

EXTRAORDINARY  
GOVERNMENT



REGISTERED NO. P.III  
G A Z E T T E

## **KHYBER PAKHTUNKHWA**

Published by Authority

**PESHAWAR, MONDAY, 17<sup>th</sup> OCTOBER, 2022.**

**GOVERNMENT OF THE KHYBER PAKHTUNKHWA**  
**LABOUR DEPARTMENT**

### **NOTIFICATION**

Peshawar Dated, the 17<sup>th</sup> October, 2022.

**No.RO/LD/8-10/8173:-** In exercise of the powers conferred by section 12 of the Khyber Pakhtunkhwa Industrial Statistics Act, 2013 (Khyber Pakhtunkhwa Act No. XIV of 2013), the Government is pleased to published the following rules, for the information of persons likely to be effected thereby and notice is hereby given that the said rules, together with any objection with respect thereto, which may received by the Secretary to Government, Labour Department, within 30 days of the publication of this Notification in the official Gazette, shall be taken into consideration, after the expiry of the said period:

### **THE KHYBER PAKHTUNKHWA INDUSTRIAL STATISTICS (WELFARE AND CONDITIONS OF LABOUR) RULES, 2022.**

#### **Part-I**

#### **Preliminary**

**1. Short title and commencement.**---(1) These rules may be called the Khyber Pakhtunkhwa Industrial Statistics (Welfare and Conditions of Labour) Rules, 2022.

(2) They shall come into force at once.

**2. Definitions.**---(1) In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say:-

- (a) "Act" means the Khyber Pakhtunkhwa Industrial Statistics Act, 2013(Khyber Pakhtunkhwa Act No. XIV of 2013);
- (b) "Director Labour" means head of the Directorate of Labour of the Province of Khyber Pakhtunkhwa;
- (a) "Employer" means any person who employs either directly or through another person, whether on behalf of himself or any other person, and includes-
  - (i) an "occupier" of the industrial or commercial establishment;
  - (ii) in relation to a factory, a managing agent or other person who has ultimate control over the affairs of the factory; and
  - (iii) in other cases, any person responsible to the owner for supervision and control of such worker or for payment of his wages; and
- (d) "Form" means a Form appended to these rules.

(2) Words and expressions used but not defined in these rules shall have the same meanings as assigned to them in the Act.

3. **Statistics Authority.**—Government shall appoint Director Labour as Statistics Authority in terms of section 4 of the Act.

4. **Notice for Statistics.**—(1) The notice to be served by or on behalf of the Statistics Authority under section 6, upon the industrial establishment and commercial establishment as provided in Form-A and Form-AA, respectively.

(2) The notice, under sub-rule (1), shall be addressed to the employer from whom information under the Act is required to be furnished.

(3) In case of a corporation, the notice may be served on the Secretary, or any Director, or other principal officer of the corporation, or by addressing it to the corporation at its registered office, and if it has no registered office, then at the principal place where the corporation carries on its business.

(4) In case of a firm, the notice may be served upon any one or more of the partners or upon any person having control or management of the partnership business at the principal place at which the partnership business is carried on, and such service shall be deemed good service upon the firm, whether all or any of the partners are residing within or without the Province of Khyber Pakhtunkhwa.

(5) The notice under these rules may be served by registered post with acknowledgement due.

**5. Submission of returns.**---(1) Every employer on whom a notice has been served under rule 4, shall furnish to the Statistics Authority annual return as provided in **Form-B** every year on 31<sup>st</sup> of January, following the year to which it relates.

(2) Every employer on whom a notice has been served under rule 4, shall furnish to the Statistics Authority annual return as provided in **Form-C** every year on 31<sup>st</sup> of January, following the year to which it relates.

(3) The return in duplicate shall be duly signed by the employer.

(4) The return shall be sent by registered post with acknowledgement due, in a closed cover marked "Confidential Labour Statistic Return".

(5) Where an industrial establishment or commercial establishment has worked for a part of the year, the return shall relate to such part only.

(6) The return to be furnished under these rules shall be in addition to the returns to be furnished under the labour laws or any other law concerned to the Industrial Statistics.

**6. Extension of time period.**---The Statistics Authority may in any special case, for reasons to be recorded in writing, extend the period for submission of an annual return upto sixty days.

**7. Repeal.**--- The West Pakistan Labour Statistics Rules, 1963 are hereby repealed to the extent of the Province of Khyber Pakhtunkhwa.

**FORM-A**  
[see rule 4(1)]

**FORM OF NOTICE TO BE SERVED UNDER SECTION 6 OF THE KHYBER  
PAKHTUNKHWA INDUSTRIAL STATISTICS ACT, 2013.**

*(For Industrial Establishments)*

To

The Employer

.....  
.....

No.

Dated:

Subject: - **RETURN UNDER THE KHYBER PAKHTUNKHWA  
INDUSTRIAL STATISTICS ACT, 2013**

In pursuance of section 6 of the Khyber Pakhtunkhwa Industrial Statistics Act, 2013, read with the Khyber Pakhtunkhwa Industrial Statistics (Welfare and Conditions of Labour) Rules, 2021, you are hereby required to submit duly filled up, a Return for the year ending on 31<sup>st</sup> December 20.... in Form-B appended to this notice within fifteen days of the receipt of this notice and thereafter a Return in the said Form for every year or part of the year during which the industrial establishment worked, by the 31<sup>st</sup> January, following the year to which the return relates to the undersigned.

2. The submission of return is compulsory. Willful negligence, refusal without lawful excuse in submitting the return or deliberate submission of false information is an offence punishable under section 9 of the Khyber Pakhtunkhwa Industrial Statistics Act, 2013, which provides for a penalty which may extend to twenty thousand rupees but shall not be less than five thousand rupees for each offence and in subsequent offence with a further fine, which may extend to eight hundred rupees for each day during which the offence continues.

3. If you require any clarification or guidance for filling up this Return, please contact the undersigned.

Statistics Authority  
Directorate of Labour,  
Khyber Pakhtunkhwa

FORM-AA

[see rule 4(1)]

**FORM OF NOTICE TO BE SERVED UNDER SECTION 6 OF THE KHYBER  
PAKHTUNKHWA INDUSTRIAL STATISTICS ACT, 2013**

*(For Commercial Establishments)*

To

The Employer

.....  
.....

No.

Dated:

Subject: - **RETURN UNDER THE KHYBER PAKHTUNKHWA  
INDUSTRIAL STATISTICS ACT, 2013**

In pursuance of section 6 of the Khyber Pakhtunkhwa Industrial Statistics Act, 2013, read with the Khyber Pakhtunkhwa Industrial Statistics (Welfare and Conditions of Labour) Rules, 2021, you are hereby required to submit duly filled up, a Return for the year ending on 31<sup>st</sup> December 20.... in Form-C appended to this notice within fifteen days of the receipt of this notice and thereafter a Return in the said Form for every year, by the 31<sup>st</sup> January, following the year to which the return relates to the undersigned.

2. The submission of return is compulsory. Willful negligence, refusal without lawful excuse in submitting the return or deliberate submission of false information is an offence punishable under section 9 of the Khyber Pakhtunkhwa Industrial Statistics Act, 2013, which provides for a penalty which may extend to twenty thousand rupees but shall not be less than five thousand rupees for each offence and in subsequent offence with a further fine, which may extend to eight hundred rupees for each day during which the offence continues.

3. If you require any clarification or guidance for filling up this Return, please contact the undersigned.

Statistics Authority  
Directorate of Labour, Khyber  
Pakhtunkhwa



	Working Supervisors												
	<b>Non Production Employees</b>												
	Administrative and Professional												
	Clerical												
	Service												
Part time (Specify category)													

Reason of lay-offs: .....

**Part-III**  
**MAN-HOURS WORKED BY AND WAGES AND SALARIES PAID TO THE EMPLOYEES**

Description	Category	Man-hours worked		Wages and Salaries Paid including Dearness Allowance		Other allowances paid except Dearness Allowance
		Normal	Overtime	Normal	Overtime	
1	2	3	4	5	6	7
Regular Employees	<b>Production workers</b>					
	Production workers except Working Supervisors					
	Working Supervisors					
	<b>Non Production Employees</b>					
	Administrative and Professional					
	Clerical					
	Service					
Part time (Specify category)	<b>Production</b>					
	<b>Non Production</b>					
Workers Employed Casually / through Contractor	<b>Production</b>					
	<b>Non Production</b>					

Number of Contractors: .....

Amount paid to each Contractor(in Rs.): .....

Total amount paid to the Contractors (in Rs.): .....

**PART-IV**  
**CLASSIFICATION OF WORKERS EMPLOYED ACCORDING TO AGE  
 AND SEX**

Category of workers	Adults			Adolescents			Grand Total
	Male	Female	Total	Male	Female	Total	
1	2	3	4	5	6	7	8
Production Workers							
All other Workers							
<b>Total</b>							

*This is to certify that no child or any person below the minimum age for employment was engaged or allowed to work in contravention of KP Prohibition of Employment of Children Act, 2015.*

**PART-V**  
**WELFARE FACILITIES PROVIDED**

Sr. No.	Facility	Yes	No
1.	Contributory provident fund		
2.	Non-contributory provident fund		
3.	Bonus		
4.	Gratuity		
5.	Pension/ EOBI		
6.	Transport		
7.	Medical/ KPSSI		
8.	Group Insurance		
9.	Housing		
10.	Housing & Conveyance Allowance		
11.	Educational Training		
12.	Day Care facilities		
13.	Recreation		
14.	Canteen		
15.	Free consumers goods		
16.	Subsidized consumers good		
17.	Profit sharing		
18.	Welfare Staff		



**PART-VI**  
**Provident Fund**

Description	Contributory Fund			Non-Contributory Fund	
	No. of Employees Covered	Amount Contributed by the employees during the year	Amount Contributed by the employer during the year	No. of Employees Covered	Amount Contributed by the employees during the year
1	2	3	4	5	6
Production Worker					
Non-Production Worker					

**PART-VII**

**Bonus, Gratuity, Pension, Medical, Transport and Group Insurance Facilities**

Description	Production Workers		Non-Production Employees	
	No. of Workers Covered	Amount Paid during the year (in Rs.)	No. of Workers Covered	Amount Paid during the year (in Rs.)
1	2	3	4	5
Bonus				
Gratuity				
Pension/ EOBI				
Medical/ KPSSI				
Transport				
Group Insurance				

**PART-VIII**

**Housing Facilities**

Description of houses	Free housing facilities			Rented housing facilities		
	No. of Production workers	No. of Non-Production Employees	Total	No. of Production workers	No. of Non-Production Employees	Total
1	2	3	4	5	6	7
1 room						
2 rooms						
3 rooms						
More than 3 rooms						

**PART-IX**  
**House Rent and Conveyance Allowance**

If no housing and transport facilities are provided, give the following information: -

Description	Production Workers		Non-Production Employees	
	No. of workers covered	Amount paid during the year (in Rs.)	No. of employees covered	Amount paid during the year (in Rs.)
1	2	3	4	5
House Rent Allowance				
Conveyance Allowance				

**PART-X**  
**Educational Training Facilities**

Number of Workers Covered		Allowance paid before employment during the year (in Rs.)	Amount spent during the year other than allowances paid before employment (in Rs.)
Before Employment	After Employment		
1	2	3	4

**PART-XI**  
**Crèches Facilities Daycare Facilities**

No. of infants who can be accommodated at time	Number of attendants	Amount spend during the year (in Rs.)
1	2	3

**PART-XII**

**Recreation, Canteen (free and subsidized), Consumer Goods**

Facility	No. of Workers Facilitated	Free	Subsidy paid by Employer (in Rs.)	Contribution by Workers (in Rs.)
1	2	3	4	5
Canteen				
Consumer Goods				
Other Recreation				
i. ....				
ii. ....				
iii. ....				

**PART-XIII**

**Profit Distributed**

Description	Number of Employees Covered		Amount contributed during the year by employees (in Rs.)	
	Male	Female	Male	Female
1	2	3	4	5
Production Workers				
Non-Production Employees				

**PART-XIV**  
**Welfare Staff**

Description	Number on the last pay-roll covered	Total salaries paid during the year (in Rs.)
1	2	3
Doctor		
Nurses		
Teachers		
Canteen employees		
Welfare officers		
Safety Officer		
Others(specify)		

**Certificate:-** This is to certify that the information supplied in this return is to be best of my knowledge and belief accurate and complete.

*Signature:* .....  
*Name (in block letters):* .....  
*Designation:* .....

**Seal / Stamp** .....

**Dated:** .....

**FORM-C**  
[see rule 5(2)]

*Directorate of Labour Khyber Pakhtunkhwa*

Annual Return under Rule 5(2) of the Khyber Pakhtunkhwa Industrial Statistics (Welfare and Conditions of Labour) Rules, 2021 for the year ending on 31<sup>st</sup> December, 20.....

**PART-I**  
**DESCRIPTION OF COMMERCIAL ESTABLISHMENT**

1. Name of Commercial Establishment: .....
2. Registration No. under the Khyber Pakhtunkhwa Shops and Establishments Act, 2015: .....
3. Name of the Employer: .....
4. Location: .....
5. Mailing address: .....
6. Nature of Business: .....
7. If worked part of the year, period of work or days of work during the year: .....

**PART-II**  
**EMPLOYMENT AND LABOUR TURNOVER OF REGULAR EMPLOYEES**

Description	Category	No. of persons on the last working day of the previous year		No. of persons recruited during the year		No. of persons separated during the year					No. of persons on the last working day of the year	
		Male	Female	Male	Female	Resignation	Dismissals	Lay offs	Other reasons	Total	Male	Female
1	2	3	4	5	6	7	8	9	10	11	12	13
Full time	Permanent Employees											
	Temporary Employees											
Part time (Specify category)												
Casual / through Contractor												

Reason of lay-offs: .....

**Part-III****MAN-HOURS WORKED BY AND WAGES AND SALARIES PAID TO THE EMPLOYEES**

Description	Category	Man-hours worked		Wages and Salaries Paid including Dearness Allowance		Other allowances paid except Dearness Allowance
		Normal	Overtime	Normal	Overtime	
1	2	3	4	5	6	7
Full time	Permanent Employees					
	Temporary Employees					
Part time (Specify category)						
Casual / through Contractor						

Number of Contractors: .....

Amount paid to each Contractor (in Rs.): .....

Total amount paid to the Contractors (in Rs.): .....

**PART-IV****CLASSIFICATION OF EMPLOYEES ACCORDING TO AGE AND SEX**

Category of Employees	Adults			Adolescents			Grand Total
	Male	Female	Total	Male	Female	Total	
1	2	3	4	5	6	7	8
Permanent Employees							
Temporary Employees							
Part time (Specify category)							
Casual / through Contractor							
<b>Total</b>							

*This is to certify that no child or any person below the minimum age for employment was engaged or allowed to work in contravention of KP Prohibition of Employment of Children Act, 2015.*

**PART-V**  
**WELFARE FACILITIES PROVIDED**

Sr. No.	Facility	Yes	No
1.	Contributory provident fund		
2.	Non-contributory provident fund		
3.	Bonus		
4.	Gratuity		
5.	Pension/ EOBI		
6.	Transport		
7.	Medical/ KPSSI		
8.	Group Insurance		
9.	Housing		
10.	Housing & Conveyance Allowance		
11.	Educational Training		
12.	Day Care facilities		
13.	Recreation		

**PART-VI**  
**Provident Fund**

Contributory Fund			Non-Contributory Fund	
No. of Employees Covered	Amount Contributed by the employees during the year	Amount Contributed by the employer during the year	No. of Employees Covered	Amount Contributed by the employees during the year
1	2	3	4	5

**PART-VII**

**Bonus, Gratuity, Pension, Medical, Transport and Group Insurance Facilities**

Description	Permanent Employees		Temporary Employees	
	No. of Employees Covered	Amount Paid during the year (in Rs.)	No. of Employees Covered	Amount Paid during the year (in Rs.)
1	2	3	4	5
Bonus				
Gratuity				
Pension/ EOBI				
Medical/ KPSSI				
Transport				
Group Insurance				

**PART-VIII**  
**Housing Facilities**

Description of houses	Free housing facilities			Rented housing facilities		
	Permanent Employees	Temporary Employees	Total	Permanent Employees	Temporary Employees	Total
1	2	3	4	5	6	7
1 room						
2 rooms						
3 rooms						
More than 3 rooms						

**PART-IX**

**House Rent and Conveyance Allowance**

If no housing and transport facilities are provided, give the following information: -

Description	Permanent Employees		Temporary Employees	
	No. of Employees covered	Amount paid during the year (in Rs.)	No. of Employees covered	Amount paid during the year (in Rs.)
1	2	3	4	5
House Rent Allowance				
Conveyance Allowance				

**PART-X**

**Educational Training Facilities**

Number of Employees Covered		Allowance paid before employment during the year (in Rs.)	Amount spent during the year other than allowances paid before employment (in Rs.)
Before Employment	After Employment		
1	2	3	4



**PART-XI**  
Daycare Facility

No. of infants who can be accommodated at time	Number of attendants	Amount spend during the year (in Rs.)
1	2	3

**PART-XII**  
Recreation

Description	No. of Employees Facilitated	Free	Subsidy paid by Employer (in Rs.)	Contribution by Employees (in Rs.)
1	2	3	4	5
Recreations				
i. ....				
ii. ....				
iii. ....				

**Certificate:-** This is to certify that the information supplied in this return is to be best of my knowledge and belief accurate and complete.

*Signature of the Employer* .....

*Name (in block letters):* .....

.....

*Seal / Stamp* .....

Dated: .....

**Secretary to  
Government of Khyber Pakhtunkhwa  
Labour Department**