

STATUTORY FORMS AND RETURNS

Required to be filed and maintained under various Enactments in Andhra Pradesh

SL. NO	Applicable Statutes	Sec / Rule	Particulars	Format applicable	Frequency of Filing	Whom to submit
1	The Apprentices Act 1961 and The Apprenticeship Rules,1992 [as amended in 2007]	Rule – 14(3) Rule – 14(7) Rule – 14(11)	Contract of Apprenticeship Training along with Forwarding Letter Submission of Half –Yearly Returns for Trade Apprentices. Submission of Quarterly-Return graduate and Technical Apprentices	Format - 1 Format – 1A APP-1 APP-3	By 30 th April 31 st July 31 st October 31 st January By 15 th July By 15 th January Quarterly	State Apprenticeship Advisor State Apprenticeship Advisor Director, Regional Board of Apprenticeship Training
2	* The Contract Labour (R & A) Act 1970 and The Contract Labour (R & A) Rules 1971 [as amended in 2003]	Rule 17(1) Rule 21(2)	a) Application for Registration of the Establishments employing 20 or more contract labourers b) Form of Certificate by Principal Employer	Form I Form V	On engaging 20 or more contract labourers [need to be accompanied to the application for grant of license made by the contractor	Asst. Labour Commissioner / Labour Officer (of concerned Jurisdiction) Issued to the contractor

* Self Certification in format IV for section sec 7, read with rule 17, sec 12 read with rule 21, rule 25, rules 18(3), 75, 76 and 78, rule 82(1) and (2), vide Notification No. GOMs No. 28 dated 21st April, 2001, Labour Employment Training and Factories (LAB.II) Department.

SL. NO	Applicable Statutes	Sec / Rule	Particulars	Format applicable	Frequency of Filing	Whom to submit
	- do -	Rule 81(3)	c) Notice of Commencement / Completion of Contract Work	Form VI-B	Within 15 days from the date of commencement / completion	As and when occurs - ALC / LO
		Rule 82(2)	d) Annual return	Form XXV	Before 15 th February every year	ALC / LO
3	The Employees' Provident Funds & Misc. Provisions Act 1952 and E.P.F Scheme 1952	- Para 33 & 61(1) Para 36(2)(a) Para 36A	a) Code allotment b) Monthly PF Remittance (Contribution of employers & employees) c) Nomination & Declaration Form d) List of employees joined in the previous month or new joiners e) Particulars of all branches, departments, owners, occupiers, partners, manager and any changes in them etc, [Return of Ownership]	-- -- Form 2 Form 5 Form 5A	*One Time Challan 15 th of every month Within 15 th of every month Within 15 days from the date of establishment / change in particulars	Regional Commissioner PF Regional PF Commissioner Regional PF Commissioner Regional PF Commissioner

* Immediately when the Establishment is covered under the Act, Form 2 duly filled / signed by an employee should be sent to the EPFO by the Employer.

SL. NO	Applicable Statutes	Sec / Rule	Particulars	Format applicable	Frequency of Filing	Whom to submit
	- do -	Para 38 (3)	f) Consolidated Annual Contribution Statement	Form – 6A	Within one month of the close of the period of currency	Regional PF Commissioner
		Para 43	g) Return of the contribution cards sent to the commissioner on the expiry of period of currency	Form 6	Within 30 days from the date of expiry of the period of currency	Regional PF Commissioner
		Para 36(1)	h) Return of employees who are entitled and required to become members of EPF	Form 9	Within 15 days from the date of commencement of commercial operations	Regional PF Commissioner
		Para 36(2)(b)	i) Return of members left service during the previous month	Form 10	15 th of every month	Regional PF Commissioner
		Para 38(2)	f) Monthly abstract of contributions received	Form 12 / 12A	25 th of every month	Regional PF Commissioner
		Para 72(5)	g) Application made by an adult member of the EPF Scheme for claiming dues shall be counter signed by the employer	Form 19	Within 5 days of receipt	Regional PF Commissioner

SL. NO	Applicable Statutes	Sec / Rule	Particulars	Format applicable	Frequency of Filing	Whom to submit
4	Employees' State Insurance Act 1948 and Employees' State Insurance (General) Regulations 1950	Reg 10-B	a) Employer's Registration Form for Code allotment	Form 01	One Time	To be completed by employer to furnish to the appropriate Regional Office within 15 days after the Act becomes applicable.
		Reg - 10C	b) Annual Information	Form 01(A)	31 st January (Annual)	Regional Office
		Reg - 14	c) Declaration forms along with temporary identification certificates	Form 3	Within 10 days from the date of receipt of declaration forms	Regional Officer
		Reg - 26	d) Submission of 'Return Of Contributions' with monthly challans (April to September & October to March)	Form 5	12 th May & 11 th Nov (Half Yearly)	Within 42days of completion of half year. That is before 12 th May and 11 th November - Concerned Local Office
		Reg - 27	e) Certificate of contribution	Customized	On demand	Regional Officer

SL. NO	Applicable Statutes	Sec / Rule	Particulars	Format applicable	Frequency of Filing	Whom to submit
	-do-	Reg – 31	f) Monthly ESI Remittance (both employer and employees) contributions for the previous month	Challans	21 st every month	Regional Office / Authorised Bank
		Reg – 31	g) Statement of Advance Contributions	Form 5A	Half yearly return	Regional Officer
		Reg – 52A	h) Information to be furnished regarding abstention of an insured person / woman from work for which sickness benefit or disablement benefit / maternity benefit has been claimed or paid	Customized	On demand	Regional Officer
5	* Employment Exchanges (Compulsory Notifications of Vacancies) Act 1959 and Rules 1960	--	a) Quarterly return	Form ER I	31 st March 30 th June 30 th Sept and 31 st Dec (Quarterly)	Quarterly returns shall be submitted within 30 days from the due dates to the Local Employment Officer.
			b) Bi annual return	Form ER II	October 30 th (once in 2 years)	local Employment Exchange
			c) Notification of Vacancies	Customized	----	Whenever vacancies are to filled up – to the Local Employment Officer

* The appropriate State Government has not notified any rules and so the form to be used are customized. Self Certification in format VII for section 4 (2) & (3) read with rule 3 to 5, sec 5 read with rule 6, vide Notification No. GOMs No. 28 dated 21st April, 2001, Labour Employment Training and Factories (LAB.II) Department.

SL. NO	Applicable Statutes	Sec / Rule	Particulars	Format applicable	Frequency of Filing	Whom to submit
6	The Equal Remuneration Act 1976 and The Equal Remuneration Rules 1976	No Returns are prescribed under this Act				
7	* The Factories Act 1948 and The A.P. Factories Rules, 1950	Rule 4(1), 8 Rule - 100	Registration and notice of occupation Annual Return	Form - 2 Form - AR	Annual/ Periodically Annually before 31 st January every Year	Directorate of Factories Inspector of Factories
8	The Industrial Employment (Standing Orders) Act, 1946 and The A.P. Industrial Employment (Standing Orders) Central Rules, 1946	Rule - 4 Rule - 5	Submission of draft standing orders [5 copies] Statement of particulars of workmen employed in the industry [to be annexed to form - A]	Form - A Form - B	Within 6 months from the date on which the Act becomes applicable	Certifying Officer
9	Andhra Pradesh Factories and Establishments (National, Festival and other Holidays) Act, 1974	Sec - 3 & 4	Display of statement of National, Festival and other Holidays (for the coming year) on notice board and copy to be sent	Form - 1	Before 31 st December / before commencement of each year	Inspector

* Pursuant to our discussion with the Joint Dr. of Factories, the Factories Act 1948 and the AP Factories Rules ____ are not made applicable to the IT and ITES Companies.

SL. NO	Applicable Statutes	Sec / Rule	Particulars	Format applicable	Frequency of Filing	Whom to submit
10	Andhra Pradesh Labour Welfare Fund Act, 1987 and Andhra Pradesh Labour Welfare Fund Rules, 1988	Rule – 3(1)(b)	a) Notice of applicability of the Act	Form – A	With in 30 days from the date of establishment	Welfare Commissioner
		Rule – 3(2)	b) Changes in the information	Form – B	Within 30 th days from the date of change	Welfare Commissioner
		Rule – 4(2)	c) Extracts of Register maintained in Form – E [Register of fines and unclaimed accumulations]	Customized	By 31 st January of every year	Welfare Commissioner
		Rule – 5	d) Remit Fine and unpaid accumulation to Welfare Commissioner	--	15 th Jan 15 th April 15 th July 15 th Oct (Quarterly)	Welfare Commissioner
		Rule – 6	e) Annual Statement of Contribution	Form – F	By 31 st January	Welfare Commissioner
		Sec – 10 Rule – 6	f) Payment of employer's and employees' contribution (@ Rs. 2 and Rs.5 respectively)	--	By 31 st January	Welfare Commissioner

SL. NO	Applicable Statutes	Sec / Rule	Particulars	Format applicable	Frequency of Filing	Whom to submit
11	* The Andhra Pradesh Shops & Establishments Act 1988 and The Andhra Pradesh Shops & Establishments Rules 1990	Rule – 3	a) Statement for Registration	Form – I	Within 30 days from the date of commencement of operations	Labour Inspector
		Rule – 3(4)	b) Application for Renewal of Registration	Form – III	Within 30 days from the date of expiry	Labour Inspector
		Rule – 5	c) Notice of loss of registration certificate and application for issue of duplicate certificate	Form - VI	Imminently after the loss of certificate	Labour Inspector
		Rule – 6	d) Notice of Change	Form - VII	--	Labour Inspector
		Rule - 30	e) Letter of Appointment [triplicate copy]	Form - XXVI	On issue to the employee	Labour Inspector
		Rule - 33	f) Quarterly Return	Form – XXVII	With in 10 days from the month ending of March, June, September, December	Labour Inspector

* Self Certification in format III for section 3 read with rule 3 & 4, sec 4 read with Rule 3 & 4, sec 68 read with rule 29, rule 31, sec 16, 19, 25, 30 and 31 and rule 33, vide Notification No. GOMs No. 28 dated 21st April, 2001, Labour Employment Training and Factories (LAB.II) Department.

* Nothing in this Act shall apply to employees in any establishment in a position of management and having control over the affairs of the establishment, whose average monthly wages exceed sixteen hundred rupees.

SL. NO	Applicable Statutes	Sec / Rule	Particulars	Format applicable	Frequency of Filing	Whom to submit
12	Maternity Benefit Act 1961 & Rules 1966			---		
13	* The Minimum Wages Act 1948 and The A.P. Minimum Wages Rules 1960	Rule – 22 (4) (iii)	Annual Return	Form – III	31 st Jan (Annually)	Labour Inspector
14	The Payment of Bonus Act 1965 and The Payment of Bonus Rules 1975	Rule – 5	Annual Return	Form – D	Within 30 days from the date of disbursement of bonus; or Before 31 st December	Labour Inspector
15	The Payment of Gratuity Act 1972 and The A.P. Payment of Gratuity Rules 1972	Rule 8(1)(i) / 8(1)(ii)	a) Notice for payment / rejection of payment of gratuity	Form L/ M	Within 30 days on receipt of application for claim.	Copy should be sent to Controlling Authority

* Self Certification in format VI for section 18 read with rules 29(2), 30(1) and 30(2) and 30(5) and Rule 31-B vide Notification No. GOMs No. 28 dated 21st April, 2001, Labour Employment Training and Factories (LAB.II) Department.

SL. NO	Applicable Statutes	Sec / Rule	Particulars	Format applicable	Frequency of Filing	Whom to submit
16	The Payment of Wages Act 1936 and The A.P. Payment of Wages Rules, 1937	Rule – 18	Annual return	Form – AR	1 st January of the following year	Inspector
17	Workmen's Compensation Act, 1923 & Rules, 1966	By virtue of non-applicability of Factories Act, Workmen's Compensation Act becomes in applicable to IT / ITES Companies				
18	Industrial Dispute Act, 1947 & Industrial Disputes [Central] Rules, 1957	<p>By virtue of sub clause (iv) of clause S of section 2 of the Industrial Dispute Act, 1947, the said act becomes non-applicable to Honeywell.</p> <p>The above clause reads as follows:</p> <p>The word workman does not include any person:</p> <p><i>“who, being employed in a supervisory capacity, draws wages exceeding one thousand six hundred rupees per mensem</i></p> <p style="text-align: center;"><i>or</i></p> <p><i>exercises, either by the nature of the duties attached to the office or by reason of the powers vested in him functions, mainly of a managerial nature”</i></p>				

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Registers and Records

Required to be maintained under various Enactments in Andhra Pradesh

Sl. No.	Name of the Act	Sec / Rule	Applicable form
1	Apprentices Act 1961 and Rules, 1962		
	Register of attendance of the trade apprentices	Rule – 14(5)	customized
	Forwarding of application forms, of regular trade apprentices for appearing at All India Trade Test, to Regional Director / State Apprenticeship Advisor	Rule – 14(6)	Format 3A
2	The Contract Labour (R & A) Act 1970 & Rules 1974		
	Notice of commencement or completion of contract	Rule – 81(3)	Form – VI B
	Register of contractors	Rule – 74	Form – XII
	Display of name and address of the inspector having jurisdiction	--	customized
3	The Employees' Provident Funds & Misc. Provisions Act 1952 and E.P.F Scheme 1952		
	Forms of exemptions claimed by employees	Para 27	Form 1
	Issue and renewal of contribution cards to employees	Para 35 & 43	Form 3 and 3A
	Contribution cards for employees other than monthly paid employees	Para 35 & 42	Form 4
	Declarations furnished by the employees on taking up employment	Para 33	Form 11
4	Employees' State Insurance Act 1948 & ESI (G) Reg.1950		
	Declaration Forms [counter signature of the employer shall be made]	Reg – 11	Form – 1
	Identity Cards	Reg – 17	Form – 4
	Register of Employees	Reg – 32	Form – 6
	Accident Book	Reg – 66	Form – 11
	Accident Report from Employer	Reg – 68	Form – 12

Sl. No.	Name of the Act	Sec / Rule	Applicable form
5	Employment Exchanges (Compulsory Notifications of Vacancies) Act 1959 & Rules 1960		
	Not required to maintain any registers or records	--	--
6	Equal Remuneration Act 1976 & Rules 1976		
	Register	Rule - 6	Form D
7	The Factories Act 1948 and The Factories Rules 1950		
	Not applicable	--	--
8	Industrial Employment (Standing Orders) Act, 1946 & The AP Industrial Employment (Standing Orders) Rules, 1953		
	Notices sent by Certifying Officer after certifying the standing orders of the company	Rule - 7	Form C / D
9	Andhra Pradesh Factories and Establishments (National, Festival and other Holidays) Act, 1974		
	Register of National and Festival Holidays [to be maintained both in English and Regional languages]	Rule - 6(1)	Form - III
	Visit Book of inspectors for inspection [to be maintained both in English and Regional languages]	Rule - 6(2)	--
10	Andhra Pradesh Labour Welfare Fund Act, 1987 and Rules, 1988		
	Register of Wages	Rule - 4(1)	Form - D
	Register of fines and unpaid accumulations	Rule - 4(2)	Form - E

Sl. No.	Name of the Act	Sec / Rule	Applicable form
11	Andhra Pradesh Shops & Establishments Act, 1988 and Rules, 1990		
	Display of Certificate of Registration at the office premises	Rule – 3(3)	Form II / IV
	Register of fines	Rule – 17(3)(a)	Form X
	Register of deductions and damages	Rule – 17(4)	Form XI
	Register of advance wages	Rule – 18(4)	Form XII
	Register of employment	Rule – 29(1)	Form XXII
	Register of wages	Rule – 29(2)	Form XXIII
	Notice of weekly holidays	Rule – 29(3)	Form XXIV
	Register of leave with wages	Rule – 29(6)	Form XXV
	Letter of appointments	Rule – 30	Form XXVI
	Visit Book	Rule – 10A	--
12	Maternity Benefit Act 1961 & Rules 1966		
	--	--	--
13	The Minimum Wages Act 1948 & The AP Minimum Wages Rules, 1960		
	Register of fines	Rule – 22(4)(iii)	Form – I
	Register of deductions fro damages / loss	Rule – 22(4)(iii)	Form – II
	Over-time register	Rule – 29(2)	Form – IV
	Muster roll	Rule – 30(5)	Form – V
	Register of wages	Rule – 30(1)	Form – X
	Wage slips	Rule – 30(2)	Form – XI

Sl. No.	Name of the Act	Sec / Rule	Applicable form
14	The Payment of Bonus Act 1965 & The Payment of Bonus Rules 1975		
	Register – Computation of allocable surplus	Rule – 4(a)	Form – A
	Register showing set-on and set-off of the allocable surplus	Rule – 4(b)	Form – B
	Register showing the details of disbursement of bonus	Rule – 4(c)	Form – C
	Statement of Computation of Gross Profits	Sec – 4(b)	Schedule – II
	Statement of sums deductible from Gross Profits	Sec – 6(d)	Schedule – III
	Statement of set on and set off of allocable surplus	Sec – 15 & 16	Schedule – IV
15	The Payment of Gratuity Act 1972 & The A.P. Payment of Gratuity Act Rules 1973		
	Nomination forms	Rule – 6(1)	Form – F
	Fresh-nomination forms	Rule – 6(3)	Form – G
	Modifications to nomination forms	Rule – 6(4)	Form – H
	Maintenance of applications for gratuity received from employees	Rule – 7(1)	Form – I
	Maintenance of applications for gratuity received from nominees	Rule – 7(2)	Form – J
	Maintenance of applications for gratuity received from legal heirs	Rule – 7(3)	Form – K
16	The Payment of Wages Act 1936 & The A.P. Payment of Wages Rules 1937		
	Record of the salaries or wages paid to its employees	Rule – 5(1)	Customized
	List fines imposed on employees, clearly defining the acts and omissions done by them shall be displayed in the office premises	Rule – 11	

ABSTRACTS of the ACTS and RULES required to be displayed at the office premises

Sl. No.	Abstract To be Displayed	Sec / rule	Nature of form
1.	Contract Labour (Regulation and Abolition) Act, 1970 & Rules 1971	Rule – 79	Customized
2.	Andhra Pradesh Shops & Establishments Act, 1988 and Rules, 1990	Rule – 29 (4)	Customized
3.	Maternity Benefit Act 1961 & Rules 1966	Sec – 19	Customized
4.	Minimum Wages Act 1948 & Rules 1958	Rule – 23	Form – XII
5.	Payment of Gratuity Act 1972 & Rules 1973	Rule – 20	Form – U

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