in to force from the date of issue but will not be applicable to such cases (such as accidents etc.) where it is compulsory to conduct the inspection within a stipulated time period under the relevant Act.

(No. 1/F1-102/2016L&R—716) By order of the Governor of Bihar, AMARENDRA NARAYAN MISHRA, Under Secretary to Government.

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

बिहार गजट (असाधारण) 176-571+200-डी0टी0पी0।

Website: http://egazette.bih.nic.in

पत्रांक:-5/एम0डब्लू0-40-48/2015%0सं0 4,5(H) बिहार सरकार श्रम संसाधन विभाग

प्रेषक,

मो० सलीम, भा०प्र०से० श्रम आयुक्त, बिहार।

सेवा में

मुख्य कारखाना निरीक्षक, बिहार उप मुख्य कारखाना निरीक्षक, बिहार मुख्य वाष्पित्र निरीक्षक, बिहार सभी उप श्रमायुक्त, सभी सहायक श्रमायुक्त, सभी श्रम अधीक्षक सभी कारखाना निरीक्षक, बिहार

पटना,दिनांक २६ ०२ । ६.

विषय:- विभिन्न श्रम अधिनियमों के अन्तर्गत निरीक्षण किए जाने के संबंध में दिशा निर्देश।

महाशय,

औद्योगिक नीति एवं संर्वद्धन विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार द्वारा वर्ष 2016 के लिए निरूपित व्यवसाय सुधार कार्य योजना (Business Reform Action Plan) के अन्तर्गत उद्योगों / स्थानाओं / कारखानों को निम्न, मध्यम तथा उच्च श्रेणी के जोखिम वाले इकाइयों में वर्गीकरण करते हुए विभिन्न श्रम अधिनियमों में निरीक्षण की व्यवस्था का पुनरीक्षण का परामर्श दिया गया है। तदनुसार बिहार सरकार की अधिसूचना संख्या 1/एफ1–103/2016श्र0सं0 – 526 दिनांक 10.02.16 के द्वारा उद्योगों / स्थापनाओं / कारखानों को विभिन्न श्रेणी के जोखिम वाले इकाइयों में वर्गीकरण के लिए मापदण्ड निर्धारित किए गए है। इसी क्रम में राज्य में उद्योगों एवं वाणिज्य गतिविधियों के विकास के दृष्टिकोण से विभिन्न श्रम अधिनियमों के अन्तर्गत निरीक्षण की व्यवस्था के संदर्भ में निम्न दिशा निर्देश दिए जाते है:–

- 1. 10 या 10 से कम कर्मचारी नियोजित करने वाले उद्योगों /स्थापनाओं /कारखानों में किसी भी निरीक्षी पदाधिकारी द्वारा बिना श्रमायुक्त के पूर्वानुमित के Individual inspection (वैयक्तिक निरीक्षण) नहीं किया जाएगा।
- 2. मुख्यालय द्वारा random selection के आधार पर प्रत्येक माह में निरीक्षण किए जाने वाले उद्योगों / स्थापनाओं / कारखानों की सूची संबंधित पदाधिकारियों को ई-मेल के माध्यम से अवगत कराई जाएगी।
- 3. सामान्य निरीक्षण कार्य संयुक्त दल द्वारा किया जाएगा। निरीक्षण के उपरान्त निरीक्षण टिप्पणी 48 घंटे के अन्दर विभागीय वेबसाईट पर upload किया जाना अनिवार्य होगा।
- 4. संयुक्त दल में संबंधित क्षेत्र के श्रम अधीक्षक, कारखाना निरीक्षक तथा श्रम प्रवर्तन पदाधिकारी शामिल होंगे और एक हीं visit में सभी श्रम अधिनियमों के अन्तर्गत निरीक्षण का कार्य पूरा कर लिया जाएगा। संयुक्त दल का समन्वय तथा नेतृत्व संबंधित श्रम अधीक्षक करंगे।

5. निरीक्षण दल द्वारा निरीक्षण प्रपत्र में हीं निरीक्षण किया जाएगा।

6. किसी गंभीर प्रकृति के मामले मुख्यालय में प्रतिवेदित किए जाने की स्थिति में श्रमायुक्त की पूर्वानुमित से ही ऐसे मामले में अलग से निरीक्षण की कार्रवाई की जा सकेगी।

विश्वासभाजन

(मा० सलाम्)

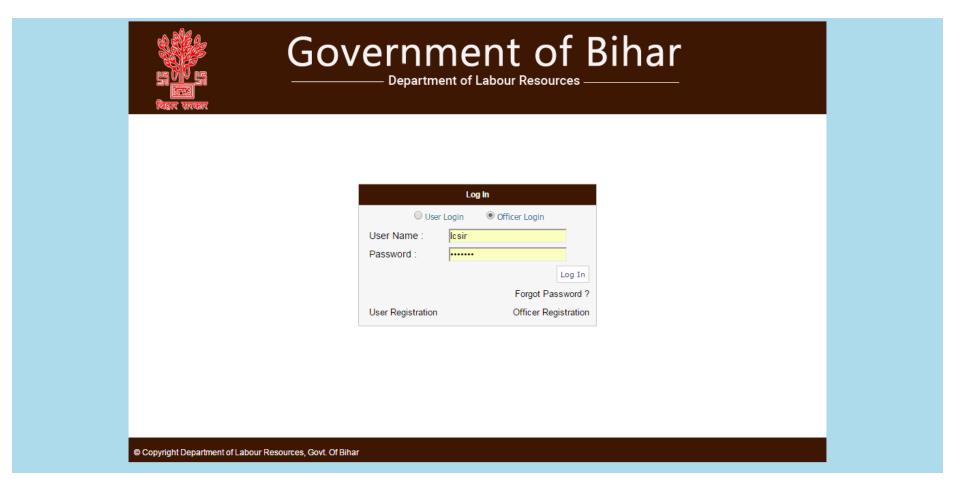
श्रम आयुक्त, बिहार।

For more details and computerized allocation of inspectors, please refer to the screen-shots of online system provided below.

Step 1: Visit the Online Inspection System for Labour Resources Department - http://onlineinspectionbihar.org/



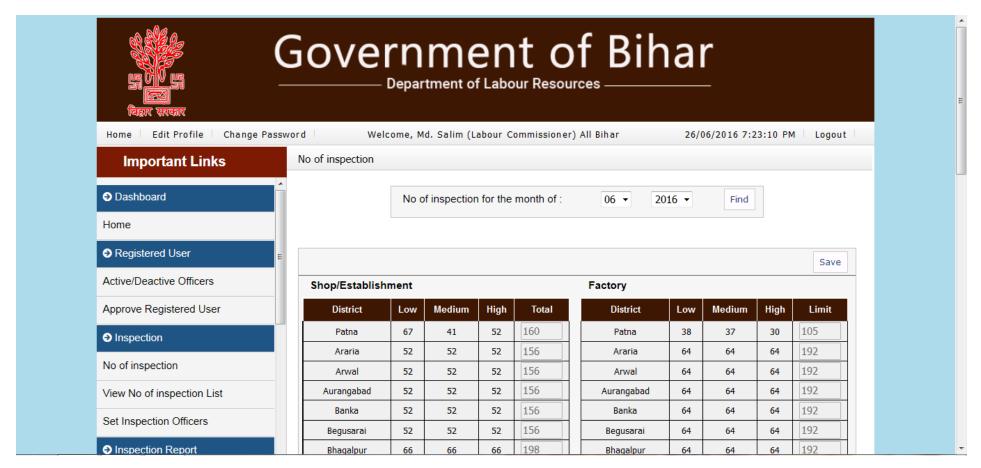
Step 2: Labour Commissioner/ Appropriate Authority logs into the portal to identify establishments that need to be inspected based on computerized risk assessment



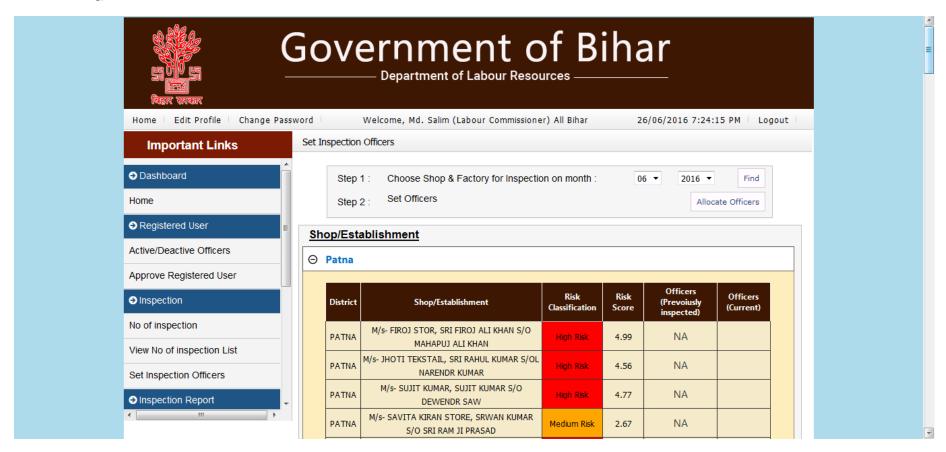
Step 3: System opens the dashboard for the "Labour Commissioner"



Step 4: Select the month for which the system should identify the establishments for inspection. Once the month is selected, the system automatically identifies the establishment that need to be inspected based on computerized risk assessment.



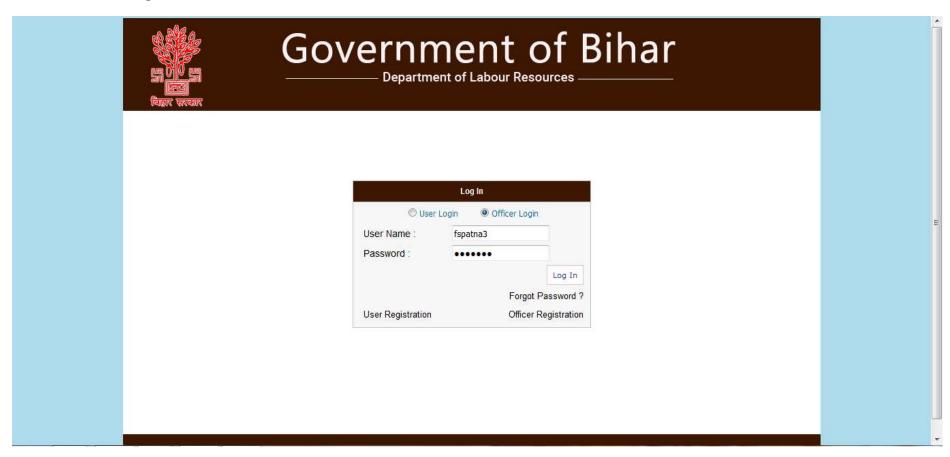
Step 5: The system displays district-wise list of establishments automatically selected that need to be inspected based on computerized risk assessment. Certain logic are built into the system which includes that "High Risk" category of establishments will be inspected once every year whereas "Medium Risk" and "Low Risk" category will be inspected once in 3 years and 5 years respectively. Similarly there are other parameters built in such as past performance etc. for shortlisting/ selection of the establishments.

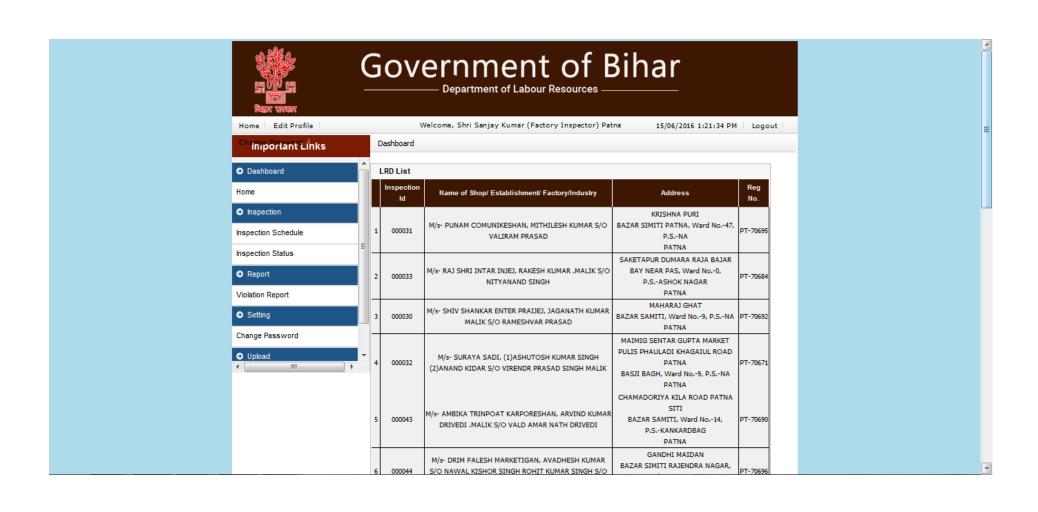


Step 6: The users select the option – "Set Officer". The system automatically allocates the officers to the establishment short-listed based on the risk parameters. Further, there are certain logics built into the system such as the same inspector will not inspect the same establishment twice consecutively.



Step 7: Officer (Labour Superintendent/ Factory Inspector) logs into the portal to view the dashboard which shows the list of Factories/ Establishments allotted to them for inspection.

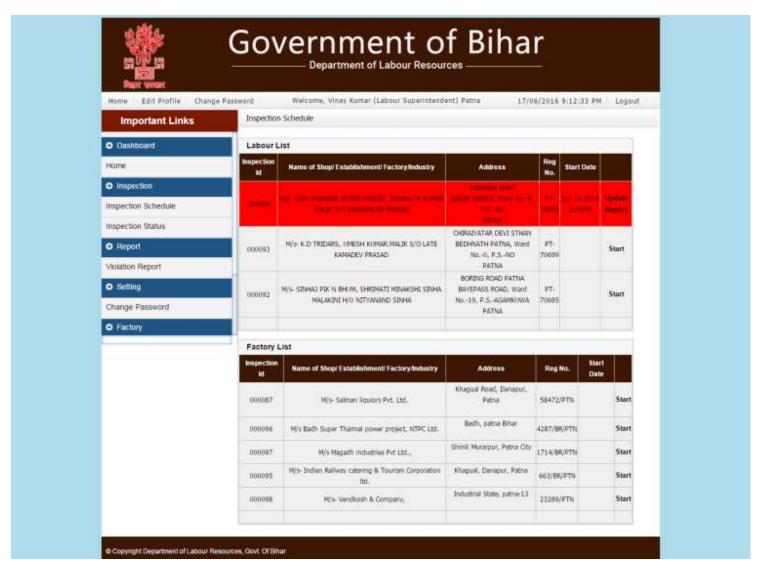




Step 7: Officer (Labour Superintendent/ Factory Inspector) select the "Inspection Schedule" option which shows the list of establishment to be inspected.

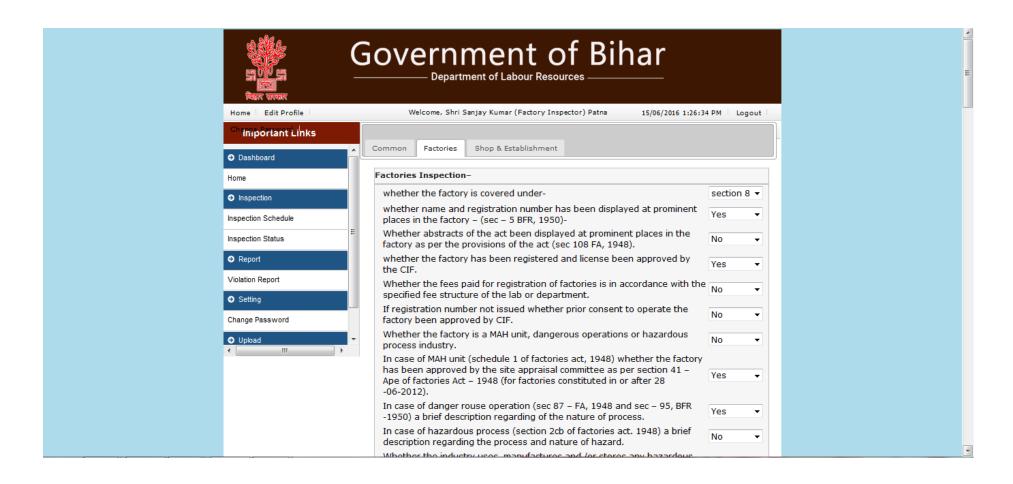


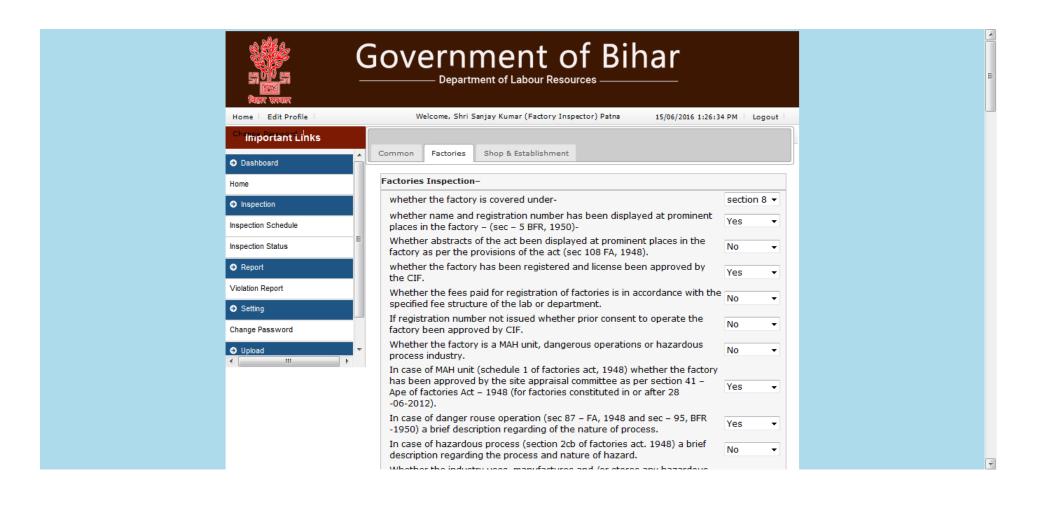
Step 8: Officer (Labour Superintendent/ Factory Inspector) select the "Start" option against the establishment for which they plan to conduct the inspection on a given day.



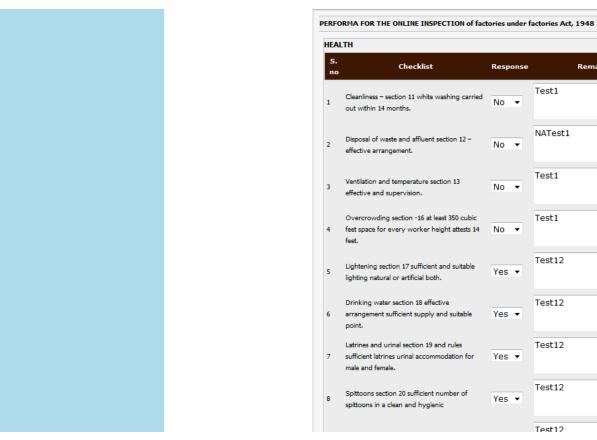
Step 9 A: Officer (Factory Inspector) after conducting the inspection, selects the establishment for which the inspection report should be prepared/updated.

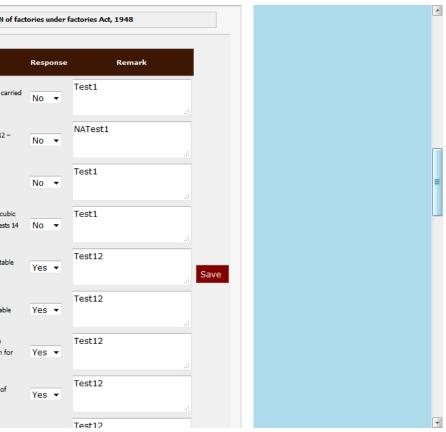


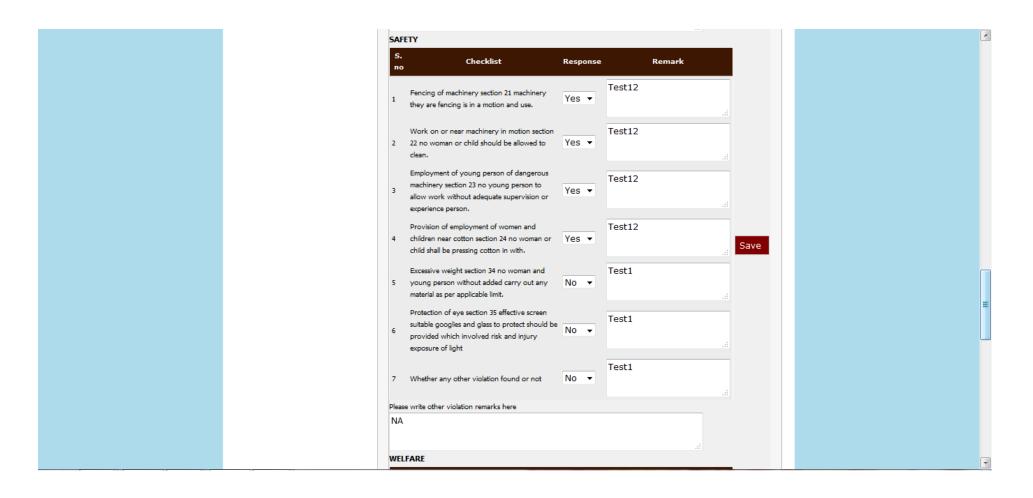




has been approved by the site appraisal committee as per section 41 – Ape of factories Act – 1948 (for factories constituted in or after 28 -06-2012).	Yes ▼	<u> </u>
In case of danger rouse operation (sec 87 – FA, 1948 and sec – 95, BFR -1950) a brief description regarding of the nature of process.	No ▼	
In case of hazardous process (section 2cb of factories act. 1948) a brief description regarding the process and nature of hazard.	No ▼	
Whether the industry uses, manufactures and /or stores any hazardous chemicals as specified in the chapter Xi of Bihar factories rules, 1950 (control of industrial major accident hazard rules, 1990) and the storage of such chemicals is within the specified limits.	No 🔻	=
whether the manufacturing process process poses any health hazard to workers as defined in third schedule of factories act. 1948 (sec89, FA) please specify).	No •	
Whether the information regarding no. of workers employed on day of inspection is given or not (Shiftwise/Genderwise)	Yes ▼	
Whether any young children employed in factory premises (sec. 67,FA),	Yes ▼	
Whether the information regarding total installed capacity of factory (in KWs) is correct or not	Yes ▼	
Whether any accidents have taken place inside the inside the factory the past one year if yes, type of accident – fatal or non fatal. No of workmen injured / deceased or both in the accident – men women adolescents a brief description of the nature and caused of accident (sec 88 FA, 1948).	No ▼	
Whether any accidents have taken place inside the inside the factory the past one year if yes, type of accident – fatal or non fatal. No of workmen injured / deceased or both in the accident – men women adolescents a brief description of the nature and caused of accident (sec 88 FA, 1948).	Yes ▼	
Whether the annual return being filed by the factory for the previous year (sec110 FA, 1948).	Yes ▼	
Whether inspection of a premise or factory prohibited / obstructed / delayed by any person or persons who may be directly or indirectly involved or appears to be involved with the affairs of the factory, specify (sec 95, FA, 1948).	Yes ▼	
Submit	Save	₹





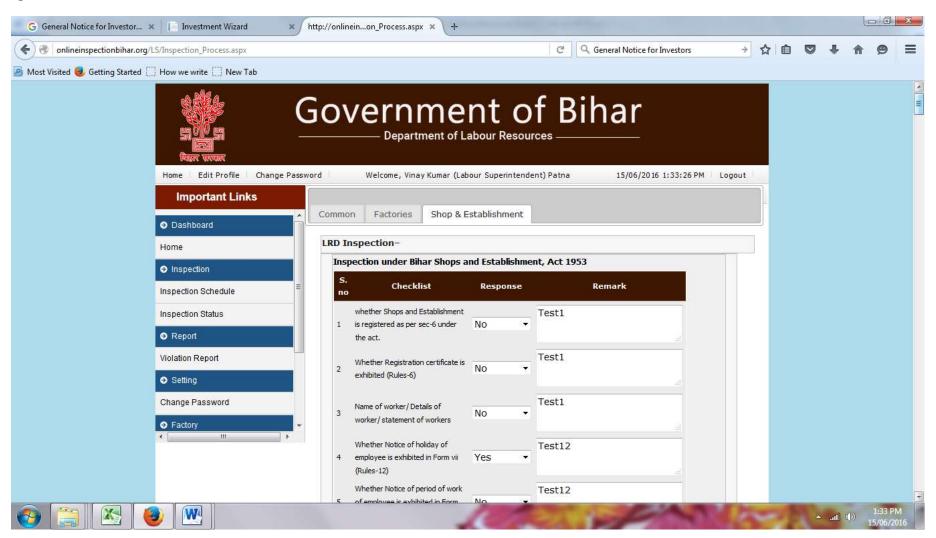


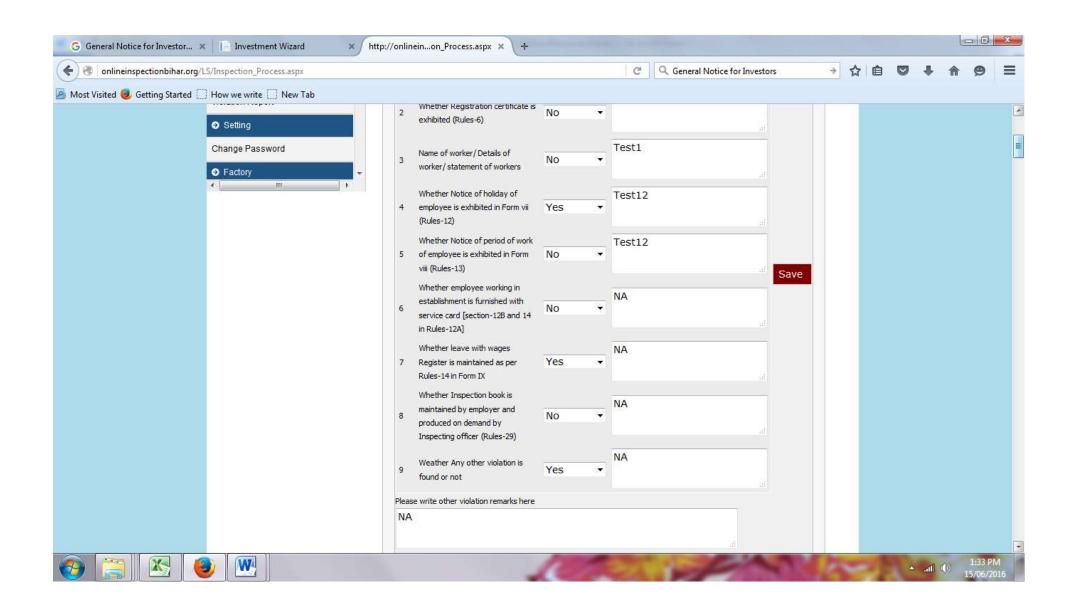
WELF	FARE		
S. no	Checklist	Response	Remark
1	Washing facility section 42 male and female should be separate facilities.	No ▼	Test1
2	First aid ambulance room section 45 first aid boxes shall be kept in a responsible and trend person for giving first aid ambulance room shall be kept with a qualified medical petitioner.	No ▼	Test1
3	Canteen section 46 and rules canteen arrangement maintain by occupier as per canteen managing committee with no loss no profit basis.	No ▼	Test1
4	Shelters section 47 rest room lunch rooms with provision of drinking water.	No ▼	Test1
5	Crèches section 48 woman worker should be provided with necessary bedding of his child and accommodation for mother feeling with suitable supply of toys for children without charge	Yes ▼	Test12
6	No charge facilities for convince charge section 114 no fee of or charge shall be realized for any arrangement	Yes ▼	Test12
7	Obligation of worker section 97 or 111 shall wilfully every worker interfere with or misuse any appliances convinces health safety or	Yes ▼	Test12

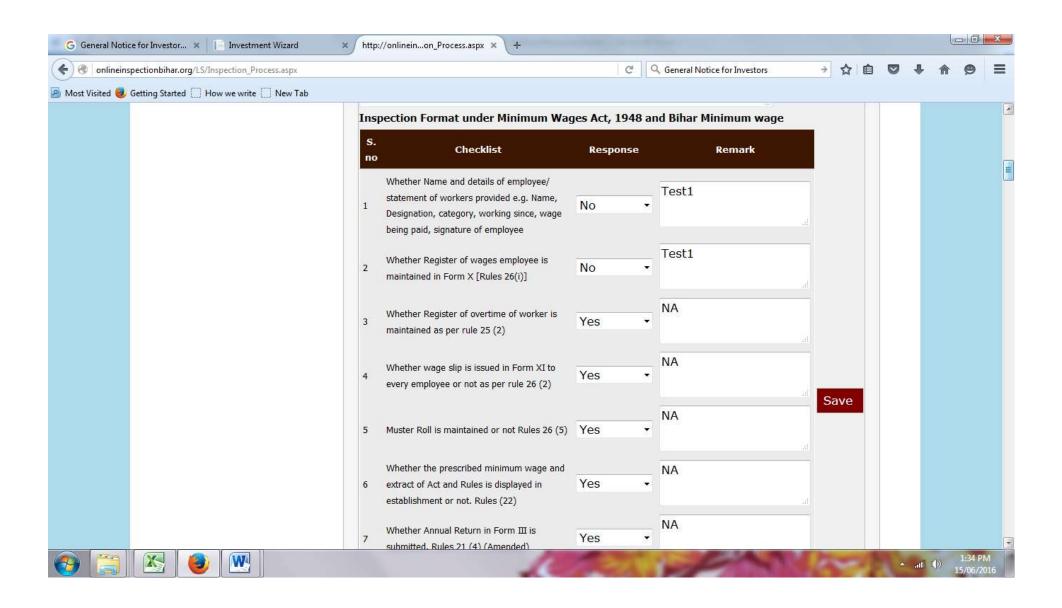
	suitable supply of toys for children without				À
	charge				
	No charge facilities for convince charge		Test12		
6	section 114 no fee of or charge shall be realized for any arrangement	Yes ▼			
	Obligation of worker section 97 or 111 shall wilfully every worker interfere with or misuse		Test12		
7	any appliances convinces health safety or	Yes ▼			
	welfare.				
	A notice of period of work for adults and				
В	children prescribed shall be correctly	Yes ▼	Test12		
,	maintains and display and submit sky	165			
	periodical return to inspector and cif Bihar.				
			Test12		
)	Whether any other violation found or not	Yes ▼			
leas	e write other violation remarks here				
NA	t wite outer violation character				
	write final remarks here (if any ?)				
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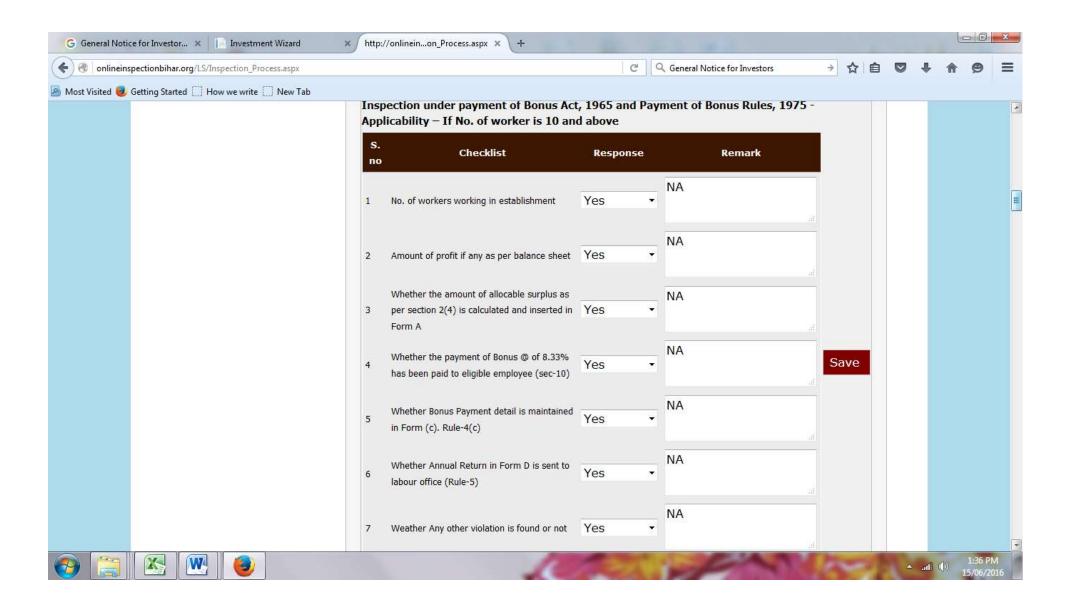
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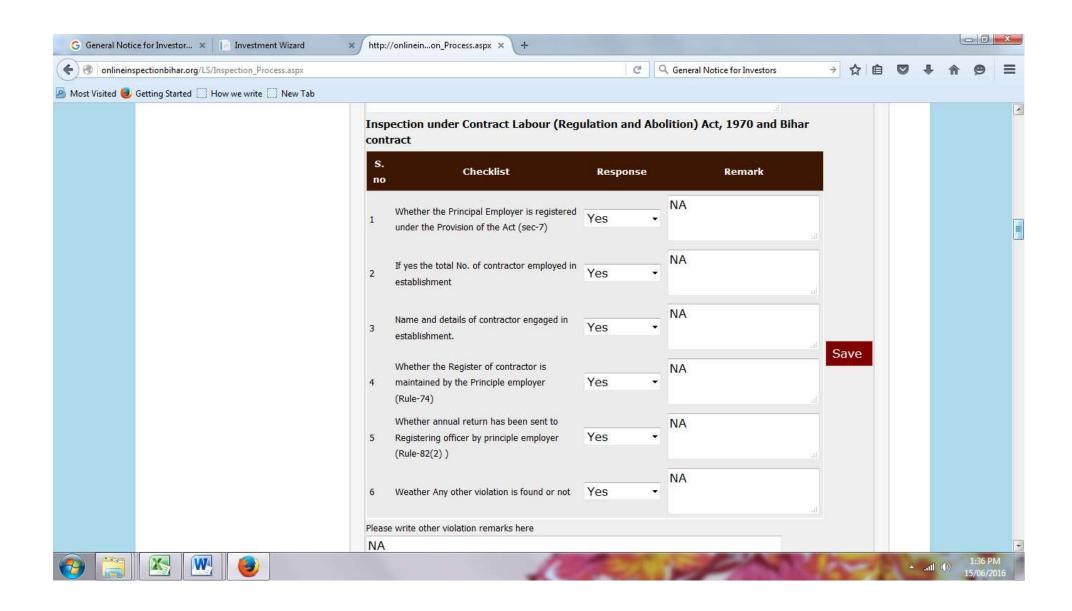
Step 9 B: Officer (Labour Superintendent) after conducting the inspection, selects the establishment for which the inspection report should be prepared/updated.

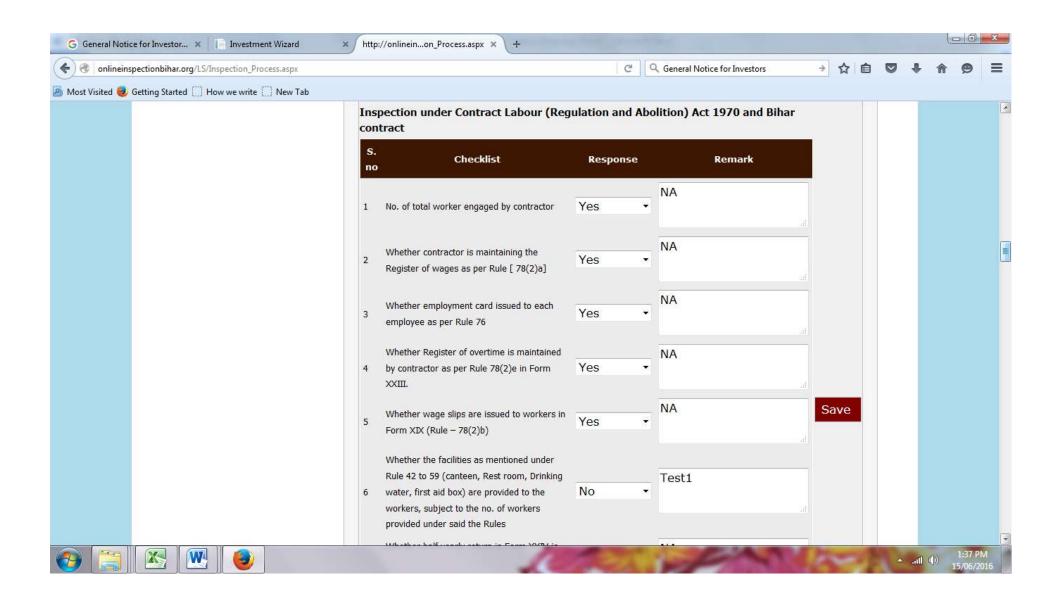


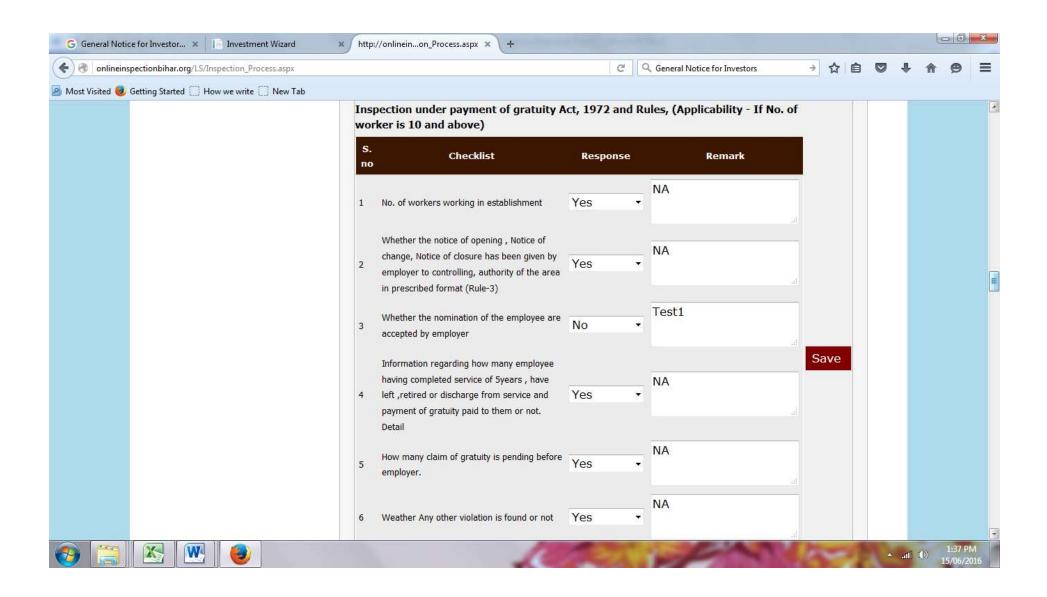


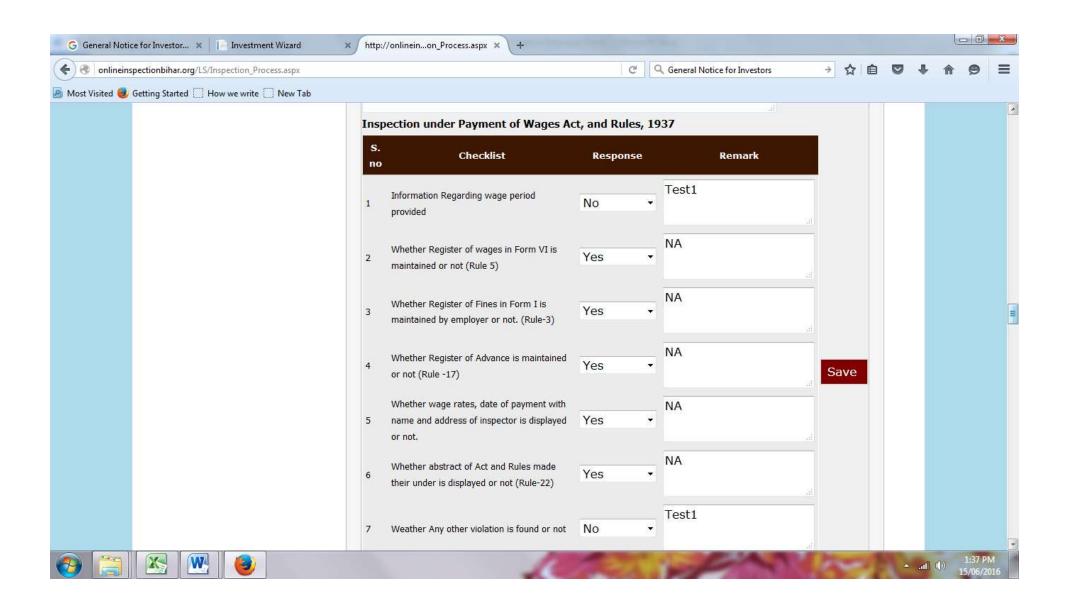


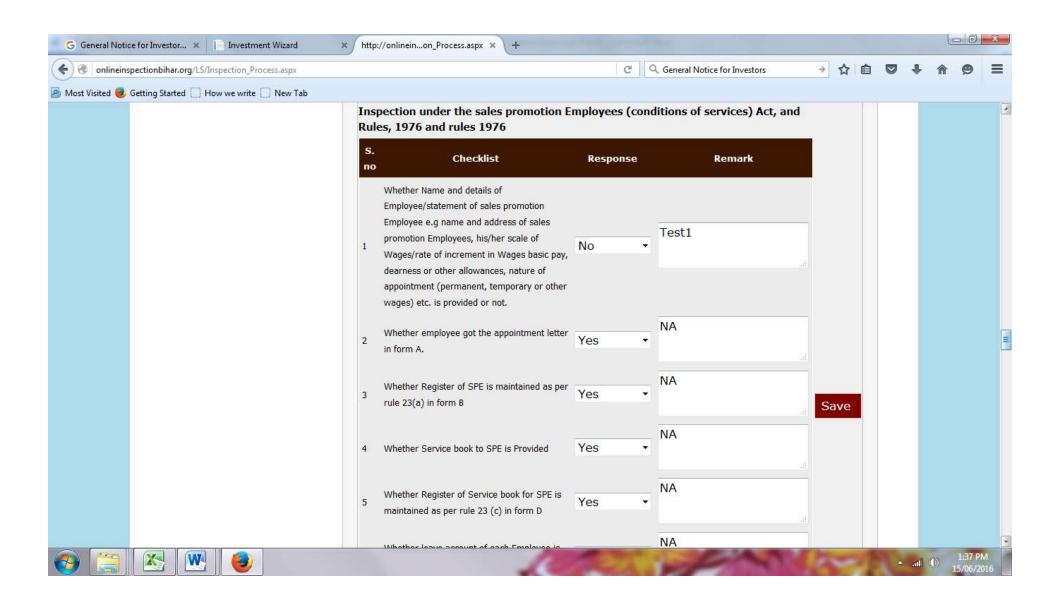


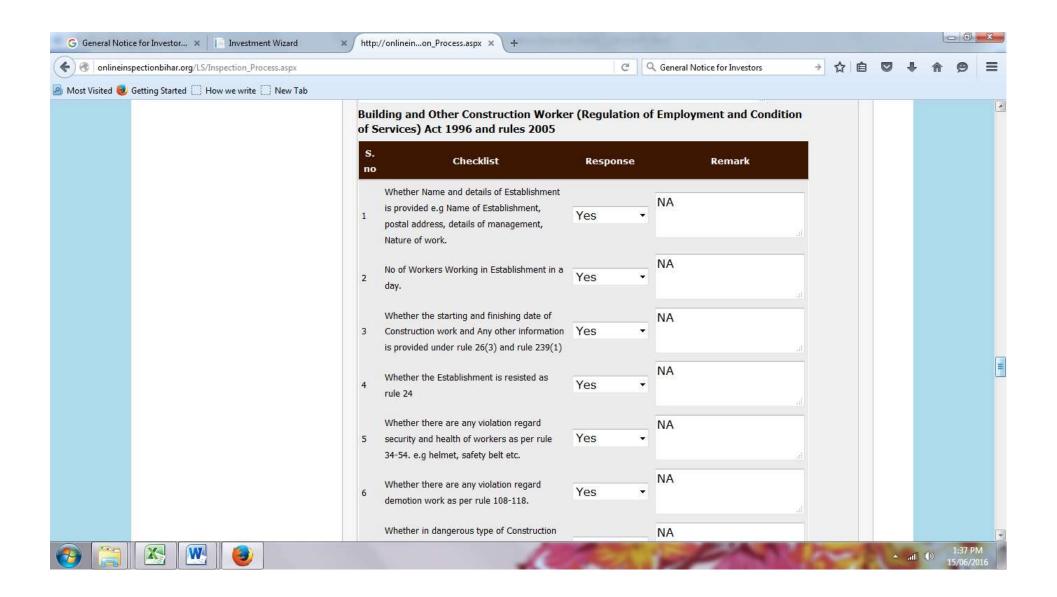


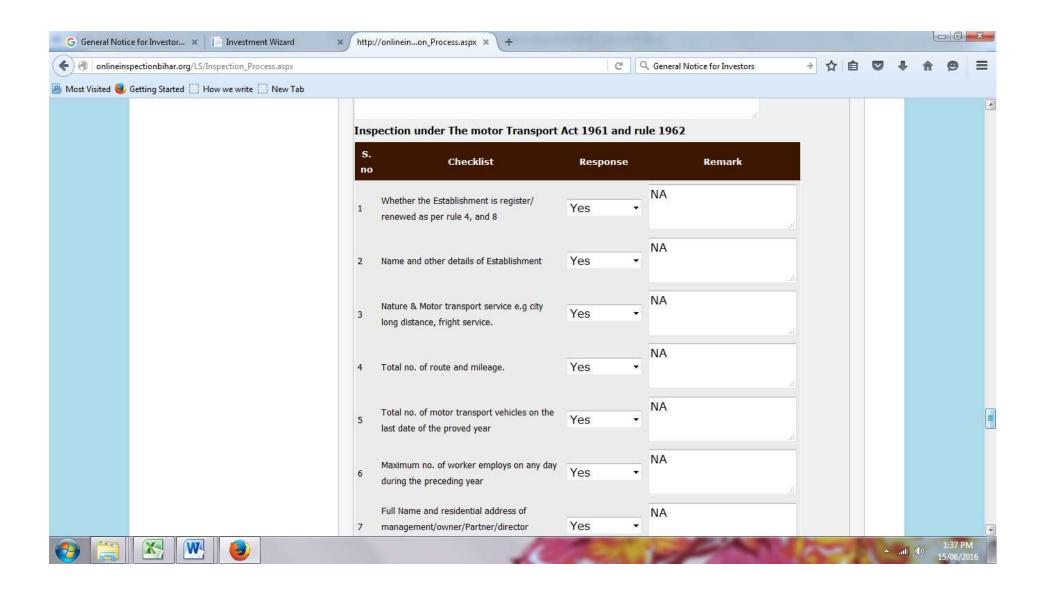


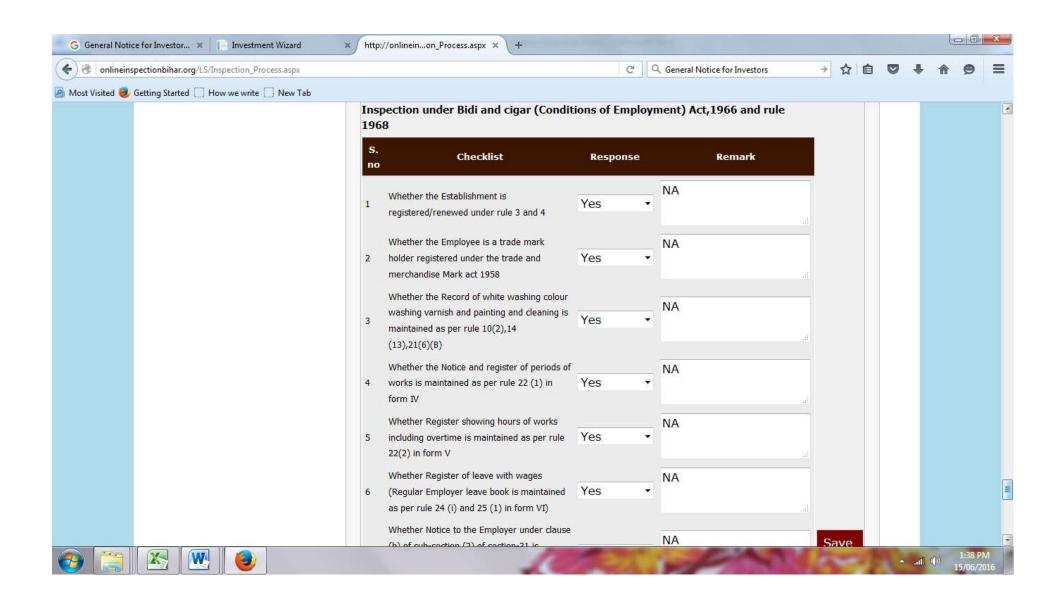


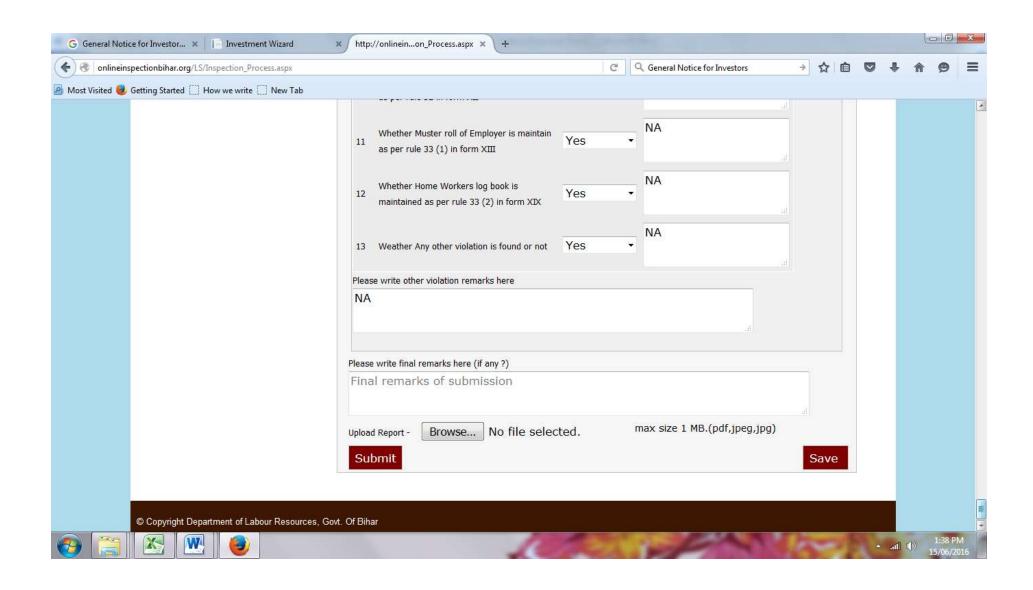




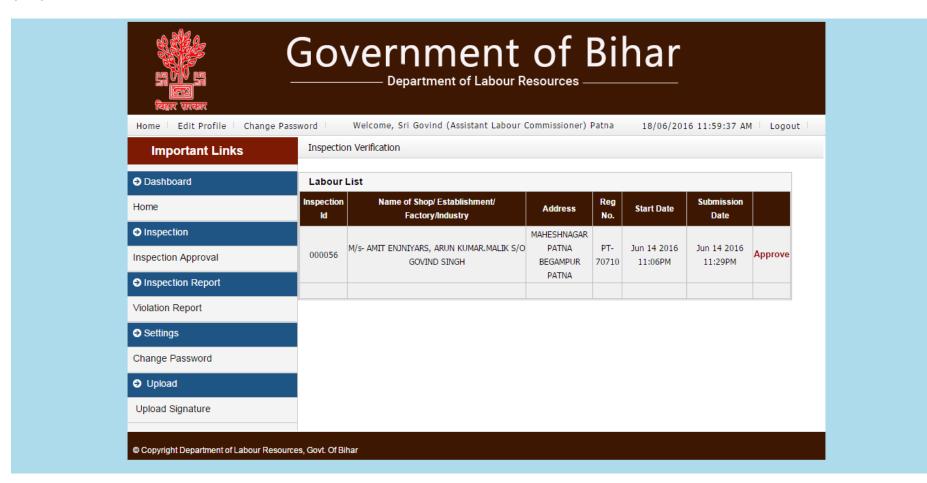








Step 10: After submission of the inspection report by the officer (Labour Superintendent/ Factory Inspector), the draft inspection report is forwarded to Assistant Labour Commissioner for necessary. After approval of the inspection report, the violation/ inspection report is visible to the User/ Establishment Owner



Step 11: If the inspection report is not submitted by the Officer (Labour Superintendent/ Factory Inspector) within 48 hours, the system doesn't allow the officers to prepare the inspection report until it has been approved by the Labour Commissioner or appropriate authority.



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Important Links	Inspection Sc	Inspection Schedule					
Dashboard	Labour List						
Home	Factory List						
Registered User	Inspection Id	Name of Shop/ Establishment/ Factory/Industry	Address	Reg No.	Start Date		
Active/Deactive Officers	000037	M/s Baidhnath Ayurvedh Bhawan Pvt Ltd.		95/PTN	Mar 5 2016 6:36AM	Release	
Approve Registered User							
• Inspection	T						
No of inspection							
View No of inspection List							
Set Inspection Officers							
→ Inspection Report							

After approval by the Labour Commissioner, the officer can fill in the inspection report and submit it for approval and publishing.