

STANDARD OPERATING PROCEDURE (SOP)

Registration of Principal
Employers Establishment
under the Inter State Migrant
Workmen (RE&CS) Act, 1979

Department of Labour and Employment

Government of J&K

Name of Service

Registration of Principal Employers Establishment under the Inter State Migrant Workmen (RE&CS) Act, 1979.

Name of Department

Department of Labour and Employment, GoJK

Policy/Government Order

Inter State Migrant Workmen (RE&CS) Act, 1979

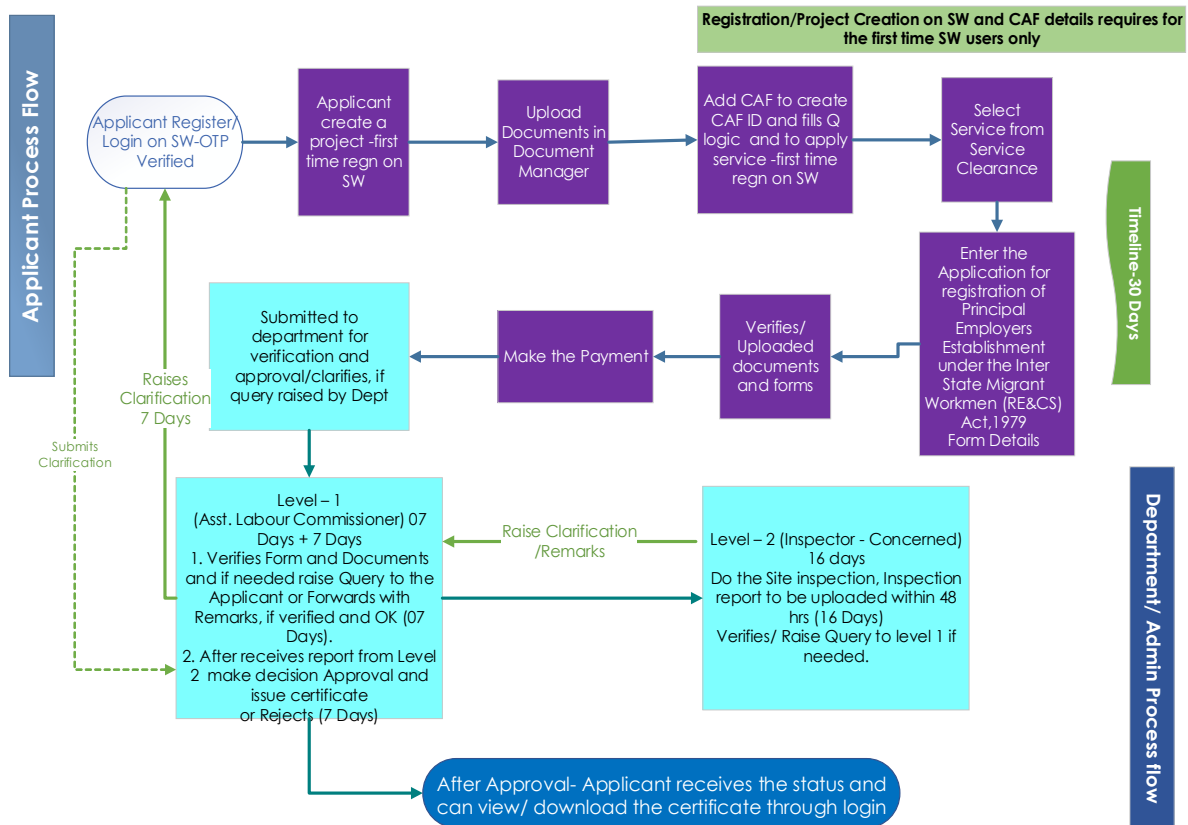
Documents Checklist

#	Document name	Type	Mandatory
1.	List of Contractors	PDF	Yes
2.	Photograph of the Principal Employer	JPEG/JPG	Yes
3.	Aadhaar Card / Election Card / Driving License of Principal Employer	PDF	Yes

Fees

#	Category	Fee per annum
1	Upto 20	Rs.150
2	21-50	Rs.375
3	51-100	Rs.750
4	101-200	Rs.900
5	201-400	Rs.3000
6	More than 400	Rs.3750

Process Flow: Registration of Principal Employers Establishment under the Inter State Migrant Workmen (RE&CS) Act, 1979



Step by Step Procedure for Registration of Principal Employer's establishment under Inter State Migrant Workmen (RE&CS) Act, 1979 from the Applicant and Department side along with timelines.

Applicant Side:

- I. Applicant registers himself/herself on single window system <http://www.singlewindow.jk.gov.in>. If, already registered on the portal then login with the registered user id and password
- II. Applicants get the registration information on registered email id and registered mobile number.
- III. Your first step is to create a Project (a Project can be your new or existing Business/Industry).
- IV. Once a Project is created, you can fill the Common Application Form for the Project where all the common details required for the project are filled.
- V. Once CAF Id is created, from all the available Forms, click on the Form/Registration you want to apply for.

- VI. Before filling the forms, you will be given instructions about the documents required to submit along with the form. You need to upload these documents before filling the form.
- VII. Now you can apply for Principal Employer Employing Migrant Labour Registration.
- VIII. Make payment of necessary application processing fees online using your debit card/ credit card/ net banking facility

Department side:

- IX. Filled application form will be submitted to Assistant Labour Commissioner.
- X. After online receipt of application form for Principal Employer Employing Migrant Labour Registration with all the necessary documents mentioned above, the Assistant Labour Commissioner shall scrutinize the application along with uploaded documents
- XI. In case of deficiency Assistant Labour Commissioner shall report the deficiency to the applicant within **07** working days.(Timeline 7 working days)**
- XII. If there is no deficiency the Assistant Labour Commissioner shall recommend the application to Inspector-Concerned having jurisdiction of the area, who in turn will conduct the Physical inspection of the Site and submit the inspection report within **16** working days **(Timeline 16 working days)**
- XIII. Assistant Labour Commissioner if satisfied shall issue or reject the same within **7** working days. **(Timeline 7 working days)**
- XIV. The certificate can be downloaded from the applicant login.

Form Fields:

#	Section	Caption Name	Type of Field	Mandatory (Yes/No)
1.	Establishment Details	Name of the establishment	Alpha/numeric	Yes
2.		Location of the establishment	Alpha/numeric	Yes
3.		Address 1	Alpha/numeric	Yes
4.		Address 2	Alpha/numeric	Yes
5.		City	Alpha	Yes
6.		District	Alpha/Dropdown	Yes
7.		Pincode: *	Numeric	Yes
8.		E mail Id	Alpha/numeric	Yes
9.		Phone Number	Alpha/numeric	Yes
10.		Nature of work carried on the establishment	Alpha/numeric	Yes
11.		Total number of Workers to be Employed	Alpha/numeric	Yes
12.	Full name and address of the principal employer	Full Name	Alpha/numeric	Yes
13.		Father's / Husband's Full Name	Alpha/numeric	Yes
14.		Address 1	Alpha/numeric	Yes
15.		Address 2	Alpha/numeric	Yes
16.		City	Alpha/numeric	Yes
17.		District	Alpha/Dropdown	Yes
18.		Pincode	Numeric	Yes
19.		Email Id	Alpha/numeric	Yes
20.		Mobile Number	Numeric	Yes
21.		Partner/Member/Director/Share Holder Information, if any communication	Full Name	Alpha/numeric
22.	Father's / Husband's Full Name		Alpha/numeric	No
23.	Address 1		Alpha/numeric	No
24.	Address 2		Alpha/numeric	No
25.	City		Alpha/numeric	No
26.	District		Alpha/Dropdown	No
27.	Pincode		Numeric	No
28.	Email Id		Alpha/numeric	No

#	Section	Caption Name	Type of Field	Mandatory (Yes/No)
29.	Full name and address of the Manager or person responsible for the supervision and control of the establishment	Full Name	Alpha/numeric	No
30.		Father's / Husband's Full Name	Alpha/numeric	No
31.		Address 1	Alpha/numeric	No
32.		Address 2	Alpha/numeric	No
33.		City	Alpha/numeric	No
34.		District	Alpha/Dropdown	No
35.		Pincode	Numeric	No
36.		Email Id	Alpha/numeric	No
37.	Documents	List of Contractors	Upload Option	Yes
38.		Photograph of Principal Employer	Upload Option	Yes
39.		Aadhaar Card / Election Card / Driving License of Principal Employer	Upload Option	Yes
40.		Supporting documents, if any	Upload Option	No

Risk Categorization pertaining to Labour Department

i. J&K State Pollution Control Board

As defined by Government Order No 82-SPCB of 2018 dated 22-052018. Priorities of industries will be as follows:

Category	Inspection Schedule Based on Risk/pollution	
Red Category (High Risk)	<ul style="list-style-type: none"> 17 Categories of highly polluting industries as categorized by JKSPCB. Red Category of Industries other than those mentioned above 	Three months (Quarterly basis) Half Yearly
Orange Category	Orange Category of Industries	Once in a year
Green Category (Low Risk)	Green Category of Industries	Once in two years
	Exemption from inspection	To be inspected only in case of Public Complaints, Legal Cases and other mandatory requirements.

ii. Department of Labour and Employment

- a. As defined by Government Order No 56-L&E of 2018 dated 26-7-2018.
- b. For boilers, as defined by government from time to time.
- c. The risk based inspection of the Labour and Employment department is as follows:

Category	Name of the Category	Inspection schedule based on risk/pollution	
I	Highly Hazardous: All factories posing high risk to workers and general public i.e. having off-site and which would require outside help to combat serious accident.	Fertilizer, LPG (Bottling and Storage), Pesticides, Chemical and Pharmaceutical units and other red category units.	Once in six Months
II	Moderately Hazardous: All factories with medium hazard i.e. having on-site risk	Solvent Extraction Plants, Hydrogenating Plants, Paper Mills,	Once in six Months

	only and wherein the accidents could be controlled by the resources on the plant itself or with the help of neighboring units.	Chlorine, Distilleries, Breweries and Sugar Factories.	
III	Less Hazardous: All factories except (i) & (ii) with less hazardous potential i.e. where accidents can be controlled by unit by own resources.	Factories covered under S 85 of the Factories Act 1948.	Once in a year
A	Factories involving mechanical and health hazards.	Rule framed under 21(2) Factories Act 1948 including Paper Mills, Textile Mills, Ice Plants/ Cold Storages, Thermal Power stations and Primary Metallurgical producing units i.e. Zinc, Cadmium, Lead, Mercury Nickel, Aluminum, Copper and Steel.	Once in a year
B	Factories involving health hazards.	Tanneries, Paper Mills not using Chlorine, Board Mills and factories employing 20 or more workers excepting Brick Kiln, Electronic Goods, Printing Press and Saw Mills.	Once in a year
C	Factories which are less prone to accidents	Not included in categories A & B	Once in a year



iii. Food, Civil Supplies and Consumer Affairs Department

As defined under the Legal Meteorology (General Rules) 2011.
 However, following High Risk category establishments shall come under the preview of JKCIS:

- a. Non- Automatic weighing Instruments
- b. Dispensing Units
- c. Automatic Gravimetric Filling Instruments

Sd/-
(Manoj Kumar Dwevidi) IAS
**Commissioner Secretary to the Government
Industries and Commerce Department**

No: IND/DIC-102/2014-III

Dated: 28.01.2021

Copy to the:-

1. All Financial Commissioners.
2. Principal Secretary to the Lieutenant Governor.
3. Director General, J&K Institute of Management, Public Administration and Rural Development, Jammu.
4. Commissioner/ Secretaries to the Government, Labour & Employment Department.
5. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
6. Director, Information J&K.
7. Administrative Secretary, Food Civil Supplies and Consumer Affairs Department.
8. Director, Archives, Archaeology and Museums.
9. Member Secretary, Jammu & Kashmir State Pollution Control Board.
10. Private Secretary to Commissioner/ Secretary to the Government, Industries and Commerce Department.
- ✓ 11. In-charge website, I&C Department.
12. Notification file.


(Sartaj Hussain Madni)
Deputy Secretary to the Government

Do's

1. Ensure that relevant document as mentioned in the Standard Operating Procedure is uploaded at appropriate place.
2. Reply at the earliest or in 7 days to the clarification raised by the Department Officer for the Application.
3. Raise grievances on Single Window if Approval is not granted within specified timeline.
4. Download your Approval certificate/ License/Registration etc. from the portal only.

Don'ts

1. There is no need to visit the Dept. for approval or any clarification.
2. Don't submit any physical hard copy of document to the Dept.
3. Don't upload irrelevant documents in the Application which is not mentioned in the Document Checklist

References:

1. Inter State Migrant Workmen (RE&CS) Act, 1979 ([The Inter-State Migrant Workmen \(RE&CS\) Act, 1979.pdf \(meqlc.gov.in\)](#))
2. PSGA General Administration Department, Jammu & Kashmir. ([showpdf.aspx \(jkgad.nic.in\)](#))

Appendix

FORM - I

(See Rule 3(1))

**Application of Registration of Establishments employing Migrant
Workman under the Inter State Migrant Workmen(R.E& C.S.)ACT,
1979 and The Rules framed thereunder.**

1. Name and location of the establishment.
2. Postal address of the establishment.
3. Full name and address of the principal employer (furnish father's/husband's name in the case of individuals).
4. Names and address of the Directors/particular Partners (in case of companies and firms).
5. Full name and address of the Manager or person responsible for the supervision and control of the establishment.
6. Nature of work.
7. Particulars of Contractors and migrant workman-
 - (a) Names and addresses of Contractors.
 - (b) Nature of work for which migrant workmen are to be recruited or are employed.
 - (c) Maximum number of migrant workmen to be employed on any day through each Contractor.
 - (d) Date of commencement of work under each Contractor.
 - (e) Estimated date of termination of employment of migrant workmen under each Contractor.
8. Original copy of the Treasury Challan depositing the requisite fees enclosed.

I hereby declare that the particulars given above are true to the best of my knowledge and belief.

Principal Employer,
(Seal & Stamp)

Date of receipt