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STANDARD OPERATING PROCEDURE

(SOP) Registration of Principal Employer's establishment under Contract Labour (Regulation and Abolition) Act, 1970

Department of Labour and Employment Government of J&K

Name of Service

Registration of Principal Employer's establishment under Contract Labour (Regulation and Abolition) Act, 1970.

Name of Department

Department of Labour and Employment, GoJK

Policy/Government Order

Contract Labour (Regulation and Abolition) Act, 1970

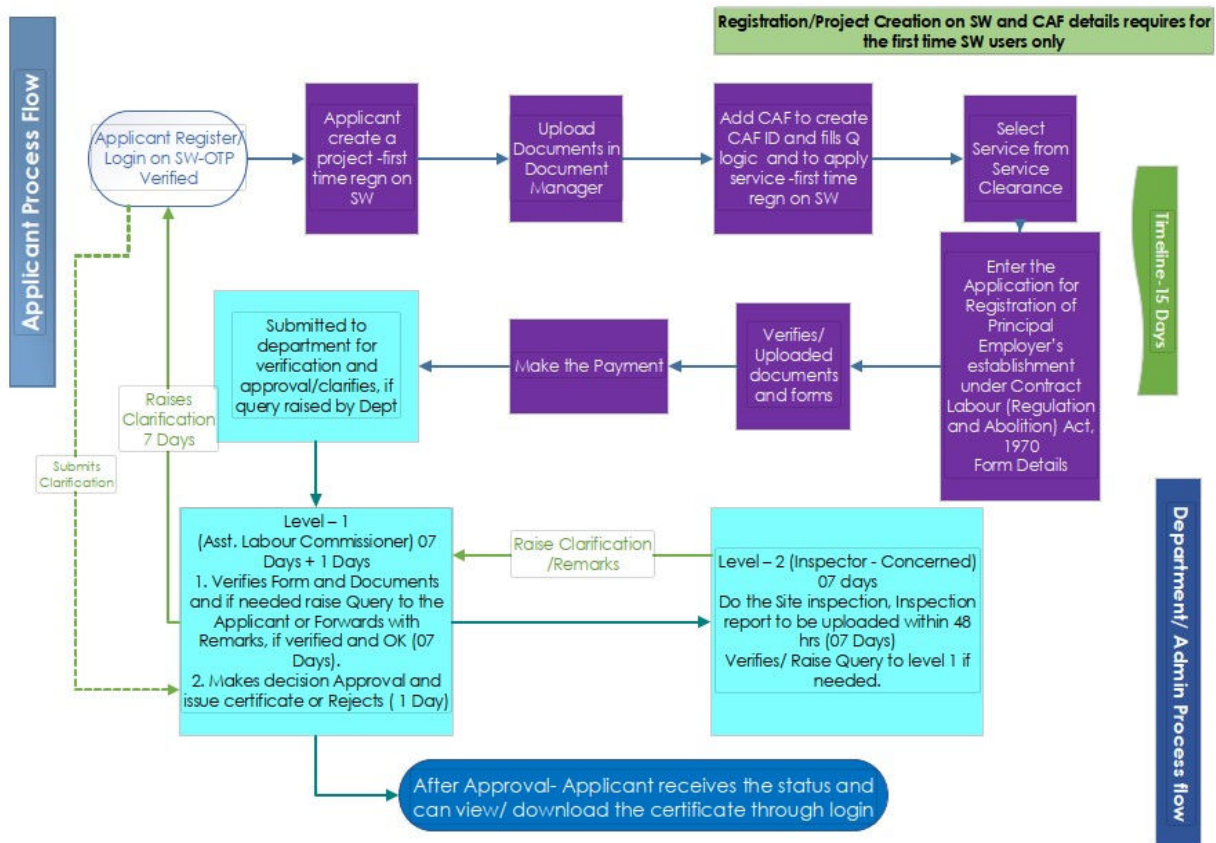
Documents Checklist

#	Document name	Type	Mandatory
1.	List of Contractors with following details about each Contractor - Full Name, Postal Addresses, Nature of work for which the contract labour are to be recruited or employed, Maximum number of contract labour to be employed on any day through contractor, Estimated date of commencement of work under contractor, Estimated date of termination of employment of contract labour under contractor	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.60
2	21-50	Rs.150
3	51-100	Rs.300
4	101-200	Rs.600
5	201-400	Rs.1200
6	More than 400	Rs.1500

Process Flow: Registration of Principal Employer's establishment under Contract Labour (Regulation and Abolition) Act, 1970



Step by Step Procedure for Registration of Principal Employer's establishment under contract Labour (Regulation and Abolition) Act, 1970 from 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 Contract Labour Registration.
- VIII. Make payment of necessary application processing fees online using your debit card/ credit card/ net banking facility
- IX. Filled application form will be submitted to Assistant Labour Commissioner.

Department side:

- 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 **7** 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 **7** working days. **(Timeline 7 working days)**
- XIII. Assistant Labour Commissioner if satisfied shall issue or reject the same within **1** working day. **(1 working day)**
- 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	No
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
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

#	Section	Caption Name	Type of Field	Mandatory (Yes/No)
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

jkindcom@gmail.com

Phone / Fax No:- (J) 0191-2546195
(S) 0194-2485585

Government of Jammu and Kashmir
Industries & Commerce Department
Civil Secretariat, Jammu


NOTIFICATION

Jammu the 28th of January, 2021

Subject: The Jammu and Kashmir Central Inspection System (JKCIS).

1. For a proficient business environment, synergy in inspections of various agencies regulating business is necessary to ensure that all relevant risks are properly addressed during inspection process. However, UT agencies often carry out inspections in silos and refrain from sharing information with other Departments.
2. Hence, it is proposed to develop and implement a Central Inspection System (integrated risk based shared inspection system) covering Department of Industries and Commerce, Department of Labour and Employment, J&K State Pollution Control Board and Food, Civil Supplies and Consumer Affairs. Under the Central Inspection System (CIS) all the inspections prescribed under various Acts and Rules will be directly reported online by the Inspectorates to synchronize multiple inspections.
3. Now, in suppression of the Notification issued vide No: IND/DIC-102/2014-VIII dated 02.07.2019; revised guidelines are hereby notified which shall oversee the Central Inspection System covering Labour, Factories and Boilers, Legal Meteorology and Pollution Control Board.

I. The Inspection Framework:

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- i. The CIS online system will comprise of computerized list of units drawn from the Data Base of the Single Window Portal. The selection for inspection of an establishment would be done through computerized risk assessment. The risk levels will depend on sector, history of compliance, etc.
 - ii. The list of industries to be inspected would be prepared in accordance with the set parameters based on which an inspection calendar shall be prepared. The compliance inspection shall be executed by respective

- if needed. It shall also support mobile and email alerts. Avoid multiplicity of inspections and inspectors.
- d. Allow third party certification instead of Departmental Inspection under all the Labour and Environment / Pollution Control Laws and under Laws related to Consumer Affairs for low and medium risk industry.
 - e. Decide quarterly plan for inspection by various concerned departments.
 - f. Review the functioning of the CIS and the performance of each office integrated in the CIS.
 - g. Mandating the surprise inspection(s) based on complaints are conducted with specific permissions from the respective HODs.
 - h. Establish Helpdesk and Grievance Redressal Mechanism.

IV. Central Inspection Cell (CIC) in the Directorate of Industries:

The actual functioning of the Central Inspection System shall be carried out by a Central Inspection Cell (CIC). The CIC shall be headed by Director Industries and Commerce (concerned) who shall staff it adequately. Each participating Department will designate a Nodal Officer who shall be member of the Central Inspection Cell. The function of Central Inspection Cell (CIC) will be as follows:

- a. To build capacity of the Inspectors by introducing training to enhance skill.
- b. To introduce cross training of the Inspectors for different inspection to optimize use of resources.
- c. Develop modalities for conducting surprise inspections.
- d. Monitor conduct of inspection reports.
- e. Operationalization of Helpdesk and Grievance Redressal Mechanism.



V. Risk Based Criteria for Inspections

Risk Based Inspection tool, where resources are focused on those enterprises carry a higher risk to the public is developed by the respective department. This risk based inspection tool shall form the basis to prioritize and determine the frequency of visit of each industrial establishment which shall form part of the annual inspection plans and detail visit schedule. The risk based schedule of the offices integrated in the JKCIS is as follows:

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

- As defined by Government Order No 56-L&E of 2018 dated 26-7-2018.
- For boilers, as defined by government from time to time.
- 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

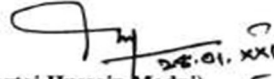
Sd/-
(Manoj Kumar Dwevedi) IAS
Commissioner Secretary to the Government
Industries and Commerce Department

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 and Donts

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. Contract Labour (Regulation and Abolition) Act, 1970 ([Publication1 \(wbcl.gov.in\)](http://wbcl.gov.in))
2. PSGA General Administration Department, Jammu & Kashmir. ([showpdf.aspx \(jkgad.nic.in\)](http://showpdf.aspx (jkgad.nic.in)))

Appendix

APPLICATION FOR REGISTRATION OF ESTABLISHMENTS EMPLOYING CONTRACT LABOUR

- 01) Name and Location of the Establishment:
- 02) Postal Address of the Establishment:
- 03) Full Name and Address of the Principal Employee
(Furnish Father's Name in the case of individuals):.....
- 04) Full Name & Address of the Manager or person responsible
for the supervision & Control of the Establishment:.....
- 05) Nature of work carried on in the establishment:.....
- 06) Particulars of Contractors and Contract Labour:.....
 - a) Name & Address of Contractor:.....
 - b) Nature of work in which Contract Labour
is employed or is be employed:.....
 - c) Maximum No. of Contract Labour to be employed
on any day through each contractor:.....
 - d) Estimated date of termination of employment of
Contract Labour under each Contractor:.....
- 07) Particulars of Treasury Receipt 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 of Application

Office of the Registrating Officer.

FORM V
See Rule 21(2)

Form of Certificate by Principal Employer

Certified that I have engaged the applicant M/S _____
_____ as a Contractor in my Establishment. I undertake to
be bound by all the provisions of the Contract Labour (Regulation & Abolition) Act 1970 and J&K
Contract Labour (Regulation & Abolition) Rules 1972 in so far as provisions are applicable to me in
respect of employment of Contract Labour by the applicant of Establishment.

Place _____

Signature of Principal Employer

Dated _____

Name & Address of Establishment

