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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 10*th December,* 2014/*Agrahayana* 19, 1936 *(Saka)*

The following Act of Parliament received the assent of the President on the 9th December, 2014, and is hereby published for general information:—

THE LABOUR LAWS (EXEMPTION FROM FURNISHING RETURNS AND MAINTAINING REGISTERS BY CERTAIN ESTABLISHMENTS) AMENDMENT ACT, 2014

(No. 33 of 2014)

[10*th December*, 2014.]

An Act to amend the Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by certain Establishments) Act, 1988.

Be it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by certain Establishments) Amendment Act, 2014.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of long title.

2. In the Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by certain Establishments) Act, 1988 (hereinafter referred to as the principal Act),

51 of 1988.

for the long title, the following long title shall be substituted, namely:—

"An Act to provide for the simplification of procedure for furnishing returns and maintaining registers in relation to establishments employing a small number of persons under certain labour laws.".

Amendment of section 1.

3. In section 1 of the principal Act, in sub-section (*1*), for the words "Exemption from", the words "Simplification of Procedure for" shall be substituted.

Amendment of section 2.

4. In section 2 of the principal Act, in clause (*e*), for the word "nineteen", the word "forty" shall be substituted.

Substitution of new section for section 4.

5. For section 4 of the principal Act, the following section shall be substituted, namely:—

Exemption from furnishing or maintaining of returns and registers required under certain labour laws.

"4. (*1*) Notwithstanding anything contained in a Scheduled Act, on and from the commencement of the Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by certain Establishments) Amendment Act, 2014, it shall not be necessary for an employer in relation to any small establishment or very small establishment to which a Scheduled Act applies, to furnish the returns or to maintain the registers required to be furnished or maintained under that Scheduled Act:

Provided that such employer—

(*a*) furnishes, in lieu of such returns, annual return in Form I; and

(*b*) maintains, in lieu of such registers,—

(*i*) registers in Form II and Form III, in the case of small establishments, and

(*ii*) a register in Form III, in the case of very small establishments,

at the work spot:

Provided further that every such employer shall continue to—

(*a*) issue wage slips in the Form prescribed in the Minimum Wages (Central) Rules, 1950 made under sections 18 and 30 of the Minimum Wages Act, 1948 and slips relating to measurement of the amount of work done by piece-rated workers required to be issued under the Payment of Wages (Mines) Rules, 1956 made under sections 13A and 26 of the Payment of Wages Act, 1936; and

11 of 1948.

4 of 1936.

(*b*) file returns relating to accidents under sections 88 and 88A of the Factories Act, 1948 and sections 32A and 32B of the Plantations Labour Act, 1951.

63 of 1948.
69 of 1951.

(*2*) The annual return in Form I and the registers in Forms II and III and wage slips, wage books and other records, as provided in sub-section (*1*), may be maintained by an employer either in physical form or on a computer, computer floppy, diskette or other electronic media:

Provided that in case of computer, computer floppy, diskette or other electronic form, a printout of such returns, registers, books and records or a portion thereof is made available to the Inspector on demand.

(*3*) The employer or the person responsible to furnish the annual return in Form I may furnish it to the Inspector or any other authority prescribed under the Scheduled Acts either in physical form or through electronic mail if the Inspector or the authority has the facility to receive such electronic mail.

(*4*) Save as provided in sub-section (*1*), all other provisions of a Scheduled Act, including, in particular, the inspection of the registers by, and furnishing of their

copies to, the authorities under that Act, shall apply to the returns and registers required to be furnished or maintained under this Act as they apply to the returns and registers under that Scheduled Act.

(*5*) Where an employer in respect of an establishment referred to in sub-section (*1*), to whom a Scheduled Act applies, furnishes returns or maintains the registers as provided in the proviso to sub-section (*1*), nothing contained in that Scheduled Act shall render him liable to any penalty for his failure to furnish any return or to maintain any register under that Scheduled Act.".

Substitution of new Schedules for First Schedule and Second Schedule.

6. For the First Schedule and Second Schedule to the principal Act, the following Schedules shall be substituted, namely:—

"THE FIRST SCHEDULE

[*See* section 2(*d*)]

1. The Payment of Wages Act, 1936 (4 of 1936).

2. The Weekly Holidays Act, 1942 (18 of 1942).

3. The Minimum Wages Act, 1948 (11 of 1948).

4. The Factories Act, 1948 (63 of 1948).

5. The Plantations Labour Act, 1951 (69 of 1951).

6. The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955).

7. The Motor Transport Workers Act, 1961 (27 of 1961).

8. The Payment of Bonus Act, 1965 (21 of 1965).

9. The Beedi and Cigar Workers (Conditions of Employment) Act, 1966 (32 of 1966).

10. The Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970).

11. The Sales Promotion Employees (Conditions of Service) Act, 1976 (11 of 1976).

12. The Equal Remuneration Act, 1976 (25 of 1976).

13. The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979).

14. The Dock Workers (Safety, Health and Welfare) Act, 1986 (54 of 1986).

15. The Child Labour (Prohibition and Regulation) Act, 1986 (61 of 1986).

16. The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996).

———

THE SECOND SCHEDULE

[*See* section 2 (*c*)]

FORM I

[*See* section 4 (*1*)]

ANNUAL RETURN

(To be furnished to the Inspector or the authority specified for this purpose under the respective Scheduled Act before the 30th April of the following year)

(ending 31st March_____)

1. Name of the establishment, its postal address, telephone number, FAX number, e-mail address and location_____

_____

2. Name and postal address of the employer_____

_____

3. Name and address of principal employer, if the employer is a contractor_____

_____

4. Name of the Manager responsible for supervision and control_____

(*i*) Name of business, industry, trade or occupation carried on by the employer—

_____

(*ii*) Date of commencement of the business, industry, trade or occupation_____

_____

5. Employer's number under ESI/EPF/Welfare Fund/PAN No., if any_____

6. Maximum number of workers employed on any day during the year to which this return relates to:

Category	Highly Skilled	Skilled	Semi-skilled	Un-skilled
Male				
Female				
Children (those who have not completed 18 years of age)				
Total				

7. Average number of workers employed during the year:

8. Total number of mandays worked during the year:

9. Number of workers during the year:

(*a*) Retrenched :

(*b*) Resigned :

(*c*) Terminated :

10. Retrenchment compensation and terminal benefits paid (provide information completely in respect of each worker)_____

_____

11. Mandays lost during the year on account of—

(*a*) Strike :

(*b*) Lockout :

(*c*) Fatal accident :

(*d*) Non-fatal accidents :

12. Reasons for strike or lockout :

13. Total wages paid (wages and overtime to be shown separately):

14. Total amount of deductions from wages made :

15. Number of accidents during the years :

Reported to Inspector of Factories/Dock Safety	Reported to Employees' State Insurance Corporation	Reported to Workmen's Compensation Commissioner	Others
Fatal			
Non-fatal			

16. Compensation paid under the Workmen's Compensation Act, 1923 (8 of 1923) during the year_____

(*i*) Fatal accidents :

(*ii*) Non-fatal accidents :

17. Bonus*

(*a*) Number of employees eligible for bonus :

(*b*) Percentage of bonus declared and number of employees who were paid bonus:

(*c*) Amount payable as bonus :

(*d*) Total amount of bonus actually paid and date of payment :

Signature of the Manager/Employer
with full name in capital letters.

Place:

Date:

ANNEXURE I*

Name and address of the Contractor	Period of contract From to	Nature of work	Maximum number of workers employed by each contractor	Number of days worked	Number of mandays worked
1	2	3	4	5	6

ANNEXURE II

(*See* Item No. 6)

Serial Number	Name of the employee/worker	Date of employment	Permanent address
1	2	3	4

*Delete, if not applicable.

FORM II

[*See* section 4(*1*)]

REGISTER OF PERSONS EMPLOYED-CUM-EMPLOYMENT CARD

Name of the establishment, address, telephone number, FAX number and e-mail address

_____

Location of work_____

Name and address of principal employer if the employer is a contractor_____

_____

1. Name of workman/employee_____
2. Father's/Husband's name_____
3. Address:

   (*i*) Present_____

   (*ii*) Permanent_____
4. Name and address of the nominee/next of kin_____
5. Designation/Category_____
6. Date of Birth/Age_____
7. Educational qualifications_____
8. Date of entry_____
9. Worker's ID No./ESI/EPF/L.W.F. No._____
10. If the employed person is below 14 years, whether a certificate of age is maintained _____
11. Sex: Male or Female_____
12. Nationality_____
13. Date of termination of employment with reason_____

    _____
14. Signature/thumb impression of worker/employee_____
15. Signature of the employer/Authorised officer with designation_____

    _____

Signature of the contractor/
authorised representative
of the principal employer.

FORM III

[*See* section 4 (*1*)]

MUSTER ROLL-CUM-WAGE REGISTER

Name of the establishment and address _____

Location of work _____

Name and address of employer _____

1	2	3	4	5	6	7	8
Serial number	Name of the worker (ID No. if any) and father's/ husband's name	Designation/ category/nature of work performed	Attendance (Dates of the month 1, 2, ... to 31)	Leave due (Earned leave and other kind of admissible leave)	Leave availed (specify)	Wage rate/ pay or piece rate/wages per unit	Other allowances, *e.g.* (a) Dearness Allowance (b) House Rent Allowance (c) Night Allowances (d) Displacement Allowance (e) Outward Journey Allowance
							(a)
							(b)
							(c)
							(d)
							(e)

9	10	11	12	13	14	15	16
Overtime worked number of hours in the month	Amount of overtime wages	Amount of advance and purpose of advance	Total/gross earnings	Deduction *e.g.* (a) Provident Fund (b) Advance (c) Employees' State Insurance (d) Other amount	Net amount payable (12-13)	Signature/ receipt of wages/ allowances for column number 14	Remarks
				(a)			
				(b)			
				(c)			
				(d)			

Certificate by the principal employer if the employer is contractor.

This is to certify that the contractor has paid wages to workmen employed by him as shown in this register.

Signature of principal employer/
authorised representative of principal employer.".

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DR. SANJAY SINGH,
Secretary to the Govt. of India.

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