

The Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017

Ministry has notified “Ease of Compliance to maintain Registers under various Labour Laws Rules, 2017” on 21st February 2017 which has in effect replaced the 56 Registers/Forms under 9 Central Labour Laws and Rules made there under in to 5 common Registers/Forms. This will save efforts, costs and lessen the compliance burden by various establishments.

MINISTRY OF LABOUR AND EMPLOYMENT NOTIFICATION

New Delhi,

the 21st February 2017

G.S.R. 154(E).—Whereas for the ease of, and for the expedient compliance of the requirement of the various labour related laws referred to herein and for the purpose of maintaining combined registers for all such laws, it has become essential to frame separate rules for the said purpose;

And whereas the intention to provide such combined register is to sub-serve the purposes, more specifically electronically, of the said labour related laws and the rules made there under, wherein provisions have been made for maintenance of such registers;

And whereas combined registers provided under the proposed rules will facilitate ease of compliance, maintenance and inspection, and will also make the information provided there under easily accessible to the public through electronic means thereby increasing transparency;

And whereas making separate rules for the aforementioned purpose will benefit making references of registers provided under different labour related laws simple, which will serve public purpose in a better way;

And whereas to achieve the aforementioned purposes, the draft rules, namely the Ease of Compliance to Maintain Registers under various Labour Law Rules, 2016 were published vide notification of the Government of India in the Ministry of Labour and Employment, number G.S.R. 1048(E), dated, the 4th November 2016, in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), inviting objections and suggestions from all persons likely to be affected thereby on or before the expiry of a period of three months from the date on which the copies of the Official Gazette containing the said notification were made available to the public;

And whereas, the copies of the said Gazette were made available to the public on the 4th November, 2016;

And whereas, the objections and suggestions received from the public on the said draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by-

- (a) section 62 of the Building and Other Construction Workers’ (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996) and after consultation with the expert committee;
- (b) section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970);
- (c) section 13 of the Equal Remuneration Act, 1976 (25 of 1976);
- (d) section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979);
- (e) section 58 read with section 59 of the Mines Act, 1952 (35 of 1952) and after complying with the requirements of sub-section (4) of said section 59;
- (f) section 29 and section 30 of the Minimum Wages Act, 1948 (11 of 1948);

- (g) section 26 of the Payment of Wages Act, 1936 (4 of 1936);
(h) section 12 of the Sales Promotion Employees (Conditions of Service) Act, 1976 (11 of 1976); and
(i) section 20 of the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955);

read with Chapter III of the Information Technology Act, 2000 (21 of 2000), the Central Government hereby makes the following rules, namely:-

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Maintenance of registers under certain labour related laws.—

(1) Notwithstanding anything contained in any rules made under the,—

- (i) Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996);
(ii) Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970);
(iii) Equal Remuneration Act, 1976 (25 of 1976);
(iv) Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979); (v) Mines Act, 1952 (35 of 1952) (vi) Minimum Wages Act, 1948 (11 of 1948);
(vii) Payment of Wages Act, 1936 (4 of 1936);
(viii) Sales Promotion Employees (Conditions of Service) Act, 1976 (11 of 1976); and
(ix) Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955);

the combined registers in the Forms specified in the Schedule to these rules shall be maintained either electronically or otherwise and used for the purposes, of the aforesaid enactments and the rules made there under, as specified therein.

(2) If the combined register referred to in sub-rule (1) is required for inspection by the concerned Inspector appointed under any of the enactments referred to in the said sub-rule, the concerned persons shall make available the combined registers or provide the necessary particulars for the purposes of accessing the information, as the case may be.

(3) Where any register referred to in sub-rule (1) is maintained in electronic form, then, layout and presentation of the register may be adjusted without changing the integrity, serial number and contents of the columns of the register, but not otherwise. 3. Amendment of certain rules.—The following rules shall be amended, except as respects things done or omitted to be done before such amendment, in the manner specified below, namely:—

(i) In the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Central Rules, 1998,—

(A) in rule 240, for the words and figures “Form XV, annexed to these rules”, the words, letter and figures “Form A specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017 ” shall be substituted;

(B) in rule 241, in sub-rule (1),—

- (a) in clause (a), for the words and figures “muster-roll and a register of wages in Form XVI and Form XVII, respectively, annexed to these rules”, the words, letters and figures, “register of wages and muster-roll in Form B and Form D respectively, specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;
- (b) in clause (b), for the words and figures “in Form XIX, Form XX and Form XXI, respectively, annexed to these rules”, the words, letter and figures, “ in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

- (c) in clause (c), for the words and figures “in Form XXII annexed to these rules”, the words, letter and figures, “in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted; and

(C) Form XV, Form XVI, Form XVII, Form XIX, Form XX, Form XXI and Form XXII shall be omitted;

(ii) In the Contract Labour (Regulation and Abolition) Central Rules, 1971,—

(A) in rule 75, for the words and figures “in Form XIII”, the words, letter and figures, “in Form A specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(B) in rule 78, in clause (a),— (a) in sub-clause (i),—

(A) for the words and figures “in Form XVI and Form XVII respectively”, the words, letters and figures, “in Form D and Form B, respectively, specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(B) the proviso shall be omitted;

(b) in sub-clause (ii), for the words and figures “in Form XX, Form XXI and Form XXII respectively”, the words, letters and figures, “in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(c) in sub-clause (iii), for the words and figures “in Form XXIII”, the words, letter and figures “in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted; and

(C) Form XIII, Form XVI, Form XVII, Form XVIII, Form XX, Form XXI, Form XXII and Form XXIII shall be omitted;

(iii) In the Equal Remuneration Rules, 1976,—

(A) in rule 6, for the words and letter, “in Form ‘D’”, the words, letter and figures, “in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted; and (B) Form D shall be omitted;

(iv) in the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Central Rules, 1980,-

(A) in rule 49, for the words and figures “in Form XIII”, the words, letters and figures, “in Form A specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(B) in rule 52, in sub-rule (2),—

- (a) in clause (a), for the words and figures “in Form XVII and XVIII respectively”, the words, letters and figures, “in Form D and Form B, respectively, specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

- (b) in clause (c), for the words and figures “in Forms XIX, XX and XXI respectively”, the words, letter and figures, “in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

- (c) in clause (d), for the words and figures “in Form XXII”, the words, letter and figures “in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted; and

(C) Form XIII, Form XVII, Form XVIII, Form XIX, Form XX, Form XXI and Form XXII shall be omitted;

(v) in the Mines Rules, 1955,-

(A) in rule 48, in sub-rule (3), for the words and letters “in Forms B, C, D and E”, the words, letters and figures, “in Form A and Form D, respectively, specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(B) in rule 49, in sub-rule (4), for the words and letter, “in Form F”, the words, letter and figures “in Form E specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(C) in rule 51, for the words and letter, “in Form B”, the words, letter and figures, “in Form A specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(D) in rule 53, in sub-rule (1), for the words and letters “in Forms G and H” occurring at both the places, the words, letter and figures “in Form E specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall respectively be substituted;

(E) in rule 59, for the words and letter “in Form I”, the words, letter and figures, “in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(F) in rule 77, for the words and letter “in Form B”, the words, letter and figures, “in Form A specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(G) in rule 77A, in sub-rule (2), for the words and letter, “in Form B”, the words, letter and figures “in Form A specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(H) in rule 78, –

- (a) in sub-rule (1), for the words and letters “in Forms C, D and E respectively”, the words, letter and figures “in Form D specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

- (b) in sub-rule (2), for the words and letter “in Form C”, the words, letter and figures “in Form D specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

- (c) in sub-rule (3), for the words and letters “in Forms D and E”, the words, letter and figures “in Form D specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted; and

(I) Form B, Form C, Form D, Form E, Form F, Form G, Form H and Form I shall be omitted;

(vi) in the Minimum Wages (Central) Rules, 1950,-

(A) in rule 21, in sub-rule (4), for the words and figures “in Forms I and II, respectively”, the words, letter and figures “in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(B) in rule 25, in sub-rule (2), for the words and figures “in Forms IV”, the words, letter and figures “in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(C) in rule 26, -

- (a) in sub-rule (1), for the words and figure “in Form X”, the words, letter and figures “in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

- (b) sub-rule (1A) shall be omitted;

- (c) in sub-rule (5), for the words and figure “in Form V and the attendance of each person employed in the establishment shall be recorded daily in that Form”, the words, letter and figures “in Form D specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017 and the attendance of each person employed in the establishment shall be recorded daily in that Form” shall be substituted; and

(D) Form I, Form II, Form IV, Form V and Form X shall be omitted;

(vii) in the Payment of Wages (Air Transport Services) Rules, 1968,

(A) in rule 4, - (a) in sub-rule (2), for the words and figures “in Form II”, the words, letter and figures “in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted; and (b) in sub-rule (5), for the words and figures “Part II of Form II”, the words, brackets and figure “Register referred to in sub-rule (2)” shall be substituted;

(B) in rule 5, for the words and figures “in Form III”, the words, letter and figures “in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(C) in rule 6, for the words and figures “in Form IV and V respectively”, the words, letters and figures “in Form D and Form B, respectively, specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(D) in rule 17, in sub-rule (3), for the words and figures “in Form IX”, the words, letter and figures “in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall, respectively, be substituted;

(E) in rule 18, in sub-rule (3), for the words and figure “in Form X”, the words, letter and figures “in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted; and (F) Form II, Form III, Form IV, Form V, Form IX and Form X shall be omitted;

(viii) in the Payment of Wages (Mines) Rules, 1956,—

- (A) in rule 3, in sub-rule (1), for the words and figure “in Form I”, the words, letter and figures “in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

- (B) in rule 4, for the words and figures “in Form II”, the words, letter and figures “in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

- (C) in rule 5, for the words and figures “in Form III”, the words, letter and figures “in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

- (D) in rule 17, in sub-rule (1), for the words, letter and figures “in Form IV-A” occurring at both the places, the words, letter and figures “in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted, respectively;

- (E) in rule 19, in sub-rule (3), for the words and figures “in Form VI”, the words, letter and figures “in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted; and

- (F) Form I, Form II, Form III, Form IV-A and Form VI shall be omitted;

(ix) in the Payment of Wages (Railways) Rules, 1938,—

(A) in rule 3, in sub-rule (1), for the words and figure “in Form I”, the words, letter and figures “in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(B) in rule 4, in sub-rule (1), for the words and figures “in Form II”, the words, letter and figures “in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(C) in rule 18, in sub-rule (3), for the words and figures “in Form V”, the words, letter and figures “in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted; and

(D) Form I, Form II and Form V shall be omitted;

(x) in the Sales Promotion Employees (Conditions of Service) Rules, 1976,—

(A) in rule 23,-

- (a) in clause (a), for the words and letter “in Form B”, the words, letter and figures “in Form A specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

- (b) in clause (c), for the words and letter “in Form D”, the words, letter and figures “in Form A specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

- (c) in clause (d), for the words and letter “in Form E”, the words, letter and figures “in Form E specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted; and

(B) Form B, Form D and Form E shall be omitted; (xi) in the Working Journalists (Conditions of Service) and Miscellaneous Provisions Rules, 1957,—

(A) in rule 37,—

- (a) in clause (i), for the words and letter “in Form D”, the words, letter and figures “in Form A specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

- (b) in clause (iii), for the words “in Form F”, the words, letter and figures “in Form E specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

- (c) in clause (iv), for the words “in Form G”, the words, letter and figures “in Form D specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted; and

(B) Form D, Form F and Form G shall be omitted.

COURTESY: RAHUL, MUMBAI.