

**Department of Industries
Government of Bihar**

Notification No.:

/Patna

Date:

Department of Industries, Government of Bihar is committed towards simplifying compliance inspection system in the State. Department of Industrial Policy and Promotion (DIPP), Ministry of Commerce & Industry, GoI under Business Reform Action Plan, 2017 for States & UTs has also emphasized the implementation of the Central Inspection System for Labour Resources Department and Bihar State Pollution Control Board. Department of Industries in consultation with Labour Resources Department and Bihar State Pollution Control Board is pleased to notify the Central Inspection System responsible for undertaking joint compliance inspections by Labour Resource Department (including Factories and Boilers) and Bihar State Pollution Control Board. An IT system has also been developed in accordance with this framework.

Central Inspection Framework for Industrial Enterprises

1. Context

The need for a central inspection framework is to address the common complaints about ambiguity, duplication and overlapping mandates between inspection authorities, and a general lack of cooperation and coordination. Currently, industrial establishments are receiving multiple visits from different bodies often checking on the same things, and, on some occasions, contradicting each other.

As part of “Ease of Doing Business” framework, improving the inspection framework has become a critical parameter in ensuring clarity on inspections, frequency of inspections, and reducing duplications. This Inspection Framework aims to achieve the objective of simplifying business regulations and bring in transparency and accountability in inspections.

2. Objectives

The broad objectives of Central Inspection Framework are:

- i. Synchronized inspections by all concerned Departments/ Agencies
- ii. Transparency in the procedure and methodology of inspections
- iii. Strict adherence to defined timelines for inspections by various departments
- iv. Risk based selection of industries for inspections and automated allocation of inspectors
- v. Integrated feedback mechanism for industrial units
- vi. Facilitate “Ease of Doing Business” in the State

3. Coverage of Central Inspection Framework

The Central Inspection Framework shall address the inspection related requirement under various laws as prescribed in Appendix A.

4. Administrative Mechanism

Two Bodies/ Committees will be ensuring operationalization of the Central Inspection Framework:

1. State Investment Promotion Board (SIPB)

State Investment Promotion Board (SIPB) has been constituted under the Bihar Industrial Investment Promotion Act, 2016. The function of SIPB with respect to Central Inspection Framework will be as follows:

- Provide policy level guidance
- Inclusion of additional services under Central Inspection Framework across multiple Departments
- Quarterly review and monitor the implementation of Central Inspection Framework
- Provide necessary direction/ instruction for effective implementation of the framework

II. Joint Inspection Committee

In the current context, a Joint Inspection Committee under the Chairmanship of Principal Secretary, Labour Resources Department is constituted which will be primarily an operational group and responsible for scheduling and monitoring joint inspection on a regular basis. The institutional structure of the Joint Inspection Committee is given below:

Principal Secretary, Labour Resources Department	Chairman
Chairman, BSPCB	Vice-Chairman
Labour Commissioner	Member - Secretary
Joint Labour Commissioner	Member
Chief Inspector of Factories	Member
Member Secretary, BSPCB	Member and Nodal Officer, BSPCB
Representative from DoI	Member

The function of Joint Inspection Committee with respect to Central Inspection Framework will be as follows:

- Develop transparent checklists and procedures
- Develop criteria for classifying and prioritizing the inspection of businesses, industries etc.
- Ensure synchronized inspections by Labour Resources Department and Bihar State Pollution Control Board (BSPCB)
- Establish the framework for risk based inspections
- Develop modalities for conducting surprise inspections
- Empanel third party inspector, wherever applicable (As per Government of India approved agencies)
- Undertake capacity building initiatives
- Monthly review the performance of field offices

5. Features of Risk Based Centralized Inspection System

I. **Computerized Risk Based Selection of Industries**

- Risk-based computerized process for selection of industries
- All industries shall be assigned a risk rating, based on defined criteria, which shall be also publicly available on the portal
- System should automatically calculate the risk score of a unit based on the parameters already captured in

the system

- System should facilitate generation of random list of units based on the business rules for a month in advance
- System will identify the units which are common for LRD and BSPCB and generate a common list of units for inspection
- Rest of the units shortlisted will be for individual inspection by LRD and BSPCB
- No human intervention shall be in selection of units for inspection¹

II. Scheduling and Allocation of Inspectors

- To ensure transparency in the inspection process, allocation of inspectors (based on their defined jurisdiction) shall be carried out by the online system in a randomized manner
- Automatic and random allocation of inspectors to the units generated from the system based on the applicable acts, jurisdiction etc.
- System shall ensure that same inspector does not inspect the same industry in two consecutive inspections²
- Based on the defined risk and defined frequency, computerized system shall schedule a synchronized inspection for the inspectors of the two Departments

III. Prior Intimation of Inspections to Units

- Schedule for inspections with dates of inspection inspector wise shall be available on the portal one month in advance
- The system shall send automated e-mail and SMS updates with the list of units to be inspected to the concerned inspector 1 day in advance
- The system shall send automated e-mail and SMS updates with the inspection details. to the concerned unit owner 1 day in advance
- In case of surprise inspection/ inspection undertaken based on complaints received. intimation will not be sent to the concerned unit owner in advance

IV. Preparation of online inspection report (Optional in SWC System for BSPCB)

- Framework shall mandate uploading of inspection reports within 48 hours of completion of inspection
- Any non-adherence to schedule shall trigger automated escalation to the Head of the Department and will be reviewed every fortnight
- System should allow the user to submit their inspection note and report online.
- Provide access to the users to the selected checklist based on the Acts applicable and nature of inspection
- System should pre-populate the information of the unit in the inspection note/ report from the database.
- System should allow users to upload any documents, image, manual inspection note etc. related to the inspection carried out.
- System should support automatic generation of violation summary report under various acts.

¹ Except for exceptional circumstances where Head of Department (HoD) will have the right to modify the list with appropriate justification

² It may be noted that various Acts etc. prescribe the local limit of inspectors and there might be repetition of due to limited number of inspecting officers

V. Availability of online inspection report (Optional in SWC System for BSPCB)

- System should allow generation of Inspection Order cum Notice based on inspecting officer's finding with an intimation to the unit owner by email/SMS
- The Inspection Order cum Notice will be available to the concerned unit owner to view and download inspection report after logging into the portal
- Unit owner will have provision to take corrective action and upload necessary supporting documents against Notice Issued as necessary corrective measures
- System should allow the unit owners to provide feedback relating to the inspection, the inspectors or the inspection report through the same portal

6. Risk Based Inspections Procedure for various Departments

Risk-based inspection system shall form the basis to prioritize and determine the frequency of visits for each establishment. This system will also enable preparation of inspection plans and detailed visit schedules.

I. Risk Based Inspections by Labour Resource Department

The risk based inspection framework, criteria and procedure has been notified by the Labour Resources Department vide Notification no. 526 and 527 dated 10th February, 2016 (Refer Appendix B). The inspection format prescribed for Labour Resources Department is provided at Appendix C.

II. Risk Based Inspections by Bihar State Pollution Control Board (BSPCB)

BSPCB has adopted and notified the classification of industries published by Central pollution Control Board vide letter no. 14 dated 26.10.2016 (Refer Appendix D). Different classification of industries based on Pollution Index (PI) are as follows:


- Industrial Sectors having Pollution Index score of 60 and above – **Red category**
- Industrial Sectors having Pollution Index score of 41 to 59 – **Orange category**
- Industrial Sectors having Pollution Index score of 21 to 40 – **Green category**
- Industrial Sectors having Pollution Index score of 20 or less – **White category**

BSPCB has also developed and notified criteria based on average risk score to prioritize inspection of industries falling under Red, Orange and Green category. The average risk score will be an average of (i) Category Risk Score, (ii) Compliance Risk Score, and (iii) Time Lapsed Risk Score. Further, BSPCB vide Notification No. 04 dated 4th February, 2016 (Refer Appendix D), has adopted the following on frequency of inspection:

- **Red Category:** Normally, once in a year.
- **Orange Category:** Normally, once in two year.
- **Green Category:** Normally, once in the entire consent period.

The inspection format prescribed for Bihar State Pollution Control Board is provided at Appendix E.

By the Order of the Governor of Bihar.


Principal Secretary,
Department of Industries, Bihar, Patna

No:- 1583 / Patna, dated 31.10.17

File No.- 4Tech./S.O.P./201/2017

Copy:- Superintendent, State Printing Press, Gulzarbagh, Patna to publish in the special edition of Bihar gazette. Request to print 1000 copies of the published gazette and make it available to the Department.

1222223
31/10/17
Principal Secretary,
Department of Industries, Bihar, Patna

No:- 1583 / Patna, dated 31.10.17

File No.- 4Tech./S.O.P./201/2017

Copy:- For information and necessary action - To all Department/ Department Head/ Commissioner, Commercial Taxes/ Managing Director, All corporations under Department of Industries/ Bihar Industrial Area Development Authority/ Chief Executive Officer, Bihar State Khadi Village Industries Board, Patna/ Chairman, Bihar State Electricity Board, Patna/ All Divisional Commissioner/ All District Magistrates/ All Deputy Development Commissioner/ Director, Technical Development/ Director, Industries/ Resident Commissioner, Bihar Bhawan, New Delhi/ All General Manager, District Industries Centre/ Director, Micro, Small and Medium Enterprises Development Institute, Patna/ Muzaffarpur.

1222223
31/10/17
Principal Secretary,
Department of Industries, Bihar, Patna



Appendix A - List of applicable Laws/Acts applicable under the Central Inspection Framework

I. Labour Resources Department

1. The Factories Act, 1948
2. The Minimum Wages Act, 1948
3. The Bihar shops and establishments act 1953
4. The Labour Welfare Fund Act (as applicable)
5. The Payment of Bonus Act, 1965
6. The Payment of Wages Act, 1936
7. The Payment of Gratuity Act, 1972
8. The Contract Labour (Regulation and Abolition) Act, 1970
9. Sales Promotion employees act 1976
10. The Building Construction And Other Construction Workers Welfare Cess Act 1996
11. The Motor Transport Workers Act, 1961
12. Beedi and Cigar Workers (Conditions of Employment) Act, 1966
13. The Equal Remuneration Act, 1976
14. The Maternity Benefit Act, 1961
15. The Child and Adolescent Labour (Prohibition And Regulation) Act 1996
16. Industrial Employment (Standing Orders) Act, 1946

II. Bihar State Pollution Control Board (BSPCB)

1. The Water (Prevention and Control Of Pollution) Act, 1974,
2. The Air (Prevention and Control of Pollution) Act, 1981.
3. Authorization under Hazardous and other Wastes (Management and Trans-boundary Movement) Rules, 2016
4. Any other acts identified and agreed upon with BSPCB



Appendix B –Risk based Inspection framework, procedure etc. for Labour Resources Department

बिहार सरकार
श्रम संसाधन विभाग
अधिसूचना

एस.ओ.

पटना, दिनांक 10/7/16

औद्योगिक नैतिक एवं संवर्धन विभाग, कर्मिण्य एवं उद्योग मंत्रालय, भारत सरकार के द्वारा वर्ष 2016 के लिए निरूपित व्यवसाय सुधार कार्य योजना के अन्तर्गत निम्न तथा मध्यम श्रेणी के औद्योगिक वस्ते उद्योगों/स्थापनों के लिए स्वअभिमूर्णन की अनुमति देने की व्यवस्था निरूपित करने के लिये प्रमाण (Third Party Certification) की सुविधा अनुमत्य करने का परामर्श दिया गया है। इस परिप्रेक्ष्य में विभिन्न श्रम अधिनियमों में निरीक्षण की कार्यवाही के पुनर्संरक्षण/एकीकरण के मातामता के अन्तर्गत मध्यम तथा उच्च श्रेणी के जाखिम वस्ते उद्योगों/स्थापनों का वर्गीकरण 'मिन्मसतक' किया गया है -

1. सलान परिशिष्ट-क के अनुसार सभी कारखानों के लिए 13 बिन्दुओं पर माहित अंक की संख्या के आधार पर जोखिम का वर्गीकरण निम्न, मध्यम तथा उच्च श्रेणी में किया जाएगा।
2. इसके अतिरिक्त निम्नलिखित कारखानों/औद्योगिक स्थापना/दुकान/प्रतिष्ठानों के उच्च/निम्न/मध्यम जोखिम में निम्नानुसार वर्गीकृत किया जाता है:

(i) उच्च जोखिम के कारखाने / औद्योगिक स्थापना / दुकान / प्रतिष्ठान

- (क) वैसे कारखाने जिनमें विगत कैलेण्डर वर्ष में सांख्यिक दुर्घटना हुई है।
- (ख) वैसे कारखाने/औद्योगिक स्थापना/दुकान/प्रतिष्ठान जिनमें घेतक भुगतान, श्रम मजदूरी भुगतान या बाल श्रम निषेधन के लिए विगत कैलेण्डर वर्ष में अविगतान भुगतान किया गया हो।
- (ग) वैसे कारखाने/औद्योगिक स्थापना/दुकान/प्रतिष्ठान जहाँ 176 वां अधिनियम के अन्तर्गत नियोजित होते हो।
- (घ) वैसे कारखाने/औद्योगिक स्थापना/दुकान/प्रतिष्ठान जिनमें 50% से अधिक कामगार टेका श्रमिक हो या 50% से अधिक महिला कर्मकार नियोजित होती हो।
- (ङ) वैसे कारखाने/औद्योगिक स्थापना/दुकान/प्रतिष्ठान जहाँ विगत कैलेण्डर वर्ष में हड़ताल या तालाबन्दी की घटना हुई हो।

(ii) निम्न जोखिम के कारखाने / औद्योगिक स्थापना / दुकान / प्रतिष्ठान

- (क) वैसे कारखाने / औद्योगिक स्थापना / दुकान / प्रतिष्ठान जहाँ घेतक भुगतान या श्रम मजदूरी भुगतान में कोई हड़ताल / तालाबन्दी नहीं हुई हो।
- (ख) वैसे दुकान / प्रतिष्ठान जिनमें 10 से कम कर्मकारी नियोजित हो।

(ii) वैसे कारखाने / औद्योगिक स्थापना / दुकान / प्रतिष्ठान जिसके विरुद्ध विगत पौट कैलेण्डर वर्ष में कोई अभियोजन दावर नहीं किया गया हो

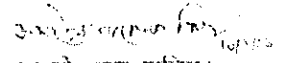
(iii) वैसे प्रतिष्ठान जो उपर्युक्त कडिका-(i) तथा (ii) से आच्छादित नहीं है, को मजदूर श्रेणी के जोखिम वाला कारखाने / औद्योगिक स्थापना / दुकान / प्रतिष्ठान माना जायेगा।

(iv) वैसे कारखाने / औद्योगिक स्थापना / दुकान / प्रतिष्ठान जो सरकार द्वारा निर्धारित तिथि तक अपनी विहित वार्षिक विवरणी श्रम संसाधन विभाग, बिहार सरकार के वेबसाईट पर अपलोड नहीं करेंगे उन्हें इसका लाभ नहीं मिलेगा।

(v) यदि परिशिष्ट-क के अनुसार वर्गीकरण एवं कडिका 02 के अनुसार वर्गीकरण में भिन्नता हो तो दोनों में से उच्चतर जोखिम वाले वर्ग में संबंधित उद्योग / स्थापना को माना जायेगा।

(संख्या-1/एफ01-103/2016 श्र.सं. 526 पटना, दिनांक 10-2-16

बिहार राज्यपाल के आदेश से


सरकार के अवर सचिव।

General Guideline for classification of Industries/Factories as Low/ Medium/High Risk Industries/Factories		
Sl. No.	Description of apprehension (s)	Score Scale
1	2	3
1	Total Man Power engaged per day & Total rated capacity (power) installed expressed in H.P.	
(a)	Workers (w)	
	(i) Less than 20 workers	02
	(ii) Equal to or above 20 but less than 50 Workers	04
	(iii) Equal to or above 50 but less than 100 Workers	06
	(iv) Equal to or above 100 workers but less than 250 workers	08
	(v) Equal or above 250 workers	10
(b)	H.P.	
	(i) Up to 50 H.P	02
	(ii) Above 50 H.P but less than 500 H.P	06
	(iii) 500 H.P or above	10
2	Locations	
(a)	Population	
	(i) Near 1 Km radius of Municipal area	02
	(ii) Municipal area	04
	(iii) Municipal area + Public place (Hospital, station, school, market etc.)	06
	(iv) Others	08
(b)	Seismic Zone	
	(i) Zone II (Least Active)	NA
	(ii) Zone III (Moderate) (Arria, Buxar, Bhojpur, Jehanabad, Nawada, Gaya, Aurangabad, Rohtas, Khatwa, Araria)	02
	(iii) Zone IV (High) (Madhubani, Bettiah, Sheohar, Gopalganj, Siwan, Saran, Muzaffarpur, Vaishali, Saran, Patna, Nalanda, Sheikhpura, Lakhisarai, Begusarai, Khagaria, Samarsa, Bhagalpur, Katihar, Purnia, Kishanganj, Banka, Janui, Munger, Madhepura, Darbhanga)	04
	(iv) Zone V (Highest Risk) (Madhubani, Supaul, Araria, Sitamarhi, Darbhanga, Madhepura, Saharsa, Kishanganj, Muzaffarpur, Sheohar, Purnia)	08
(c)	Lightening/ Thundering Area	NA
(d)	Flood affected Area	
	(i) Vulnerable -13 districts (West Champaran, Gopalganj, Siwan, Saran, Buxar, Bhojpur, Patna, Nalanda, Lakhisarai, Sheikhpura, Purnia, Araria, Kishanganj)	04
	(ii) Most Vulnerable- 15 districts (East Champaran, Sheohar, Sitamarhi, Katihar, Madhubani, Vaishali, Muzaffarpur, Darbhanga, Saran, Patna, Madhepura, Supaul, Saharsa, Khagaria, Begusarai, Bhagalpur.)	08

(e)	Near MAH Unit	05
3	MAH Unit	10
4	Hazardous Operations (section-2 cb of Factories Act, 1948) and 1st schedule	08
5	Occupational Health Hazards (schedule-3 of Factories Act, 1948)	08
6	Dangerous Operations (Refer schedule to Bihar Factories Rules, 1950)	07
7	Chemical process (Refer schedule to Bihar Factories Rules, 1950)	07
8	Storing Chemicals (Please refer to control of Industrial Major Accident Hazardous Rules, 1950) (i) Below threshold quantity (ii) Equal to or above threshold quantity	05/0-1 09/0-1
9	Category of Factories under Central Pollution Control Board (i) Non Polluting (ii) Green (iii) Orange (iv) Red	02 04 06 08
10	Operation in shifts (i) General (ii) Shift	NA 15
11	Approach Road to the units (i) width less than 20 feet (ii) width Equal to or above 20 feet	00 NA
12	Fire Prone Factories(Please refer to Factories Rules 1950) (i) Class A (ii) Class B (iii) Class C (iv) Class D & E	03 02 05 08
13	Elevation of work place (i) Ground Floor (ii) On & above first floor or in basements (iii) on and above 4 floors. (40 feet from ground level)	1A 04 06

Note:-

- (1) Score Scale (1 to 10 Number)
- (2) Higher Score indicates high risk
- (3) Total Score is rms (root mean square) value of scores attributed from Serial no. 01 to 13
- (4) rms value of n Number (a, b, c, n) is given by

$$\{(a^2+b^2+c^2+\dots+n^2)/n\}^{1/2}$$
- (5) Total score ≥ 4.5 (High Risk)
- (6) Total score < 4.5 and > 2.5 (Medium risk)
- (7) Total score \leq or equal to 2.5 (Low risk)
- (8) Total rated capacity (Power) of the machineries and Plants installed and expressed in Horse Power.

बिहार सरकार
श्रम संसाधन विभाग।
अधिसूचना

एस. ओ.

पटना, दिनांक- 10-2-16

औद्योगिक नीति एवं संवर्धन विभाग, वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार द्वारा वर्ष 2016 के लिए निरूपित व्यवसाय सुधार कार्य योजना (Business Reform Action Plan) के अंतर्गत उद्योगों/स्थापनाओं/कारखानों को निम्न, मध्यम तथा उच्च श्रेणी के जोखिम (Risk) 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 मापदंड निर्धारित किया गया है। इस मापदंड के अनुसार विभिन्न श्रेणी के जोखिम वाले इकाइयों में निरीक्षण की व्यवस्था निम्नवत् निरूपित की जाती है :-

(क) निम्न जोखिम वाले उद्योग/स्थापना/कारखाना (Low Risk Industries/ Establishment/Factories): बिहार सरकार की अधिसूचना संख्या 1/एफ1-103/2016श्र0सं0 -526 दिनांक 10.02.16 के द्वारा निर्धारित मापदंड के अनुसार जो उद्योग/स्थापना/कारखाना निम्न जोखिम वाले श्रेणी में आये उच्च दैनिकी निरीक्षण प्रक्रिया से विमुक्त करते हुए सभी श्रम अधिनियमों के अंतर्गत स्व-अभिप्रमाणन की सुविधा दी जाएगी। यह सुविधा निम्नांकित शर्तों के अनुपालन होने पर दी जाएगी :-

- (i) संबंधित उद्योग/स्थापना/कारखाना सरकार के द्वारा निर्धारित स्व-अभिप्रमाणन की योजना में भागीदार बनने के लिए आवेदन करें तथा इस योजना के अंश देने।
- (ii) यह उद्योग/स्थापना/कारखाना सरकार द्वारा निर्धारित समय सीमा के अनुसार विभिन्न श्रम अधिनियमों के अंतर्गत विहित वार्षिक विवरणी सरकार द्वारा निर्धारित Portal पर Upload करेंगे एवं Online विहित समेकित पंजी में वार्षिक विवरणी का समावेश करेंगे।

ऐसे निम्न जोखिम वाले उद्योग जो उपरोक्त दोनों शर्तों को पूरा करते हैं उन्हें दैनिकी निरीक्षण से मुक्त करते हुए उनका निरीक्षण प्रत्येक पाँच वर्ष में एक बार किया जाएगा तथा ऐसे उद्योग/स्थापना/कारखाना में से प्रत्येक वर्ष कुल संख्या का 20% (बीस प्रतिशत) से ज्यादा का निरीक्षण नहीं किया जाएगा।

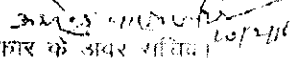
यह निरीक्षण व्यवस्था उन मामलों में लागू नहीं होगी जहाँ दुर्घटना आदि के मामले में संबंधित अधिनियम के अंतर्गत निर्धारित अवधि में निरीक्षण करना आवश्यक हो।

(ख) मध्यम जोखिम वाले उद्योग/स्थापना/कारखाना (Medium Risk Industries/Establishment/Factories) : बिहार सरकार की अधिसूचना संख्या-1/एफ1-103/2016श्र0सं0-526 दिनांक 10.02.16 द्वारा उद्योग / स्थापना / कारखाना के वर्गीकरण अलग-अलग जोखिम वाले वर्गों में किया गया है। इनमें से मध्यम श्रेणी के जोखिम वाले उद्योग/स्थापना/कारखाना के लिए अन्य पक्ष प्रमाणन (Third Party Certification) की सुविधा कार्यान्वित की जाएगी। यदि मध्यम श्रेणी के जोखिम वाले ऐसे उद्योग/स्थापना/कारखाना संबंधित श्रम अधिनियम के अंतर्गत निर्धारित अन्य पक्ष (Third Party)/ सुयोग्य व्यक्ति (Competent Person) के द्वारा संबंधित श्रम अधिनियमों के अनुपालन का अंकेक्षण कराकर संबंधित अधिनियमों के अंतर्गत सरकार द्वारा विहित तिथि तक अंकेक्षण विवरणी दाखिल कर देते हैं, तो उन्हें दैनिकी निरीक्षण की प्रक्रिया से मुक्त रखा जाएगा।

ऐसे उद्योग/स्थापना/कारखाना का निरीक्षण तभी किया जाएगा अगर वे निर्धारित समय सीमा के अन्दर अन्य पक्ष से निरीक्षण कराकर विवरणी विहित तिथि तक नहीं प्रस्तुत करते हैं अथवा निर्धारित समय सीमा तक अपनी विहित वार्षिक विवरणी नहीं समर्पित करते हैं। यह निरीक्षण व्यवस्था उन मामलों में लागू नहीं होगी जहाँ दुर्घटना आदि के मामले में संबंधित अधिनियमों के अंतर्गत निर्धारित अवधि में निरीक्षण करना आवश्यक हो।

(संख्या-1/एफ01-105/2016श्र0सं0 527 पटना, दिनांक 10-2-16)

बिहार राज्यपाल के आदेश से


सरकार के अवर सचिव। 10/2/16

Appendix C - Inspection format for Labour Resources Department

I. Inspection under Factories Act, 1948

1. Whether the factory is covered under Factories Act, 1948
2. Whether name and registration number has been displayed at prominent places in the factory – (sec – 5 BFR, 1950)-
3. Whether abstracts of the act been displayed at prominent places in the factory as per the provisions of the act (sec 108 FA, 1948).
4. Whether the factory has been registered and license been approved by the CIF.
5. Whether the fees paid for registration of factories is in accordance with the specified fee structure of the lab or department.
6. If registration number not issued whether prior consent to operate the factory been approved by CIF.
7. Whether the factory is a MAH unit, dangerous operations or hazardous process industry
8. In case of MAH unit (schedule 1 of factories act, 1948) whether the factory 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).
9. In case of danger rouse operation (sec 87 – FA, 1948 and sec – 95, BFR -1950) a brief description regarding of the nature of process.
10. In case of hazardous process (section 2cb of factories act. 1948) a brief description regarding the process and nature of hazard.
11. 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.
12. Whether the manufacturing process process poses any health hazard to workers as defined in third schedule of factories act. 1948 (sec89, FA) please specify).
13. Whether the information regarding no. of workers employed on day of inspection is given or not (Shiftwise/Genderwise)
14. Whether any young children employed in factory premises (sec. 67,FA)
15. Whether the information regarding total installed capacity of factory (in KWs) is correct or not
16. 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).
17. 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).
18. Whether the annual return being filed by the factory for the previous year (sec110 FA. 1948).
19. 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).

HEALTH

20. Cleanliness – section 11 white washing carried out within 14 months.
21. Disposal of waste and affluent section 12 – effective arrangement.
22. Ventilation and temperature section 13 effective and supervision.
23. Overcrowding section -16 at least 350 cubic feet space for every worker height attests 14 feet.
24. Lightening section 17 sufficient and suitable lighting natural or artificial both.
25. Drinking water section 18 effective arrangement sufficient supply and suitable point.
26. Latrines and urinal section 19 and rules sufficient latrines urinal accommodation for male and female.
27. Spittoons section 20 sufficient number of spittoons in a clean and hygienic
28. Whether any other violation found or not
29. Please write other violation remarks here

SAFETY

30. Fencing of machinery section 21 machinery they are fencing is in a motion and use.
31. Work on or near machinery in motion section 22 no woman or child should be allowed to clean.
32. Employment of young person of dangerous machinery section 23 no young person to allow work without adequate supervision or experience person.
33. Provision of employment of women and children near cotton section 24 no woman or child shall be pressing cotton in with.
34. Excessive weight section 34 no woman and young person without added carry out any material as per applicable limit.
35. Protection of eye section 35 effective screen suitable googlies and glass to protect should be provided which involved risk and injury exposure of light
36. Whether any other violation found or not
37. Please write other violation remarks here

WELFARE

38. Washing facility section 42 male and female should be separate facilities.
39. 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.
40. Canteen section 46 and rules canteen arrangement maintain by occupier as per canteen managing committee with no loss no profit basis.
41. Shelters section 47 rest room lunch rooms with provision of drinking water.
42. 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
43. No charge facilities for convince charge section 114 no fee of or charge shall be realized for any arrangement
44. Obligation of worker section 97 or 111 shall wilfully every worker interfere with or misuse any appliances convinces health safety or welfare.

45. A notice of period of work for adults and children prescribed shall be correctly maintains and display and submit sky periodical return to inspector and cif Bihar.
46. Whether any other violation found or not
47. Please write other violation remarks here

II. Inspection under The Minimum Wages Act, 1948

1. Whether Name and details of employee/ statement of workers provided e.g. Name, Designation, category, working since, wage being paid, signature of employee
2. Whether Register of wages employee is maintained in Form X [Rules 26(i)]
3. Whether Register of overtime of worker is maintained as per rule 25 (2)
4. Whether wage slip is issued in Form XI to every employee or not as per rule 26 (2)
5. Muster Roll is maintained or not Rules 26 (5)
6. Whether the prescribed minimum wage and extract of Act and Rules is displayed in establishment or not. Rules (22)
7. Whether Annual Return in Form III is submitted. Rules 21 (4) (Amended)
8. Whether any other violation is found or not.
9. Please write other violation remarks here

III. Inspection under The Bihar Shops and Establishment Act, 1953

1. Whether Shops and Establishment is registered as per sec-6 under the act.
2. Whether Registration certificate is exhibited (Rules-6)
3. Name of worker/ Details of worker/ statement of workers
4. Whether Notice of holiday of employee is exhibited in Form vii (Rules-12)
5. Whether Notice of period of work of employee is exhibited in Form viii (Rules-13)
6. Whether employee working in establishment is furnished with service card [section-12B and 14 in Rules-12A]
7. Whether leave with wages Register is maintained as per Rules-14 in Form IX
8. Whether Inspection book is maintained by employer and produced on demand by Inspecting officer (Rules-29)
9. Whether any other violation is found or not
10. Please write other violation remarks here.

IV. Inspection under payment of Bonus Act, 1965 and Payment of Bonus Rules, 1975 **(Applicable if No. of worker is 10 and above)**

1. No. of workers working in establishment
2. Amount of profit if any as per balance sheet
3. Whether the amount of allocable surplus as per section 2(4) is calculated and inserted in Form A
4. Whether the payment of Bonus @ of 8.33% has been paid to eligible employee (sec-10)
5. Whether Bonus Payment detail is maintained in Form (c). Rule-4(c)

6. Whether Annual Return in Form D is sent to labour office (Rule-5)
7. Whether any other violation is found or not.
8. Please write other violation remarks here

V. Inspection under Contract Labour (Regulation and Abolition) Act, 1970 – Principal Employer

1. Whether the Principal Employer is registered under the Provision of the Act (sec-7)
2. If yes the total No. of contractor employed in establishment
3. Name and details of contractor engaged in establishment.
4. Whether the Register of contractor is maintained by the Principle employer (Rule-74)
5. Whether annual return has been sent to Registering officer by principle employer (Rule-82(2))
6. Whether any other violation is found or not.
7. Please write other violation remarks here

VI. Inspection under Contract Labour (Regulation and Abolition) Act 1970 – Contractor

1. No. of total worker engaged by contractor
2. Whether contractor is maintaining the Register of wages as per Rule [78(2)a]
3. Whether employment card issued to each employee as per Rule 76
4. Whether Register of overtime is maintained by contractor as per Rule 78(2)c in Form XXIII.
5. Whether wage slips are issued to workers in Form XIX (Rule – 78(2)b)
6. Whether the facilities as mentioned under Rule 42 to 59 (canteen, Rest room, Drinking water, first aid box) are provided to the workers, subject to the no. of workers provided under said the Rules
7. Whether half yearly return in Form XXIV is submitted by contractor to Registering officer [Rule – 82(1)]
8. Whether any other violation is found or not.
9. Please write other violation remarks here

VII. Inspection under payment of gratuity Act, 1972 and Rules, (Applicability - If No. of worker is 10 and above)

1. No. of workers working in establishment
2. Whether the notice of opening , Notice of change, Notice of closure has been given by employer to controlling, authority of the area in prescribed format (Rule-3)
3. Whether the nomination of the employee are accepted by employer
4. Information regarding how many employee having completed service of 5 years. have left, retired or discharge from service and payment of gratuity paid to them or not. Detail
5. How many claim of gratuity is pending before employer
6. Whether any other violation is found or not.
7. Please write other violation remarks here

VIII. Inspection under Payment of Wages Act, and Rules, 1937

1. Information Regarding wage period provided
2. Whether Register of wages in Form VI is maintained or not (Rule 5)
3. Whether Register of Fines in Form I is maintained by employer or not. (Rule-3)
4. Whether Register of Advance is maintained or not (Rule -17)
5. Whether wage rates, date of payment with name and address of inspector is displayed or not.
6. Whether abstract of Act and Rules made their under is displayed or not (Rule-22)
7. Whether any other violation is found or not.
8. Please write other violation remarks here

IX. Inspection under the sales promotion Employees (conditions of services) Act, and Rules, 1976 and rules 1976

1. Whether Name and details of Employee/statement of sales promotion Employee e.g name and address of sales promotion Employees, his/her scale of Wages/rate of increment in Wages basic pay, dearness or other allowances, nature of appointment (permanent. temporary or other wages) etc. is provided or not.
2. Whether employee got the appointment letter in form A.
3. Whether Register of SPE is maintained as per rule 23(a) in form B
4. Whether Service book to SPE is Provided
5. Whether Register of Service book for SPE is maintained as per rule 23 (c) in form D
6. Whether leave account of each Employee is maintains as per rule 23 (D) in form F.
9. Whether any other violation is found or not.
10. Please write other violation remarks here

X. Building and Other Construction Worker (Regulation of Employment and Condition of Services) Act 1996 and rules 2005

1. Whether Name and details of Establishment is provided e.g Name of Establishment. postal address, details of management, Nature of work.
2. No of Workers Working in Establishment in a day.
3. Whether the starting and finishing date of Construction work and Any other information is provided under rule 26(3) and rule 239(1)
4. Whether the Establishment is resisted as rule 24
5. Whether there are any violation regard security and health of workers as per rule 34-54. e.g helmet, safety belt etc.
6. Whether there are any violation regard demotion work as per rule 108-118.
7. Whether in dangerous type of Construction health register is mandated as per rule 223(d)
8. Whether the Evident related report is provided as per rule 210(7)
9. Whether worker register is maintained as per rule 240
10. Whether muster role is maintained as per rule 241(1)

11. Whether worker muster roll is maintained as per rule 241(1)
12. Whether deduction and loss register is maintained as per 241(1)(b)
13. Whether fine /advance register is maintained as per rule 241(1)(b)
14. Whether overtime register is maintained as per rule 241(1)(c)
15. Whether Service Certificate is maintained
16. Whether Annual return is furnished as per rule 242
17. Whether any other violation is found or not.
18. Please write other violation remarks here

XI. Inspection under The motor Transport Act 1961 and rule 1962

1. Whether the Establishment is register/ renewed as per rule 4, and 8
2. Name and other details of Establishment
3. Nature & Motor transport service e.g city long distance, freight service.
4. Total no. of route and mileage.
5. Total no. of motor transport vehicles on the last date of the proved year
6. Maximum no. of worker employs on any day during the preceding year
7. Full Name and residential address of management/owner/Partner/director whichever is applicable.
8. Whether certificate of fitness is provided as per rule 16 in form III
9. Whether Record of line washing, Painting etc is provided as per rule 17 in form IV
10. Whether Notice of periods of works for motor transport worker is provided as per rule 28 in form V
11. Whether Register of Compensatory holiday is provided as per rule 30 in form VI
12. Whether adult/adolescents register is maintained as per rule 33 in form VII
13. Whether leave book is maintained as per rule 34 in form VIII
14. Whether Muster roll is maintained as per rule 36 in form X
15. Whether overtime Muster roll is maintained as per rule 37 in form XI
16. Whether individual control book is maintained as per rule 38 in form XII
17. Whether welfare and health related provisions are provided to motor transport worker as per rule 17-26
18. Whether Annual Return is provided as per rule 39 in form XIII
19. Whether any other violation is found or not.
20. Please write other violation remarks here

XII. Inspection under Beedi and Cigar (Conditions of Employment) Act,1966 and rule 1968

1. Whether the Establishment is registered/renewed under rule 3 and 4
2. Whether the Employee is a trade mark holder registered under the trade and merchandise Mark act 1958
3. Whether the Record of white washing colour washing varnish and painting and cleaning is maintained as per rule 10(2),14 (13),21(6)(B)

4. Whether the Notice and register of periods of works is maintained as per rule 22 (1) in form IV
5. Whether Register showing hours of works including overtime is maintained as per rule 22(2) in form V
6. Whether Register of leave with wages (Regular Employer leave book is maintained as per rule 24 (i) and 25 (1) in form VI)
7. Whether Notice to the Employer under clause (b) of sub-section (2) of section-31 is maintained as per rule 26(3)(a) in Form No. VII and IX
8. Whether record of decision of order is maintained as per rule 27 (1) in form X
9. Whether Monthly return has been furnished as per rule 32 in form XI
10. Whether Annually return has been furnished as per rule 32 in form XII
11. Whether Muster roll of Employer is maintained as per rule 33 (1) in form XIII
12. Whether Home Workers log book is maintained as per rule 33 (2) in form XIX
13. Whether any other violation is found or not.
14. Please write other violation remarks here

Annexure I

The Questioner under following acts needs to be added in online inspection system.

1. **The Building Construction And Other Construction Workers Welfare Cess Act, 1996.**
 - (i) Number of workers employed:
 - (ii) Nature of work:-
 - (iii) Form 1 (Rule7) has been provided:- (Y/N)
 - (iv) Form 2 (Rule9(1) has been provided:- (Y/N)

(Notice for stoppage and reduction of work)
2. **The Child and Adolescent Labour (Prohibition And Regulation) Act 1996**
 - (i) Is any child labour found in shop/establishment/factory Section 3. C&AL(P&R) Act- 1986 (Y/N)
 - (ii) Is there any violation of section 7 (2) of C&AL(P&R) Act- 1986 (Y/N)
 - (iii) Is there any violation of section 7 (3) of C&AL(P&R) Act- 1986 (Y/N)
 - (iv) Is there any violation of section 7 (4) of C&AL(P&R) Act- 1986 (Y/N)
 - (v) Is there any violation of section 7 (5) of C&AL(P&R) Act- 1986 (Y/N)
 - (vi) Is there any violation of section 7 (6) of C&AL(P&R) Act- 1986 (Y/N)
 - (vii) Is weekly holiday provided to adolescent labour as per section 8 of C&AL(P&R) Act- 1986 (Y/N)
 - (viii) Is there any violation of section 11 of C&AL(P&R) Act- 1986 (Y/N)
 - (ix) Is the notice displayed under section 12 of C&AL(P&R) Act- 1986 (Y/N)
 - (x) Is there any violation of section 3 (A) of C&AL(P&R) Act- 1986 (Y/N)
 - (xi) Is health and safety provision are according to section 13 of C&AL(P&R) Act- 1986 (Y/N)
3. **Industrial Employment (Standing Order) Act, 1946**
 - (i) Draft standing order sub section (i) of section 3 was submitted in form 1 (Y/N)
 - (ii) Joint draft standing order has been provided (Y/N)
 - (iii) Model standing order has been submitted (Y/N)
 - (iv) Copies and draft standby order to trade union has been supplied (Y/N)
 - (v) Standing order has been certified as per rule no 10 (Y/N)
 - (vi) Any inclusion of the additional matter to the schedule to the act (Y/N)
 - (vii) Standing order has been pasted in English as well as in Hindi (section 9) (Y/N)
 - (viii) Registration of standing order (rule 11) (form V) has been provided. (Y/N)
4. **Inspection Format under "Equal Remuneration Act 1976"**

Note: Applicable where male and female workers are working in the establishment

 - (i) Name and address of establishment
 - (ii) Name and address of employer
 - (iii) Whether men and women workers (for same work or similar nature of work) is being paid equal remuneration or not (sec -4) (Y/N)
 - (iv) Whether a register in Form 'D' is maintained by employer or not (Rule 6) (Y/N)
 - (v) Signature of employer
5. **Inspection Format for Maternity Benefit Act 1961 and Bihar Maternity rules 1964 (Applicability -- when 10 or more person employed)**
 - (i) Date and time of inspection
 - (ii) Name and Address of establishment/factory/
 - (iii) Nature of Business
 - (iv) Whether employer has paid maternity Benefit to women worker as per Rule5 (Y/N)

Annexure I

- (v) **Whether employer has supplied required Forms B,C,D,E,F,G,6,H,O and I to worker on request** 12/4
- (vi) **Whether Abstract of provision of Act and Rules required to be exhibited in the factory 19 has been displayed or not. Rule 15** 12/4
- (vii) **Whether annual return in Form L, M, N and O has been submitted by employer to competent Authority (Rule 16)** 12/4
- (viii) **Signature of employer** 12/4

Appendix D – Risk based Inspection framework, procedure etc. for Bihar State Pollution Control Board



बिहार राज्य प्रदूषण नियंत्रण पर्वट

वेल्ड्रॉन भवन, शास्त्रीनगर, पटना - 800 023

आधिसूचना संख्या- ०६

पटना, दिनांक:- 10.2.16

आधिसूचना

बिहार राज्य प्रदूषण नियंत्रण पर्वट में केंद्रीय प्रदूषण नियंत्रण बोर्ड के पत्र संख्या-बी-29012/1/2012/ईओएस0एस0/1337, दिनांक: 04.06.2012 द्वारा निर्धारित लाल (Red), नारंगी (Orange) व हरा (Green) श्रेणी के औद्योगिक इकाईयों के वर्गीकरण को लागू किया जाता है। यह आधिसूचना निर्गत होने की तिथि से प्रभावी होगा।

ह0/


(सुभाष चन्द्र मिश्र)

अध्यक्ष

ज्ञापक:- 143

पटना, दिनांक:- 10.2.16

प्रतिनिधि: सभी क्षेत्रीय प्रदाधिकारी / सभी सहाय पर्यावरण अभियंता / सभी वैज्ञानिक / सभी केंद्रीय पर्यावरण अभियंता / सभी सहायक को सूचनाएं एवं प्रेषित।


(सुभाष चन्द्र मिश्र)

सदस्य-महिला

BIHAR STATE POLLUTION CONTROL BOARD

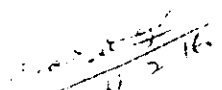
BELTRON Bhawan, Shastri Nagar, Patna - 800 023

Ref No. - 16

Office Order

Patna, Dated 04.7.16

The officer / Agency of the Bihar State Pollution Control Board shall submit/ upload his/ their inspection of the industry analysis report (s) of the Air/Water sample(s), if any within 48 hrs (two working days) after completion of the inspection and/ or receipt of the analysis report (s) of the samples as indicated above


(Subhash Chandra Singh)
Chairman

EPABX - 0612-2281250/2282265, fax - 0612-2281050

E-mail- bspcb@yahoo.com, Website - <http://bspcb.bih.nic.in>

बिहार राज्य प्रदूषण नियंत्रण पर्षद

बल्लूनि भवन, शास्त्रीनगर, पटना - 800 023

संख्या: प.प.न. 1/3

तारीख: दिनांक: 11/2/16

कार्यालय आदेश

बिहार राज्य प्रदूषण नियंत्रण पर्षद के अधीन कोई एक निरीक्षण पदाधिकारी लगाता तो उस एक इकाई का स्थल निरीक्षण नहीं करेंगे।

विरासभाजन

(सुभाष चन्द्र सिंह)

अध्यक्ष

बिहार राज्य प्रदूषण नियंत्रण वर्षद

वेल्डिंग भवना, शास्त्रीनगर, पटना - 800 025

अधिसूचना संख्या ०५

पटना, दिनांक: ०५/१२/१६

अधिसूचना

एवं म निगत अधिसूचना को मशॉधित करने हुए Red, Orange एवं Green Category के इकाइयाँ का निरीक्षण निम्नानुसार अतसल पर किये जायेंगा:

1. Red Category के इकाइयाँ का निरीक्षण सामान्यतया वर्ष में एक बार।
2. Orange Category के इकाइयाँ का निरीक्षण सामान्यतया दो वर्षों में एक बार।
3. Green Category के इकाइयाँ का निरीक्षण सामान्यतया सहस्रति अवधि में एक बार।

(सुभाष चन्द्र सिंह)
अध्यक्ष

दूरभाष - 0612-2281250/2282265, फ़ैक्स - 0612-2281050
ई मेल bspcb@yahoo.com वेबसाईट - <http://bspcb.bih.nic.in>

Appendix E - Inspection format for Bihar State Pollution Control Board



BIHAR STATE POLLUTION CONTROL BOARD
BEITRON Bhawan, Shaastri Nagar, Patna – 800 023
EPABX & 0612-2281250/2282265, Fax & 0612-2281050
 Website & <http://bspcb.biharnic.in>

INSPECTION REPORT

Sl. no.	Particulars	Status Report/Observations
1-	Name and Address of the Industry	
2-	Date of Inspection	
3-	Representative of the unit present during inspection	
4-	Category of Industry (L/M/S) (R/O/G)	
5-	Operational Status of the unit	
6-	Product and Production Capacity	
7-	Raw Materials	
8-	Manufacturing Process	
9-	Water Source and consumption	
10-	Waste water/effluent quantity	
11-	Source of emission, fuel etc.	
12-	Details of anti pollution device installed and their functioning:	
	a. Effluent Treatment System (ETP)	
	b. Air Pollution Control Devices (APCD)	
	c. Noise Pollution Control Arrangements (NPCA)	
13-	If the source of water is ground, whether the unit has permission from CGWA or not	
14-	Is there any bye unauthorized pass arrangement / system for effluent discharge?	
15-	The point of discharge/Recipient of discharge	
16-	Sampling point	
17-	Status of online effluent quality/Stack emission system/Surveillance system	
18-	Compliance of NOC/CTE conditions	
19-	Compliance of Consent conditions (CTO)	
	a. Discharge consent	
	b. Emission Consent	
20-	Details of Hazardous Waste and its management (Recycling/disposal) If any	
21-	Plantation	
22-	Any deficiencies noticed during the course of inspection and their impact on environment	
23-	Recommendation (s)	

Signature