#### 15 -ാം കേരള നിയമസഭ

#### 2 -ാം സമ്മേളനം

#### നക്ഷത്ര ചിഹ്നം ഇല്ലാത്ത ചോദ്യം നം. 854

<u> 26-07-2021 - ൽ മറ്റപടിയ്ക്</u>

#### <u>കിറ്റക്സ് കമ്പനികളിലെ പരിശോധന</u>

	ചോദ്യം		ഉത്തരം	
	ശ്രീ . സണ്ണി ജോസഫ്	Shri V Sivankutty (പൊഇവിദ്യാഭ്യാസ-തൊഴിൽ വകപ്പ് മന്ത്രി)		
(എ)	തൊഴിൽ വകുപ്പ് കിറ്റക്സ് ഗ്രൂപ്പിന്റെ കമ്പനികളിൽ നടത്തിയ പരിശോധന റിപ്പോർട്ട് ലഭ്യമാക്കാമോ;	(എ)	1948-ലെ മിനിമം വേതന നിയമം, 1979-ലെ അന്തർ സംസ്ഥാന കടിയേറ്റ തൊഴിലാളി നിയമം, 1936-ലെ പേയ്യെന്റ് ഓഫ് വേജസ് നിയമം, 1970-ലെ കോൺടാക്സ് ലേബർ നിയമം, 1961-ലെ മോട്ടോർ ടോർസ്പോർട്ട് വർക്കേഴ്സ് നിയമം, 1961-ലെ മേറ്റേണിറ്റി ബെനിഫിറ്റ് നിയമം, 1958-ലെ കേരള ഇൻഡസ്ലിയൽ എസ്റ്റാബ്ലിഷ്ടെൻ്റ് (നാഷണൽ ഫെസ്റ്റിവൽ & ഹോളിഡേയ്സ്) നിയമം, 1996-ലെ ബിൽഡിംഗ് ആൻ്റ് അദർ കൺസൂക്ഷൻ വർക്കേഴ്സ് വെൽഫെയർ സെസ്സ് ആക്ട്, 1965-ലെ പേയ്യെൻ്റ് ഓഫ് ബോണസ് ആക്ട് എന്നിവ പ്രകാരമുള്ള പരിശോധന നടത്തകയം പ്രസ്തേത പരിശോധനയിൽ കണ്ടെത്തിയ അപാകതകൾ പരിഹരിക്കുന്നതിന് 14.07.2021 വരെ സ്ഥാപനമുടമയ്ക്ക് സമയവും നൽകിയിരുന്നു. കമ്പനി നൽകിയിട്ടുള്ള താമസ സ്ഥലത്ത് തൊഴിലാളികൾ മോശമായ സാഹചര്യത്തിൽ താമസിക്കുന്നു എന്ന പരാതിയെ തുടർന്ന് പെരുമ്പാവൂർ ഫാക്ടറി ഇൻസ്പെക്ടർ 11.06.2021 തിയതിയിൽ കിറ്റുക്സ് ഗാർമെൻ്റ്സ് ലിമിറ്റഡ് (Processing Division) എന്ന ഫാക്ടറി പരിശോധിച്ചിരുന്നു. പ്രസ്തുത തൊഴിലാളികളുടെ താമസ സ്ഥലം ഫാക്ടറിയുടെ premises—ൽ അല്ലാത്തതിനാൽ 1948-ലെ ഫാക്ടറി നിയമ പ്രകാരം നടപടി സ്വീകരിക്കാൻ നിർവ്വാഹമില്ലാത്തതിനാൽ നടപടികൾ സ്വീകരിച്ചിട്ടില്ല. കിറ്റുക്സ് ഗ്രപ്പിന്റെ വിവിധ സ്ഥാപനങ്ങളിൽ തൊഴിൽ വകപ്പ് നടത്തിയ പരിശോധനയിന്മേൽ കണ്ടെത്തിയ ന്യൂനതകൾ അതിന്റെ അടിസ്ഥാനത്തിൽ നൽകിയ മൂന്ന് ഇൻസ്വെക്ഷൻ ഓർഡർ എന്നിവയുടെ പകർപ്പ് അന്ദ്വെഷ് ഒാർഡർ എന്നിവയുടെ പകർപ്പ് അന്ദ്വെഷൻ ഓർഡർ എന്നിവയുടെ പകർപ്പ് അന്ദ്വെഷൻ ഓർഡർ എന്നിവയുടെ പകർപ്പ് അന്ദ്വെഷൻ ഓർഡർ എന്നിവയുടെ പകർപ്പ് അന്ദ്വെഷൻ ഒാർഡർ എന്നിവയുടെ പകർപ്പ്	
(ബി)	പരിശോധന റിപ്പോർട്ടിന്റെ പ്രധാന കണ്ടെത്തലുകൾ വിശദമാക്കാമോ;	(ബി)	1948-ലെ മിനിമം വേതന നിയമം, 1979-ലെ അന്തർ സംസ്ഥാന കുടിയേറ്റ തൊഴിലാളി നിയമം, 1936-ലെ പേയ്മെന്റ് ഓഫ് വേജസ് നിയമം, 1970-ലെ	

കോൺടാക്ക് ലേബർ നിയമം, 1961-ലെ മോട്ടോർ ട്രാൻസ്പോർട്ട് വർക്കേഴ്ല് നിയമം, 1961-ലെ മെറ്റേണിറ്റി ബെനിഫിറ്റ് നിയമം, 1958-ലെ കേരള ഇൻഡസ്മിയൽ എസ്റ്റാബ്ലിഷ്മെന്റ് (നാഷണൽ ഫെസ്റ്റിവൽ & ഹോളിഡേയ്സ്) നിയമം, 1996-ലെ ബിൽഡിംഗ് ആന്റ് അദർ കൺസൂക്ഷൻ വർക്കേഴ്ല് വെൽഫെയർ സെസ്സ് ആക്ല്, 1965-ലെ പേയ്മെന്റ് ഓഫ് ബോണസ് ആക്ല് എന്നിവ പ്രകാരമുള്ള പരിശോധന നടത്തുകയും പ്രസ്തത പരിശോധനയിൽ കണ്ടെത്തിയ അപാകതകൾ പരിഹരിക്കുന്നതിന് 14.07.2021 വരെ സ്ഥാപനമുടമയ്ക്ക് സമയവും നൽകിയിരുന്നു. കമ്പനി നൽകിയിട്ടളള താമസ സ്ഥലത്ത് തൊഴിലാളികൾ മോശമായ സാഹചര്യത്തിൽ താമസിക്കുന്നു എന്ന പരാതിയെ തുടർന്ന് പെരുമ്പാവൂർ ഫാക്ടറി ഇൻസ്പെക്ടർ 11.06.2021 തീയതിയിൽ കിറ്റക്ക് ഗാർമെന്റ്സ് ലിമിറ്റഡ് (Processing Division) എന്ന ഫാക്ടറി പരിശോധിച്ചിരുന്നു. പ്രസ്തത തൊഴിലാളികളുടെ താമസ സ്ഥലം ഫാക്ടറിയുടെ premises—ൽ അല്ലാത്തതിനാൽ 1948-ലെ ഫാക്ടറി നിയമ പ്രകാരം നടപടി സ്വീകരിക്കാൻ നിർവ്വാഹമില്ലാത്തതിനാൽ നടപടികൾ സ്വീകരിച്ചിട്ടില്ല. കിറ്റക്സ് ഗ്രൂപ്പിന്റെ വിവിധ സ്ഥാപനങ്ങളിൽ തൊഴിൽ വകുപ്പ് നടത്തിയ പരിശോധനയിന്മേൽ കണ്ടെത്തിയ നൃനതകൾ അതിന്റെ അടിസ്ഥാനത്തിൽ നൽകിയ മൂന്ന് ഇൻസ്പെക്ഷൻ ഓർഡർ എന്നിവയുടെ പകർപ്പ് അനബന്ധമായി ചേർക്കുന്നു. കമ്പനി നൽകിയിട്ടുളള താമസ സ്ഥലത്ത് തൊഴിലാളികൾ മോശമായ സാഹചര്യത്തിൽ താമസിക്കുന്നു എന്ന പരാതിയെ തുടർന്ന് പെരുമ്പാവ്വർ ഫാക്ടറി ഇൻസ്പെക്ടർ 11.06.2021 തീയതിയിൽ കിറ്റക്സ് ഗാർമെന്റ്സ് ലിമിറ്റഡ് (Processing Division) എന്ന ഫാക്ലറി പരിശോധിച്ചിരുന്നു. പ്രസ്തത തൊഴിലാളികളുടെ താമസ സ്ഥലം ഫാക്ടറിയുടെ premises—ൽ അല്ലാത്തതിനാൽ 1948-ലെ ഫാക്ടറി നിയമ പ്രകാരം നടപടി സ്വീകരിക്കാൻ നിർവ്വാഹമില്ലാത്തതിനാൽ നടപടികൾ സ്വീകരിച്ചിട്ടില്ല. കിറ്റക്സ് ഗ്രൂപ്പിന്റെ വിവിധ സ്ഥാപനങ്ങളിൽ തൊഴിൽ വകുപ്പ് നടത്തിയ പരിശോധനയിന്മേൽ കണ്ടെത്തിയ നൃനതകൾ അതിന്റെ അടിസ്ഥാനത്തിൽ നൽകിയ മൂന്ന് ഇൻസ്പെക്ഷൻ ഓർഡർ എന്നിവയുടെ പകർപ്പ് അനബന്ധമായി ചേർക്കുന്നു.

(സി) പരിശോധന റിപ്പോർട്ടിൻമേൽ സ്വീകരിച്ച നടപടികൾ എന്തെല്ലാമെന്ന് വൃക്തമാക്കമോ? (സി) പരിശോധനാ വേളയിൽ വിവിധ തൊഴിൽ നിയമപ്രകാരമുള്ള രജിസ്റ്ററുകളും റിക്കാർഡുകളും ഹാജരാക്കുവാൻ കിറ്റക്സ് സ്ഥാപനത്തിലെ എച്ച്.ആർ വിഭാഗത്തോട് ആവശ്യപ്പെട്ടിരുന്നുവെങ്കിലും,

സെക്ഷനിൽ ജീവനക്കാർ കുറവായിരുന്നതിനാൽ താമസിയാതെ ലേബർ ഓഫീസിൽ ഹാജരാക്കാമെന്ന് എച്ച്.ആർ വിഭാഗം ജീവനക്കാരൻ പരിശോധനാ വേളയിൽ അറിയിച്ചു. ഇടർന്ന് 28.06.2021 തീയതിയിൽ 76/2020, 77/2020, 78/2020 എന്നീ നമ്പരുകളായി ഇൻസ്പെക്ഷൻ ഓർഡർ പെരുമ്പാവ്വർ അസിസ്റ്റന്റ് ലേബർ ഓഫീസർ സ്ഥാപന ഉടമയ്ക്ക് നൽകുകയുണ്ടായി. അതോടൊപ്പം സ്ഥാപന ഉടമ ഹാജരാക്കിയ വേതന രജിസ്റ്ററിന്റെ അടിസ്ഥാനത്തിൽ വേതന കുടിശ്ശികയും ക്ലെയിം സ്റ്റേറ്റ്മെന്റം തയാറാക്കി 30.06.2021 തീയതിയിൽ നൽകിയിരുന്നു. കൂടാതെ പരിശോധനാ ഉത്തരവ് പ്രകാരം രേഖകൾ ഹാജരാക്കുന്നതിനായി 14.07.2021 രാവിലെ 11 മണി വരെ സമയം അനുവദിച്ച് 76/2020, 77/2020,78/2020 എന്നീ നമ്പരുകളായി ഇൻസ്പെക്ഷൻ ഓർഡർ പ്രകാരം സ്ഥാപന ഉടമയ്ക്ക് നിർദ്ദേശം നൽകിയിരുന്നു. ഗാർമെന്റ് മേഖലയിലെ മിനിമം വേതന ഉത്തരവ് നടപ്പിലാക്കാത്തത് സംബന്ധിച്ച് കിറ്റക്ക് ഗാർമെന്റ്സ് ലിമിറ്റഡ് കമ്പനിക്ക് 30.06.2021-ൽ പെരുമ്പാവൂർ അസിസ്റ്റന്റ് ലേബർ ഓഫീസർ നോട്ടീസ് നൽകിയതിനെ ഇടർന്ന് തൊഴിൽ വകുപ്പ് സെക്രട്ടറി, പെരുമ്പാവൂർ അസിസ്റ്റന്റ് ലേബർ ഓഫീസർ എന്നിവരെ കക്ഷികളാക്കി അഡ്വക്കേറ്റ് ബ്ലെയ്സ്.കെ.ജോസ് മുഖാന്തിരം സ്ഥാപന ഉടമ 01.07.2021 തീയതിയായി വക്കീൽ നോട്ടീസ് നൽകിയതിന്റെ അടിസ്ഥാനത്തിൽ 30.06.2021-ൽ സ്ഥാപനത്തിനു നൽകിയ ക്ലെയിം നോട്ടീസ് പിൻവലിക്കുവാൻ 07.07.2021-ലെ LBRD-E1/68/2021-LBRD നമ്പർ കത്ത് പ്രകാരം ലേബർ കമ്മീഷണർക്ക് നിർദ്ദേശം നൽകിയിട്ടുണ്ട്. പ്രസ്തത വിഷയം അഡ്വക്കേറ്റ് ജനറലുമായി ചർച്ച ചെയ്തതായും മിനിമം വേതന ഉത്തരവ് ബഇ.ഹൈക്കോടതി സ്റ്റേ അനുവദിച്ച സാഹചര്യത്തിൽ അന്തിമ വിധിക്ക് വിധേയമായി മാത്രമേ തുടർനടപടി സ്വീകരിക്കുകയുള്ള എന്ന വിവരം നൽകിയാൽ മതിയാകം എന്നഉപദേശത്തിൻ പ്രകാരം ടി വിവരം ബന്ധപ്പെട്ട കക്ഷിയെ അറിയിച്ചിട്ടുള്ളതായും ജില്ലാ ലേബർ ഓഫീസർ 12.07.2021-ാം തീയതി സമർപ്പിച്ച റിപ്പോർട്ടിൽ വൃക്തമാക്കിയിട്ടണ്ട്.

സെക്ഷൻ ഓഫീസർ

Buy/NO

Office of the Assistant Labour Officer Perumbayoor

Phone: 8547655433

Date : 28/06/2021

No. 76/2020

#### INSPECTION ORDER

Sub: The Contract Labour (Regulation and Abolition) Act, 1970. The Inter-State Migrant Workman (Regulation of Employment and Conditions of Service) Act, 1979. The Kerala Industrial Establishments (National and Festival Holidays) Act, 1958. The Maternity Benefit Act, 1961. The Minimum Wages Act, 1948. The Motor Transport Workers Act, 1961. The Payment of Wages Act, 1936 Inspection Order issued.

Ref: Inspection of your establishment on 08/06/2021 Sir.

Upon an inspection of your establishment by the undersigned/under on 08/06/2021 is was observed that certain ;provisions of the above Act and Rules were not complied with by you to the extent indicated overleaf.

You are therefore requested to rectify, the above defects and to produce the registers and records in my office before me on 14/07/2021.at 11 AM for inspection and verification.

This notice is issued without prejudice to the action that I may take for non-compliance with the provisions of the said Act and Rules.

Inspector under the Act

(Assistant Labour Officer) Perupibayon

To

1.SABU M JACOB

KITEX GARMENTS LTD

KIZHAKKAMBALAM

ASSISTANT LABOUR OFFICER, PERUMBAYOOR

#### **OFFENCES**

#### THE CONTRACT LABOUR(REGULATION AND ABOLITION)

#### ACT, 1970

1	Sec 18(b) R/w	Failed to provide sufficient number of latrine &
	Rule 51	Urinals to workers
2	Section 29	Failed to maintain and produce Registers and
		Records
3	Section 12	Failed to obtain License for Contract Labour
4	Rule 74	Failed to maintain Register of Contractors in
		Form No. XII
5	Section 7 (1)	Failed to submit an application for Registration
		of Principal
	Rule 17(1)	Employer in Form No.1

#### THE INTER-STATE MIGRANT WORKMEN (REGULATION OF EMOYMENT AND CONDITIONS OF SERVICE) ACT, 1979

1	· Rule 3	Failed to submit an application (in triplicate) for
		Registration of establishment
2	Rule 38	Failed to provide sufficient quantity of
		Wholesome Drinking water
3	Rule 42	Failed to provide adequate and suitable washing
		Facilities to workmen
4	Rule 41	Railed to provide sufficient number of latrine to
		Workers
5	Rule 44(1) (ii)	Failed to provide adequate accommodation and
		sanitation facilities to the workers
6	Sec.16 (d) R/w	Failed to provide suitable and adequate residen-
	Rule44 (1)(i)	tial accommodations to the family
7	Rule 55(2)	Failed to submit annual return in Form No.XXIV
	(美国語)	by the Principal Employer

8	Rule 55(1)		Failed to submit half yearly return in Form No.
			XXIII by the contractor.
9	Rule 36	4	Failed to ensure suitable adequate medical
			facilities for out door treatment to migrant work
			men
10	Rule 35	1	Violated prescribed conditions of hours of work,
			Leave etc
11	Section 23	2	Failed to maintain prescribed registers and
	1.70		Records
12	Section 23	3	Failed to maintain and produce registers and
			Records
13	Section 18		Principal employer failed discharge liability as
			Prescribed.
14	Section 17	E a_4	Failed to pay prescribed wages.

# THE KERALA INDUSTRIAL ESTABLISHMENTS (NATIONAL AND FESTIVAL HOLIDAYS ACT,1958

1	Section 5 (2)	Failed to give employees a substituted holiday for
		Working on holidays allowed under Section 3.
		(Working on National and Festival Holidays)
2	Section 5(2)	Failed to grant twice the wages for working on
		Any holiday allowed under section 3. (on
14		National & Festival holidays).
3	Section 5	Failed to grant extra wages for N & F holidays
4	Section 4	Failed to display statement of holidays
5	Section 3	Failed to grant N & F holidays to employees
6	Rule 11	Failed to maintain a Muster Roll in Form VI
7	Rule 10	Failed to submit an annual return for the year
8	Rule 8	Failed to exhibit a statement of holidays in
	COLUMN CO.	Form IV

			*A-
9	Rule 4	-3	Failed to submit the list of Festival Holidays for
			the Year Form No.1
	THE	MATE	RNITY BENEFIT ACT, 1961
1	Section 5	10	Failed to give Maternity Benefit to the woman
2	Section 15	1	Failed to exhibit abstract in form K
3	Rule 16	5	Failed to submit annual return in form number
			L&M
4	Rule 3	1	Failed to maintain and produce muster roll form
			Number A
	Ţ	HE MI	NIMUM WAGES ACT, 1948
1	Rule 24	:	Failed to adhere Spread over Working Hours
2	Section 13	1	Spread Over Time/Working hours /weekly
			Working Hours exceeded the limit.
3	Rule 21 (4E)	- 1	Failed to issue electronically generated wage slip
			to Workers three days prior to effect wages.
4	21 (4E)	82	Failed to issue WPS electronically generated
			wage Slip to employees.
5	Rule 21 (4B)	4	Failed to maintain signed copy of form XIV and
			Provided by the employer for inspection
6	R.29 (8)	#	Failed to maintain and produce Inspection book
7	Rule 21A (2)		Failed to pay and disburse wages to employees
			through individual bank accounts as per Rule
			21A(1)
8	Section 8	30	Failed to maintain prescribed registers and
			records
9	Section 14		Failed to pay extra wages for overtime work
			Read with Rule 28
10	Rule 21A (1)	//	Failed to submit electronically or upload register
	(6)	SWITCHT LESS	of Employment and wages in form XIV
11	Rule 30	A STATE OF THE PARTY OF THE PAR	Failed to produce the Registers and Records at
	1196	No. of the last of	· C:

the time of inspection.

12	Rule 29 (5)	(8)	Failed to maintain and produce a Muster Roll of
			Workers in Form No. VI.
13	Rule 29(2)	3	Failed to maintain and produce Wages slips in
			Form No. XIII
14	Rule 29(1)	3	Failed to maintain and produce a Register of
	***		Wages in Form No XI
15	Rule 28 (2)	. 0	Failed to maintain and produce a Register over-
			Time in Form No.V.
16	Rule 22 (4)		Failed to exhibit a notice in Form No.IV
17	Rule 21(4)		(iii) Failed to submit an Annual Return for the
	ú		Year.
1,8	Section 12	;*	Failed to pay prescribed minimum rate of wages
			to workers.
	THE MC	TOR T	RANSPORT WORKERS ACT, 1961
	14		
1	Rule 37		Failed to maintain or produce over time Muster
			roll of workers in form XI
2	Rule 35	4	Failed to maintain or produce Register of workers

Rule 37		Failed to maintain or produce over time Muster
		roll of workers in form XI
Rule 35	4	Failed to maintain or produce Register of workers
		in Form IX
Rule 34	4	Failed to maintain or produce Register of workers
		In Form IX
Section 23	3	Failed to produce certificate of fitness
Section 13		Failed to adhere working hour's 8hrs/day for
		workers.
Section 12 &		Failed to provide first aid box with
Rule 26	-	prescribed items
Section 10 (1) &	OF THE MANUE	Pailed to provide prescribed uniform for
Rule 24	(48)	the Workers
	Rule 35  Rule 34  Section 23 Section 13  Section 12 & Rule 26 Section 10 (1) &	Rule 35  Rule 34  Section 23 Section 13  Section 12 & Rule 26 Section 10 (1) & Fair Part 10 (1)

Workers

8	Rule 13:	*	Failed to mark Labour registration number
	ď		on the vehicle.
9	Rule 38	1	Operated the Motor Transport Vehicle without
			Providing the employees the individual control
			Book in Form No.XII.
10	Rule 36	Þ	Failed to maintain and produce for inspection a
			Muster Roll in form X
11	Section 3 R/W	1	Failed to submit an application for registration
	Rule 4		of the establishment.

		THE PAY	MENT OF WAGES ACT,1936
1	20(6)	3:	Failed or willfully neglected to pay wages by the
		- '	Date fixed by the authority.
2	Sec 5 (2)		Failed to pay wages of every employed person
			Before the expiry of the second working day
			from the day on which his employment is
		W	terminated.
3	Sec 5(1)	1	Failed to pay wages of every employed person
			before the expiry of the seventh day.
4	Rule 18	- 1	Failed to submit annual return as prescribed
5	Section 8	:	Imposed unauthorized fines on the employee
6	Section 6	:	Failed to pay wages in current coin or currency
7	Section 7	:	Unauthorized deductions effected in the wages of
			employed person.
8	Section 5	:	Failed to effect payment of wages within the
	100	300000	Prescribed time limit.
9	Rule 8		Failed to display of a notice of dates of payment
		A STORES	not less than two months in advance.

	ă.		
10	Rule 22	3	Failed to display an abstract of the Act and Rules
			In Form IV
11	Rule 17	4	Failed to maintain Register of Advances and
		(4)	Recoveries in Form III
12	Rule 3	*	Failed to maintain Register of Fine in Form 1
13	Rule 4		Failed to maintain Register of deductions for
	N <sub>1</sub> , 2		Damage or loss in Form II

THE SECOND SECON

ASSISTANT LABOUR OFFICER

Office of the Assistant Labour Officer Perumbavoor

Phone: 8547655433

Date : 28/06/2021

No. 77/2020

#### INSPECTION ORDER

Sub: The Contract Labour (Regulation and Abolition) Act, 1970. The Inter-State Migrant Workman (Regulation of Employment and Conditions of Service) Act, 1979. The Kerala Industrial Establishments (National and Festival Holidays) Act, 1958. The Maternity Benefit Act, 1961. The Minimum Wages Act, 1948. The Motor Transport Workers Act, 1961. The Payment of Wages Act, 1936 Inspection Order issued.

Ref: Inspection of your establishment on 08/06/2021 Sir,

Upon an inspection of your establishment by the undersigned/under on 08/06/2021 is was observed that certain ;provisions of the above Act and Rules were not complied with by you to the extent indicated overleaf.

You are therefore requested to rectify, the above defects and to produce the registers and records in my office before me on 14/07/2021.at 11 AM for inspection and verification.

This notice is issued without prejudice to the action that I may take for non-compliance with the provisions of the said Act and Rules. Inspector under

Assistant Labour Of

To

1.SABU M JACOB

KITEX CHILDRENSWEAR LTD

KIZHAKKAMBALAM

#### **OFFENCES**

## THE CONTRACT LABOUR(REGULATION AND ABOLITION)

#### ACT, 1970

1	Sec 18(b) R/w .	: Failed to provide sufficient number of latrine &
	Rule 51	Urinals to workers
2	Section 29	: Failed to maintain and produce Registers and
		Records
3	Section 12	Failed to obtain License for Contract Labour
4	Rule 74	Failed to maintain Register of Contractors in
		Form No. XII
5	Section 7 (1)	Failed to submit an application for Registration
		of Principal
	Rule 17(1)	Employer in Form No.1

## THE INTER-STATE MIGRANT WORKMEN (REGULATION OF

### EMOYMENT AND CONDITIONS OF SERVICE) ACT, 1979

	EMOYMENT	AND	ONDITIONS OF BRIEFING
i	Rule 3		Failed to submit an application (in triplicate) for
			Registration of establishment
2	Rule 38		Failed to provide sufficient quantity of
			Wholesome Drinking water
3	Rule 42	:	Failed to provide adequate and suitable washing
			Facilities to workmen
4	Rule 41	:	Railed to provide sufficient number of latrine to
			Workers
5	Rule 44(1) (ii)	:	Failed to provide adequate accommodation and
			sanitation facilities to the workers

Failed to provide suitable and adequate residen-Sec.16 (d) R/w 6 tial accommodations to the family Rule44 (1)(i) Failed to submit annual return in Form No.XXIV 7

Rule 55(2) by the Principal Employer

			-3-
8-	Rufe 55(1)	:	Failed to submit half yearly return in Form No.
9	Rule 36	:	XXIII by the contractor.  Failed to ensure suitable adequate medical
			facilities for out door treatment to migrant work
10	Rule 35	:	Violated prescribed conditions of hours of work
11	Section 23	:	Leave etc.
12 ′	Sauti aa		Failed to maintain prescribed registers and Records
14	Section 23	:	Failed to maintain and produce registers and Records
13	Section 18	:	Principal employer failed discharge liability as
14	Section 17	. •	Prescribed.
TO	E KEDAT A IND		Failed to pay prescribed wages.
1.11	C. R. E. L. A. I. A. I.A.	PROPERTY AND ADDRESS OF THE PARTY OF THE PAR	

# THE KERALA INDUSTRIAL ESTABLISHMENTS (NATIONAL AND FESTIVAL HOLIDAYS ACT, 1958

		FEST	IVAL HOLIDAYS ACT,1958
1	Section 5 (2)		Failed to give employees a substituted holiday for
2	Section 5(2)	3	Working on holidays allowed under Section 3.  (Working on National and Festival Holidays)  Failed to grant twice the wages for working on  Any holiday allowed under section 3. (on
			National & Festival holidays).
3	Section 5	8	Deited.
4	Section 4		Failed to grant extra wages for N & F holidays
5		9	Failed to display statement of holidays
	Section 3	1	Failed to grant N & F holidays to employees
6	Rule 11	4	Failed to walk at
7	Rule 10		Failed to maintain a Muster Roll in Form VI
8	Rule 8	and the same	Failed to submit an annual return for the year
J	Nuie 8	30 /5	Failed to exhibit a statement of holidays in
	The same	图局	Form IV

-4-

9	Rule 4	:	Failed to submit the list of Festival Holidays for
			the Year Form No.1
	TH	E MAT	ERNITY BENEFIT ACT, 1961
1	Section 5		Failed to give Maternity Benefit to the woman
2	Section 15		Failed to exhibit abstract in form K
3	Rule 16	1	Failed to submit annual return in form number
			L &M
4	Rule 3	3	Failed to maintain and produce muster roll form
	*,		Number A
	<u>T</u>	HE MI	NIMUM WAGES ACT, 1948
1	Rule 24	1	Failed to adhere Spread over Working Hours
2	Section 13	*	Spread Over Time/Working hours /weekly
		,	Working Hours exceeded the limit.
3	Rule 21 (4E)	4	Failed to issue electronically generated wage slip
			to Workers three days prior to effect wages.
4	21 (4E)		Failed to issue WPS electronically generated
			wage Slip to employees.
5	Rule 21 (4B)	-	Failed to maintain signed copy of form XIV and
			Provided by the employer for inspection
6	R.29 (8)	-1	Failed to maintain and produce Inspection book
7	Rule 21A (2)	D:	Failed to pay and disburse wages to employees
			through individual bank accounts as per Rule
			21A(1)
8	Section 8	1	Failed to maintain prescribed registers and
			records
9	Section 14	1	Failed to pay extra wages for overtime work
			Read with Rule 28
10	Rule 21A (1)	10	Failed to submit electronically or upload register
		2	of Employment and wages in form XIV
11	Rule 30	Wee Jan	Failed to produce the Registers and Records at

	•		
12	Rule 29 (5)		Failed to maintain and produce a Muster Roll of
			Workers in Form No. VI.
13	Rule 29(2)	- 8	Failed to maintain and produce Wages slips in
			Form No. XIII
14	Rule 29(1)	1	Failed to maintain and produce a Register of
			Wages in Form No XI
15	Rule 28 (2)	2:	Failed to maintain and produce a Register over-
			Time in Form No.V.
16	Rule 22 (4)		Failed to exhibit a notice in Form No.IV
17	Rule 21(4)		(iii) Failed to submit an Annual Return for the
		7	Year.
18	Section 12	= 1	Failed to pay prescribed minimum rate of wages
			to workers.
	THE	MOTOR T	RANSPORT WORKERS ACT, 1961
1	Rule 37	V	Failed to maintain or produce over time Muster
			roll of workers in form XI
- 2	Rule 35	- 1	Failed to maintain or produce Register of workers

1	Rule 37		Failed to maintain or produce over time Muster
			roll of workers in form XI
2	Rule 35	i i	Failed to maintain or produce Register of workers
			in Form IX
3	Rule 34	0	Failed to maintain or produce Register of workers
			In Form IX
4	Section 23	:	Failed to produce certificate of fitness
5	Section 13		Failed to adhere working hour's 8hrs/day for
			workers.
6	Section 12 &	3	Failed to provide first aid box with
	Rule 26		prescribed items
7	Section 10 (1)	& dinna	Tailed to provide prescribed uniform for
	Rule 24	(	the Workers
	HC.	4 350400000	NO. 1 THE LOCAL PROPERTY AND ADDRESS OF THE LOCAL PROPERTY ADDRESS OF THE LOCAL PROPERTY AND ADDRESS OF THE LOCAL PROPERTY AND ADDRESS OF THE LOCAL PROPERTY AND ADDRESS OF THE LOCAL PROPERTY ADDRESS OF THE LOCAL PROPERTY AND ADDRESS OF THE LOCAL PROPERTY ADDRE

Rule 13 8 Failed to mark Labour registration number on the vehicle. 9 Rule 38 Operated the Motor Transport Vehicle without Providing the employees the individual control Book in Form No.XII. 10 Rule 36 Failed to maintain and produce for inspection a Muster Roll in form X 11 Section 3 R/W Failed to submit an application for registration Rule 4 of the establishment.

#### THE PAYMENT OF WAGES ACT, 1936

		THETAI	MENT OF WAGES ACT, 1936
1	20(6)	1	Failed or willfully neglected to pay wages by the
		,	Date fixed by the authority.
2	Sec 5 (2)	4	Failed to pay wages of every employed person
	8		Before the expiry of the second working day
			from the day on which his employment is
		N.	terminated.
3	Sec 5(1)		Failed to pay wages of every employed person
			before the expiry of the seventh day.
4	Rule 18	89	Failed to submit annual return as prescribed
5	Section 8	1	Imposed unauthorized fines on the employee
6	Section 6	:	Failed to pay wages in current coin or currency
7	Section 7		Unauthorized deductions effected in the wages of
			employed person.
8	Section 5	Senie Co	Tailed to effect payment of wages within the
		18 50	Prescribed time limit.
9	Rule 8		Failed to display of a notice of dates of payment
		Con House	not less than two months in advance.

10	Rule 22*	1	Failed to display an abstract of the Act and Rules
			In Form IV
11	Rule 17	D: -	Failed to maintain Register of Advances and
			Recoveries in Form III
12	Rule 3	1	Failed to maintain Register of Fine in Form 1
13	Rule 4	), i	Failed to maintain Register of deductions for
	100		Damage or loss in Form II

STEAT LAND OF THE PARTY OF THE

ASSISTANT LABOUR OFFICER PERUMBAYOOR

Rush AO

Office of the Assistant Labour Officer Perumbayoor

Phone: 8547655433 Date: 28/06/2021

No. 78/2020

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Inspector under the Act

(Assistant Labour Officer) Perumbayoor

To

1.SABU M JACOB

KITEX GARMENTS LTD

(PROCESSING UNIT)

KIZHAKKAMBALAM



#### **OFFENCES**

## <u>THE CONTRACT LABOUR(REGULATION AND ABOLITION )</u> <u>ACT , 1970</u>

1 Sec 18(b) R/w*		: Failed to provide sufficient number of latrine &
	Rule 51	Urinals to workers
2	Section 29	: Failed to maintain and produce Registers and
		Records
3	Section 12	: Failed to obtain License for Contract Labour
4	Rule 74	: Failed to maintain Register of Contractors in
		Form No. XII
5	Section 7 (1)	: Failed to submit an application for Registration
		of Principal
	Rule 17(1)	: Employer in Form No.1

## THE INTER-STATE MIGRANT WORKMEN (REGULATION OF EMOYMENT AND CONDITIONS OF SERVICE) ACT, 1979

1	Rule 3	;	Failed to submit an application (in triplicate) for
			Registration of establishment
2	Rule 38		Failed to provide sufficient quantity of
			Wholesome Drinking water
3	Rule 42	1	Failed to provide adequate and suitable washing
			Facilities to workmen
4	Rule 41	3	Railed to provide sufficient number of latrine to
			Workers
5	Rule 44(1) (ii)	1	Failed to provide adequate accommodation and
			sanitation facilities to the workers
6	Sec.16 (d) R/w	4	Failed to provide suitable and adequate residen-

Rule44 (1)(i)

Rule 55(2)

tial accommodations to the family

by the Principal Employer

Failed to submit annual return in Form No.XXIV

4

8	Rule 55(1)	1	Failed to submit half yearly return in Form No.
			XXIII by the contractor.
9	Rule 36	: •	Failed to ensure suitable adequate medical
			facilities for out door treatment to migrant work
			men .
10	Rule 35	13	Violated prescribed conditions of hours of work,
	1		Leave etc
11	Section 23	#	Failed to maintain prescribed registers and
			Records
12	Section 23	1	Failed to maintain and produce registers and
			Records
13	Section 18	4	Principal employer failed discharge liability as
		•	Prescribed.
14	Section 17	27	Failed to pay prescribed wages.
	14		

#### THE KERALA INDUSTRIAL ESTABLISHMENTS (NATIONAL AND 'FESTIVAL HOLIDAYS ACT,1958

		TESTIV	AL HOLIDATS ACT,1736
1	Section 5 (2)		Failed to give employees a substituted holiday for
			Working on holidays allowed under Section 3.
			(Working on National and Festival Holidays)
2	Section 5(2)	1	Failed to grant twice the wages for working on
			Any holiday allowed under section 3. (on
			National & Festival holidays).
3	Section 5		Failed to grant extra wages for N & F holidays
4	Section 4	1.0	Failed to display statement of holidays
5	Section 3		Failed to grant N & F holidays to employees
6	Rule 11	County	Failed to maintain a Muster Roll in Form VI
7	Rule 10	: 3	Failed to submit an annual return for the year
8	Rule 8	<b>V</b> :	Failed to exhibit a statement of holidays in

#### Form IV

-4-

			5.#.c
9	Rule 4	F	Failed to submit the list of Festival Holidays for
			the Year Form No.1
	ğ	THE MAT	ERNITY BENEFIT ACT, 1961
1	Section 5	80	Failed to give Maternity Benefit to the woman
2	Section 15	1	Failed to exhibit abstract in form K
3	Rule 16	1	Failed to submit annual return in form number
			L &M
4	Rule 3	1	Failed to maintain and produce muster roll form
			Number A
		THE MI	NIMUM WAGES ACT, 1948
1	Rule 24	177	Failed to adhere Spread over Working Hours
2	Section 13	31	Spread Over Time/Working hours /weekly
		ý	Working Hours exceeded the limit.
3	Rule 21 (4E)	2	Failed to issue electronically generated wage slip
			to Workers three days prior to effect wages.
4	21 (4E)		Failed to issue WPS electronically generated
			wage Slip to employees.
5	Rule 21 (4B)	181	Failed to maintain signed copy of form XIV and
			Provided by the employer for inspection
6	R.29 (8)	#	Failed to maintain and produce Inspection book
7	Rule 21A (2)	3	Failed to pay and disburse wages to employees
			through individual bank accounts as per Rule
			21A(1)
8	Section 8	3	Failed to maintain prescribed registers and
			records
9	Section 14	2	Failed to pay extra wages for overtime work
	115 0		Read with Rule 28
10	Rule 21A (1)	SETHE ASSISTANT	Failed to submit electronically or upload register
	- (6		of Employment and wages in form XIV
			27

11 Rule 30

Failed to produce the Registers and Records at the time of inspection.

- 5-

12	Rule 29 (5)	2	Failed to maintain and produce a Muster Roll of
	8 11 11	54	Workers in Form No. VI.
13	Rule 29(2)	10	Failed to maintain and produce Wages slips in
			Form No. XIII
14	Rule 29(1)	#	Failed to maintain and produce a Register of
			Wages in Form No XI
15	Rule 28 (2)	(4)	Failed to maintain and produce a Register over-
			Time in Form No.V.
16	Rule 22 (4)	8	Failed to exhibit a notice in Form No.IV
17	Rule 21(4)		(iii) Failed to submit an Annual Return for the
		1.52	Year.
18	Section 12		Failed to pay prescribed minimum rate of wages
			to workers.
	THE MO	OTOR TR	ANSPORT WORKERS ACT, 1961

	1	
1	Rule 37 :	Failed to maintain or produce over time Muster
		roll of workers in form XI
2	Rule 35 :	Failed to maintain or produce Register of workers
		in Form IX
- 3	Rule 34	Failed to maintain or produce Register of workers
		In Form IX
4	Section 23 :	Failed to produce certificate of fitness
5	Section 13	Failed to adhere working hour's 8hrs/day for
	- Contin	workers.
6	Section 12 &	Failed to provide first aid box with
	Rule 26	prescribed items
7	Section 10 (1) & :	Failed to provide prescribed uniform for

-6-

8	Rule 13		Failed to mark Labour registration number
			on the vehicle.
9	Rule 38	20	Operated the Motor Transport Vehicle without
			Providing the employees the individual control
			Book in Form No.XII.
10	Rule 36	1	Failed to maintain and produce for inspection a
			Muster Roll in form X
11	Section 3 R/W	ğ	Failed to submit an application for registration
	Rule 4		of the establishment.

## THE PAYMENT OF WAGES ACT, 1936

-1	20(6)		Failed or willfully neglected to pay wages by the
			Date fixed by the authority.
2	Sec 5 (2)	1	Failed to pay wages of every employed person
		X.	Before the expiry of the second working day
			from the day on which his employment is
			terminated.
3	Sec 5(1)	8	Failed to pay wages of every employed person
			before the expiry of the seventh day.
. 4	Rule 18		Failed to submit annual return as prescribed
5	Section 8	#	Imposed unauthorized fines on the employee
6	Section 6	1	Failed to pay wages in current coin or currency
7	Section 7	#	Unauthorized deductions effected in the wages of
	76	Statute .	employed person.
8	Section 5	1181	Failed to effect payment of wages within the
			Prescribed time limit.
9	Rule 8	100	Failed to display of a notice of dates of payment
		72	- pw/mont

-7-

Failed to display an abstract of the Act and Rules
In Form IV

Rule 17 Failed to maintain Register of Advances and
Recoveries in Form III

Rule 3 Failed to maintain Register of Fine in Form 1

Rule 4 Failed to maintain Register of deductions for
Damage or loss in Form II

ASSISTANTI ABOUR OFFICER.
PERUMBAYOOR

and and

omosod Boodwad.