



**Gi Group
India**



Compliance Newsletter

We take privilege in sharing with you January' 2022 edition of our monthly Compliance Newsletter. The newsletter will help you stay updated with the latest regulatory changes, notifications and amendments.



Contents

Minimum Wages Revision _____	4 - 5
Notifications, Circulars and Amendments _____	6 - 9
Disclaimer & Contact Information _____	10
Annexure _____	11 - 53

Dear Reader,

In this edition of our monthly Compliance Newsletter, we bring to you the latest Minimum Wages revisions notifications from the states of Maharashtra, West Bengal, Andaman and Nicobar Island.

Further, we have also appended the notifications and amendments released in the month of January'22. Some of the important announcements are Haryana State Employment local candidate rules, Exemptions under the Haryana State Employment of Local Candidates Act, 2020, FAQs under Haryana state employment rules, Relaxation of Eligibility Condition under Atal Beemit Vyakti Kalyan Yojana and Notified and many more.

Read further to know more!
Best Regards,
Gi Group

Minimum Wages Revisions

The Maharashtra Minimum Wages Notification

The Government of Maharashtra has released revised minimum rates of wages by increasing variable dearness allowance effective from 1st January 2022 which will be valid till 30th June 2022. Please refer the notification appended herewith for detailed information.

State: Maharashtra				
Effective Date: 01/01/2022				
Nature of Employment: Shops & Establishment				
Basic Per Month	VDA Per Month	HRA Per Month (5% of Basic +VDA)	Total Per Day	Total Per Month (Basic + VDA+ HRA)
10021	1794	591	477.14	12406
9425	1794	561	453.08	11780
8828	1794	531	428.97	11153
10856	1794	633	510.87	13283
10260	1794	603	486.80	12657
9664	1794	573	462.73	12031
11632	1794	671	542.20	14097
11036	1794	642	518.13	13472
10440	1794	612	494.07	12846

The West Bengal Minimum Wages Notification

Government of West Bengal as per notification No.15/703/Stat/2RW/29/2016/LCS/JLC, has released the minimum rates of wages effective from 1st January 2022 to 30th June 2022. Please refer the notification appended herewith for detailed information.

<u>State: West Bengal</u>		
<u>Effective Date: 01/01/2022</u>		
<u>Category: Shops & Commercial Establishment</u>		
Class of Employment	Monthly Minimum Rate of Wages 01/01/2022 to 30/06/2022	
	Zone A	Zone B
Unskilled	8904	8005
Semi-Skilled	9795	8803
Skilled	10775	9685
Highly Skilled	11852	10655

The Andaman & Nicobar Minimum Wages Notification

The Administrator of Andaman and Nicobar Island vide notification F.NO 16/1/MW/2019-20/LC and DET/27, has declared the minimum rate of wages in the union territory of Andaman and Nicobar with effect from 1st January 2022. Please refer the notification appended herewith for detailed information.

<u>State: Andaman & Nicobar Island</u>		
<u>Effective Date: 01/01/2022</u>		
<u>Category: Shops & Commercial Establishment</u>		
Class of Employment	Monthly Minimum Rate of Wages effective 01/01/2022	
	Per Day	Per Month
Unskilled	507	13182
Semi-Skilled	564	14664
Skilled/Clerical	649	16874
Highly Skilled	707	18382

Notifications/Circulars/Amendments

The Haryana State Employment of Local Candidates Rules, 2021

The Governor of Haryana vide notification No.Lab/1128 has introduced The Haryana State Employment of Local Candidates Rules, 2021. The rules will come into force with effect from the date of coming into force of the Haryana State Employment of Local Candidates Act, 2020 which is specified on 15th day January 2022. Please refer the notification appended herewith for detailed information.

Specification of Designated Portal under Local Candidates Enactment in Haryana

The Government of Haryana vide notification No SPL-2/HSELC/IR-5 has specified the designated portal as <https://local.hrylabour.gov.in/> mentioned under The Haryana State Employment of Local Candidates Act, 2020. Therefore, employer using its Haryana Udhyaam Memorandum Identification Number (HUM ID) shall register all its employees, gross monthly salary or wages are not more than Rs. 30,000/- by providing the required details of each such employee, in the form as specified on the designated portal within 3 months of coming into force of this Act. Please refer the notification appended herewith for detailed information.

Exemptions under the Haryana State Employment of Local Candidates Act, 2020

Government of Haryana vide notification no. Lab./2022/HSELC/Spl-04-205 has issued an order on exemptions under The Haryana State Employment of Local Candidates Act, 2020. The order also prescribe deemed exemptions for fulfilling certain vacancies and period of exemption for some categories of employers, type of employments such as:

- (1) Employers of new startups and Information Technology (IT)/ Information Technology Enabled Services (ITES) exempted for a period of two years from the date of commencement of work or business or manufacturing process.
- (2) Employers who are engaging short term employee for total duration of not less than 45 days are exempted.
- (3) Employers who primarily engages employees in agricultural activities are exempted.
- (4) Employers who are engaging employees for domestic work or services in residential homes are exempted.
- (5) Vacancies which are filled up through promotions or by absorption surplus staff of any unit of the same employer in the State are exempted.
- (6) The local candidates of the desired skill, qualification or proficiency of such employment which are not available are exempted.

Please refer the notification appended herewith for detailed information.

Extension of Time Limit to Deposit Labour Welfare Fund for Karnataka

The Government of Karnataka has extended the last day to deposit Labour Welfare Fund contribution. The due date of 15th January 2022 has been extended to 31st January 2022. Please refer the notification appended herewith for detailed information.

ESIC Extended Medical Benefit in some areas of Assam

ESIC vide notification No. N-17011/1/2021-P&D has extended medical benefits in some areas of Assam with effect from 1st January 2022 under The Employees' State Insurance (General) Regulations, 1950 and The Assam Employees' State Insurance (Medical Benefit) Rules, 1958. As per notification, medical benefits extended to the families of insured persons in the entire area of Barpeta, Bangaigaon, Bishwanath, Cachar, Chirang, Darrang, Dhemaji, Dhubri, Golaghat, Goalpara, Karbi Anglong, Karimganj, Lakhimpur, Majuli, Nalbari, Marigaon, Nagaon, Sibsagar, South Salmara Mankachar, Udalguri, West Karbi Anglong districts in the State of Assam which is in addition to the already implemented area in the district. Please refer the notification appended herewith for detailed information.

Relaxation of Eligibility Condition under Atal Beemit Vyakti Kalyan Yojana

ESIC vide notification No. N-12/13/01/2019-P&D has decided to relax the eligibility condition of two years insurable employment before unemployment and contributory condition of Atal Beemit Vyakti Kalyan Yojana with effect from 01st July 2021. As per notification, insured person should have been in insurable employment for a minimum period of 12 months immediately before his or her unemployment and should have contributed for not less than 78 days in the one completed contribution period in 12 months immediately preceding to unemployment. Please refer the notification appended herewith for detailed information.

The Bihar Professional Tax (Amendment) Rules, 2021

The Government of Bihar vide notification no. S.O. 68, has amended provisions towards registration and enrolment under The Bihar Professional Tax Rules, 2011. As per the amendment:

- (1) The employer or assessee shall electronically submit application within a period of 15 days of any change in the name of employer or deductor or date of liability,
- (2) The employer shall apply for fresh registration if change pertains to the change in Permanent Account Number, or the name as per such Permanent Account Number, Tax Deduction and Collection Account Number, or the name as per such Tax Deduction and Collection Account Number, jurisdiction of the circle, name and style, Goods and Services Tax Identification Number,
- (3) The employer or tax assessee through his own login shall also update at the official web-site of the Commercial Taxes Department incase of any change in mobile number, e-mail address, address of the place of the business or name of the firm, nature of profession or trade,
- (4) The employer or assessee seeking cancellation shall also submit an application electronically within a period of 30 days along with supporting documents at official web-site of the Commercial Taxes Department.

Please refer the notification appended herewith for detailed information.

FAQs on Haryana State Employment of Local Candidates Act, 2020

1. What is the Haryana State Employment of Local Candidates Act, 2020?

The Haryana State Legislative Assembly has passed the Haryana State Employment of Local Candidates Act, 2020, to provide 75% employment to local candidates in new employments in various companies, societies, trusts, and limited liability partnership firms situated in the state of Haryana. This provision will be for local candidates for all jobs with a monthly gross salary or wages are not more than Rs. 30,000/-.

2. Does it mean 75% of total work force of an employer will be from Haryana only?

No. Every employer shall be required to employ 75% local candidates in new employment after the commencement of this Act, for the posts where the gross monthly salary or wages are not more than Rs. 30,000 or as notified by the government from time to time. The legislature is not intended to achieve a situation where 75% of the entire workforce will be from Local Candidates. The Act applies to new recruitments only i.e. not with retrospective effect.

3. To whom this Act will apply? The Act applies to all the 'Employers' of the State of Haryana, which are as under :

- All companies, partnership firms, societies, trusts, limited liability partnership firms,
- any person / employer employing 10 or more employees in any trade /business/ manufacturing / enterprises.

4. What the Act provides for employment of local candidate?

All employers in the private sector in the State of Haryana are required to provide 75% employment of new jobs to the local candidates (candidates who have a domicile in the State) for the job, where salary /wages are not more than Rs. 30,000/-.

5. Whether the registration of the existing employees is compulsory?

Yes, all the employers are required to register their existing employees on the designated portal within a period of three months commencing from 15.01.2022. An employer can initiate any new recruitment process after completing online registration of existing employees.

6. What is the procedure for registration of Employees, whose registration is compulsory?

For this purpose, Designated Portal may be visited which is specially designed for this purpose and fill the form / provide the information available there.

7. Is it compulsory for the Local Candidates also to register themselves on the Portal?

Yes, if any local candidate wants to be considered for employment under this Act, such candidate has to register on the portal as Local Candidate.

8. Whose registration is compulsory?

The existing employees who are receiving salary / wages not more than Rs. 30,000/- irrespective of their State of domicile, are required to be registered online within a period of three months w.e.f. 15.01.2022

9. What are the grounds for seeking exemption?

Employers may claim an exemption from providing 75% employment in new jobs to locals if adequate number of local candidates of desired skill, qualification, or proficiency are not available for the said category of jobs.

10. How will the government check, if employers are abiding by 75% employment to Local Candidate mandate by the Act?

Every employer will have to furnish a quarterly report on the designated portal and mention details about local candidates employed and appointed during that period. The reports furnished by the employer will be scrutinized by the authorized officers not below the rank of Sub-Divisional Officers. These officers shall have the powers to call for any record, information or document in possession of any employer for the purposes of verifying the report furnished by them. The officer will also have the right to enter the employer's work premises to examine any record, register, document if the officer has a reason to believe that the employer has committed an offence under this Act or the rules made thereunder.

11. Is there any latest development on the petitions files for stay of implementation of the law?

Yes. The Faridabad Industries Association and others filed a writ petition challenging the implementation of The Haryana State Employment of Local Candidates Act, 2020. The Hon'ble Punjab and Haryana High Court has considered the arguments of both parties and granted an interim stay on implementing The Haryana State Employment of Local Candidates Act, 2020 on 3rd February 2022. The Hon'ble High Court directed to post the matter on 18th of April 2022 and put forward a substantial question of law "Whether any State can restrict employment (even in the Private Sector) on the basis of domicile". Therefore, employers may take a note that interim stay has been granted on implementation of The Haryana State Employment of Local Candidates Act, 2020 until final order.

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Contact Information:

Name- Sushil Shah, Legal and Compliance

Email- marcom.india@gigroup.com, Website: www.gigroup.co.in

Address- World Trade Tower, Tower-B, Unit 503, 5th Floor, Sector 16, Noida, Uttar Pradesh – 201301

कामगार आयुक्त यांचे कार्यालय,
"कामगार भवन" ई-ब्लॉक, सी-२०,
वांद्रे-कुर्ला संकुल, वांद्रे (पू),
मुंबई - ४०० ०५१.
दिनांक - ०१.०२.२०२२

क्र.ग्रा.वि./क्रि.वे.अ/वि.भ./२०२२(१)/कार्या-१०/ किमान वेतन अधिनियम, १९४८ अंतर्गत खालील अनुसूचित उद्योगातील कामगारांकरिता विशेष भत्त्याची रक्कम दि. ०१.०१.२०२२ ते दि. ३०.०६.२०२२ या कालावधीकरिता जाहीर करण्यात येत आहे.

अ. क्र.	अनुसूचित उद्योगाचे नाव	सर्व परिमंडळांकरिता विशेष भत्त्याची रक्कम	कालावधी
१	२	३	४
१	मुंबई उच्च न्यायालयाच्या न्यायवादीच्या आस्थापनातील अधिवक्ते किंवा न्यायवादी यांचा अधिसंघ संस्था व विधी व्यवसायाच्या संबंधित आस्थापनेतील कामधंदा	५,८८०/-	प्रती महिना
२	मोटर दुरूस्ती कार्यशाळा उद्योग	६,६७०/-	प्रती महिना
३	बेकरी उद्योग	३,७१८/-	प्रती महिना
४	कापूस पिंजणे व दाबणे उद्योग	६,२५३/-	प्रती महिना
५	कापड रंगविणे, छपाई उद्योग	६,५४२/-	प्रती महिना
६	काजू प्रक्रिया उद्योग	३,७९२/-	प्रती महिना
७	कागदी, गवती पुड्ड्यापासून खोकी तयार करणारा उद्योग	५,७९६/-	प्रती महिना
८	रासायनिक खते बनविणारा उद्योग	६,४४१/-	प्रती महिना
९	कॅन्टीन आणि क्लब उद्योग	५,६५६/-	प्रती महिना
१०	सिमेंट व सिमेंटवर आधारित उद्योग	५,७५६/-	प्रती महिना
११	रस्ते तयार करणे, देखरेख करणे, बांधकाम उद्योग	७,१७१/-	प्रती महिना
१२	चित्रपट प्रदर्शनाचा उद्योग	५,९२८/-	प्रती महिना
१३	सायकल यांत्रिकी कार्यशाळेतील कामधंदा	६,१४८/-	प्रती महिना
१४	दवाखाना उद्योग	५,८५८/-	प्रती महिना
१५	औषधी द्रव्ये व औषध बनविणारा उद्योग	५,६५६/-	प्रती महिना
१६	दुग्धालय (डेअरी) उद्योग	६,५५१/-	प्रती महिना
१७	लिखाणाच्या वह्या बनविणारा उद्योग	४,४४४/-	प्रती महिना
१८	खाण्याचा तंबाखू उद्योग	५,६०७/-	प्रती महिना
१९	अभियांत्रिकी उद्योग	५,६५६/-	प्रती महिना
२०	कारखाने अधिनियम, १९४८ च्या कलम २ पोट कलम (एम) या व्याख्येतील कारखाने	१,३५०/-	प्रती महिना
२१	शाईपेन व बॉलपेन बनविणारा उद्योग	७,०९०/-	प्रती महिना
२२	चित्रपट निर्मिती उद्योग	७,०२६/-	प्रती महिना
२३	काच बल्ब बनविणारा उद्योग	५,६५६/-	प्रती महिना
२४	काच उद्योग	५,६५६/-	प्रती महिना
२५	निवासी हॉटेल व उपहारगृह उद्योग	५,६५६/-	प्रती महिना
२६	केश कर्तनालय उद्योग	५,६५६/-	प्रती महिना
२७	रूग्णालय उद्योग	६,४४१/-	प्रती महिना
२८	बर्फ व शितपेय बनविणारा उद्योग	५,७४६/-	प्रती महिना
२९	मद्य उत्पादनातील रोजगार	४,०७७/-	प्रती महिना
३०	धोबीकाम उद्योग	५,६५६/-	प्रती महिना
३१	चष्मा चौकटी बनविणारा उद्योग	६,३२३/-	प्रती महिना
३२	तेल गिरणी उद्योग	४,००४/-	प्रती महिना
३३	कागद व कागदी पुड्डा बनविणारा उद्योग	६,३३१/-	प्रती महिना
३४	प्लास्टिक उद्योग	६,१४८/-	प्रती महिना
३५	पेंट व वॉनिश बनविणारा उद्योग	५,६५६/-	प्रती महिना

३६	पोहे, घुरमुरे व कुरमुरे बनविणारा उद्योग	६,५४२/-	प्रती महिना
३७	पत्रमाग उद्योग	४,८७२/-	प्रती महिना
३८	मुद्रण उद्योग	५,७५६/-	प्रती महिना
३९	सार्वजनिक मोटार वाहतूक उद्योग	६,५४२/-	प्रती महिना
४०	तयार कपडे बनविणारा उद्योग	५,८५८/-	प्रती महिना
४१	रबर उद्योग	५,६५६/-	प्रती महिना
४२	भात, पोठ व डाळ गिरणीतील उद्योग	६,५४२/-	प्रती महिना
४३	रबरी फुगे बनविणारा उद्योग	६,५४२/-	प्रती महिना
४४	पोलादी सामान बनविणारा उद्योग	५,६५६/-	प्रती महिना
४५	सिंघा उद्योग	५,३६३/-	प्रती महिना
४६	दगड फोडणे व खडी करणे उद्योग	३,४०६/-	प्रती महिना
४७	सौंदर्य प्रसाधने व साबण बनविणारा उद्योग	५,६५६/-	प्रती महिना
४८	दुकाने व व्यापारी आस्थापना उद्योग	१,७९४/-	प्रती महिना
४९	सफाईगार व मेहतर कामधंदा	४,४५४/-	प्रती महिना
५०	लाकूट कटाई उद्योग	३,३४१/-	प्रती महिना
५१	कातडी कमावणे व चामड्याच्या वस्तू तयार करणे	४,२६६/-	प्रती महिना
५२	धानूची भांडी बनविणारा उद्योग	६,४६४/-	प्रती महिना
५३	लाकडी फोटो चौकट बनविणारा उद्योग	५,६५६/-	प्रती महिना
५४	लाकडी फर्निचर बनविणारा उद्योग	५,६५६/-	प्रती महिना
५५	घड्याळाचे पट्टे बनविणारा उद्योग	६,५४२/-	प्रती महिना
५६	हातमाग उद्योग	३,६३४/-	प्रती महिना
५७	मातीची भांडी बनविणारा उद्योग	३,६३४/-	प्रती महिना
५८	वन व वनशास्त्र विषयक रोजगार	६,०५६/-	प्रती महिना
५९	चांदी उद्योग	६,४४१/-	प्रती महिना
६०	तंबाखू (बिडी) उद्योग	२,९८३/-	प्रती महिना
६१	स्थानिक स्वराज्य संस्था अ) ग्रामपंचायत ब) ग्रामपंचायत वगळून	१,२४०/- ६,६५०/-	प्रती महिना प्रती महिना
६२	रंग व रसायने बनविणारा उद्योग	४,१८६/-	प्रती महिना
६३	विटा व कौले बनविण्याच्या कारखान्यातील कामधंदा	४,१०८/-	प्रती महिना
६४	म्हशी किंवा गाई किंवा दोन्ही जेथे दूध काढण्यासाठी, स्वच्छ करण्यासाठी, चारा घालण्यासाठी आणि इतर सर्व अनुषंगिक प्रक्रियासाठी ठेवण्यात येतात, अशा कोणत्याही जागेतील कामधंदा (तबेला)	३,९५०/-	प्रती महिना
६५	मिठागरातील कामधंदा	६,१४८/-	प्रती महिना
६६	शेतकी कामधंदा	२,८०३/-	प्रती महिना
६७	कांदे साफ करणे उद्योग	१०७/-	प्रती दिन

विशेष भत्याची रक्कम सर्व परिमंडळाकरिता प्रत्येक अनुसूचित उद्योगासमोर दर्शविण्यात आली आहे.



(शैलेंद्र ब. पोळ)
कामगार उप आयुक्त, (प्रा.वि.), मुंबई
व सक्षम प्राधिकारी,
किमान वेतन अधिनियम, १९४८



सत्यमेव जयते

Government of West Bengal
Office of the Labour Commissioner
6, Church Lane, 3rd floor, Kolkata -700 001.

15
No. /703/Stat/2RW/29/2016/LCS/JLC

31/01/2022
Dated: / /

CIRCULAR

The minimum rates of wages for those in the employment of **Establishment as defined under the Shops Establishments, Act, 1963** in the state of West Bengal covered as per notification number Labr/650/(Law)/MW/2W-32/13 dated 29.12.2016 are being hereby fixed as under, as published in the Kolkata Gazette Extraordinary dated 30.12.2016.

Though there is a decrease in the average consumer price index for Industrial Workers for Kolkata centre for the period from April 2021 to September 2021, there shall be, as per Labour Department Notification No Labr/79/(LC/IR)/ 25034/3/2021 dated 24.01.2022 no increase in Variable Dearness Allowance for the Period from 01.01.2022 to 30.06.2022 for Zone A.

- a. Now, with reference to the said notifications, the following shall be the minimum rates of wages in the said employment for the period from **1st January, 2022 to 30th June, 2022.**

Categories of Employees	Monthly Minimum Rates of Wages(Rs.)	
	Zone A (Rs.)	Zone B (Rs.)
Unskilled	8,904.00 (Daily - 342.00)	8,005.00 (Daily - 308.00)
Semi-Skilled	9,795.00 (Daily - 377.00)	8,803.00 (Daily - 339.00)
Skilled	10,775.00 (Daily - 414.00)	9,685.00 (Daily - 372.00)
Highly Skilled	11,852.00 (Daily - 456.00)	10,655.00 (Daily - 410.00)

- b. **Implementing areas: Zone 'A'** = (i) Areas under Municipal Corporations, Municipalities, notified Areas/ Authorities, Development Authorities, Thermal Power Plants Areas including Industrial Township Areas.

Zone 'B' = Rest of the West Bengal.

- c. The classification of employees in the above employment is as follows :-

Unskilled Workers: Peon, Cleaner, Sweeper, Security Guard, Bearer, Messenger.

Semi-skilled Workers: Duftry, Assistant Accountant.

Skilled Workers: Clerk, Typist, Office Assistant, Office Maintenance and Inventory Management Staff, Data Entry Operator, Accountant .

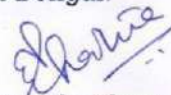
Highly Skilled Workers: Head Assistant, Senior Accountant, Computer Operator, Research And Development Staff/Executive, Market Research Staff/Executive, Godown-in- Charge, Office Supervisor, Sales Representative/Sales Promotion Employees .

- d. To arrive at daily rates, monthly rates shall have to be divided by 26 (to be rounded off to the nearest rupee) and to arrive at weekly rates, daily rates shall have to be multiplied by 6.
- e. A normal working day shall consist of eight and half hours of work including interval for half-an-

hour for rest.

- f. One day in any period of seven days as may suit the local convenience shall be the day of weekly rest. The minimum rates of wages include the wages for weekly day of rest. For payment for work done on the day of weekly rest and for work done beyond the normal working hours shall be double the ordinary rate of wages.
- g. Where the existing rates of wages of any employee based on contract or agreement or otherwise are higher than the rates notified herein, the higher rates shall be protected and treated as minimum rates of wages applicable for the purpose of this notification to all such employees.
- h. These minimum rates of wages are applicable to employees employed by contractors also.
- i. The minimum rates of wages for disabled persons shall be same as payable to the workers of appropriate category.
- j. The men and women employees shall get the same rates of wages for the same work or work of similar nature.
- k. The minimum rates of wages and Variable Dearness Allowance, if any, both together shall constitute the minimum rates of wages to be enforceable under the Minimum Wages Act, 1948(11 of 1948).

This is issued with due approval of the Labour Commissioner, West Bengal.



(Sharmila Khatua)

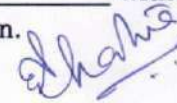
Additional Labour Commissioner
West Bengal

15

MEMO. NO. /1(4)/703/Stat/2RW/29/2016/LCS/JLC

31-01-2022
Dated: / /

1. The Principal Secretary, Labour Department, New Secretariat Buildings, 12th floor, 1, K.S. Roy Road, Kolkata -700 001.
2. The Labour Commissioner, New Secretariat Building, 11th floor, 1, K.S. Roy Road, Kolkata -700 001.
3. The Secretary (Central Trade Unions/All Chambers of Commerce) _____ with the request to circulate this among his constituents.
4. The Joint/Deputy/Assistant Labour Commissioner _____ with the request to circulate this among the Inspectors, M.W. under his jurisdiction.



(Sharmila Khatua)

Additional Labour Commissioner
West Bengal



सत्यमेव जयते

Government of West Bengal
Office of the Labour Commissioner
6, Church Lane, 3rd floor, Kolkata -700 001.

63
No. / Stat/2RW/76/266/LCS/JLC

Dated: 31/01/2022

CIRCULAR

The minimum rates of wages for those in the employment of **SECURITY SERVICES** in the state of West Bengal covered as per notification number 457-MW/2W-14-2010 dated 22.09.2011 are being hereby fixed as under. These rates will be effective for the period from **1st January, 2022 to 30th June, 2022.**

Though there is a decrease in the average consumer price index for Industrial Workers for Kolkata centre for the period from April 2021 to September 2021, there shall be, as per Labour Department Notification No Labr/79/(LC/IR)/ 25034/3/2021 dated 24.01.2022 no increase in Variable Dearness Allowance for the Period from 01.01.2022 to 30.06.2022 for Zone A.

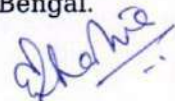
- a. Now, with reference to the said notifications, the following shall be the minimum rates of wages in the said employment for the period from **1st January, 2022 to 30th June, 2022.**

Categories of Employees	Monthly Minimum Rates of Wages(Rs.)	
	Zone A (Rs.)	Zone B (Rs.)
Unskilled	8,904.00 (Daily - 342.00)	8,005.00 (Daily - 308.00)
Semi-Skilled	9,795.00 (Daily - 377.00)	8,804.00 (Daily - 339.00)
Skilled	10,775.00 (Daily - 414.00)	9,684.00 (Daily - 372.00)

- b. The classification of employees in the above employment is as follows :-
Unskilled Workers: Security Guard, Watchman, Darwan.
Semi-skilled Workers: Unskilled Supervisor.
Skilled Workers: Guard with Fire Arms, Gunman, Field Supervisor, Marketing Personnel, Clerk, Accountant, Cashier.
- c. **Implementing areas: Zone 'A'** = (i) Areas Notified under Kolkata Metropolitan Development Authority(KMDA), (ii) Asansol Municipal Corporation, (iii) Durgapur Municipal Corporation, (iv) Siliguri Municipal Corporation, (v) Digha-Shankarpur Development Authority, (vi) Thermal Power plant areas including Township areas, (vii) All the Municipal areas in different Districts, (viii) All the Sub-Divisions in the districts of Howrah, Hoogly, Burdwan and 24- Parganas (N)[excluding Barasat and Basirhat], (ix) Alipur Sub-Division and Baruipur Sub-Division in the district of 24-Parganas(S), (x) Midnapore Sadar Sub-Division and Kharagpur Sub-Division in the district of West Midnapore, (xi) Siliguri sub-division in the district of Darjeeling, (xii) Bankura Sub-Division and Bisnupur Sub-division in the district of Bankura, and (xiii) Raghunathpur Sub-Division in the district of Purulia.
Zone 'B' = Rest of the West Bengal.
- d. To arrive at daily rates, monthly rates shall have to be divided by 26 (to be rounded off to the

- nearest rupee) and to arrive at weekly rates, daily rates shall have to be multiplied by 6.
- e. A normal working day shall consist of eight and half hours of work including interval for half-an-hour for rest.
 - f. One day in any period of seven days as may suit the local convenience shall be the day of weekly rest. The minimum rates of wages include the wages for weekly day of rest. For payment for work done on the day of weekly rest and for work done beyond the normal working hours shall be double the ordinary rate of wages.
 - g. Where the existing rates of wages of any employee based on contract or agreement or otherwise are higher than the rates notified herein, the higher rates shall be protected and treated as minimum rates of wages applicable for the purpose of this notification to all such employees.
 - h. These minimum rates of wages are applicable to employees employed by contractors also.
 - i. The minimum rates of wages for disabled persons shall be same as payable to the workers of appropriate category.
 - j. The men and women employees shall get the same rates of wages for the same work or work of similar nature.
 - k. The minimum rates of wages and Variable Dearness Allowance, if any, both together shall constitute the minimum rates of wages to be enforceable under the Minimum Wages Act, 1948(11 of 1948).

This is issued with due approval of the Labour Commissioner, West Bengal.



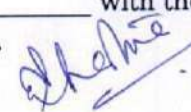
(Sharmila Khatua)

Additional Labour Commissioner
West Bengal

63
MEMO. NO. /1(4)/ Stat/2RW/76/266/LCS/JLC

31/01/2022
Dated: ___/___/___

1. The Principal Secretary, Labour Department, New Secretariat Buildings, 12th floor, 1, K.S. Roy Road, Kolkata -700 001.
2. The Labour Commissioner, New Secretariat Building, 11th floor, 1, K.S. Roy Road, Kolkata -700 001.
3. The Secretary (Central Trade Unions/All Chambers of Commerce) _____ with the request to circulate this among his constituents.
4. The Joint/Deputy/Assistant Labour Commissioner _____ with the request to circulate this among the Inspectors, M.W. under his jurisdiction.



(Sharmila Khatua)

Additional Labour Commissioner
West Bengal

ANDAMAN AND NICOBAR ADMINISTRATION
OFFICE OF THE LABOUR COMMISSIONER

F.No. 16/1/MW/2019-20/LC&DET/27 Port Blair, Dtd. the, 11th January, 2022.

ORDER

Whereas in exercise of powers conferred under Section 5 of the Minimum Wages Act, 1948 read with Notification No. LP 24(1) dated the 16th March 1949 of the Govt. of India, Ministry of Labour, the Lt. Governor (Administrator), Andaman & Nicobar Islands had last revised minimum wages per day in the Six Schedules of Employment covered under Minimum Wages Act, 1948 in the Union Territory of A&N Islands vide Notification No. 300/2017/f.No.16/1/MW/2013-14/LC&DET dated 11th December, 2017.

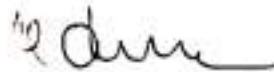
And whereas the rates are required to be revised on Six monthly basis in pursuance of the above said Notification.

Now, therefore the Lt. Governor (Administrator), A&N Islands declares the following minimum rates of wages w.e.f 01.01.2022 across Six Schedules of Employments, in addition to Govt. Deptt/Offices/Industrial Establishments taking into account the Average All India Consumer Price Index from the period April, 2021 to September, 2021.

Category Of employees	Minimum wage per day
Unskilled	Rs. 507/-
Semi Skilled/ unskilled Supervisory	Rs. 564/-
Skilled/Clerical	Rs. 649/-
Highly Skilled	Rs. 707/-

The other terms and conditions as mentioned in the Notification No.300/2017/F.No.16/1/MW/2013-14/LC&DET dated 11th December 2017 shall remain unchanged.

By order and in the name of Lieutenant Governor
A & N Islands



Additional Secretary (Labour)/Labour Commissioner



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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No. 181-2021/Ext.] CHANDIGARH, SATURDAY, NOVEMBER 6, 2021 (KARTIKA 15, 1943 SAKA)

हरियाणा सरकार

श्रम विभाग

अधिसूचना

दिनांक 6 नवम्बर, 2021

संख्या श्रम/25467/2021.—हरियाणा राज्य के स्थानीय उम्मीदवारों का नियोजन अधिनियम, 2020 (2021 का 3) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, इसके द्वारा, उक्त उप-धारा के प्रयोजनों के लिए जनवरी 2022 के 15वें दिन को विनिर्दिष्ट करते हैं।

डॉ० राजा सेखर वुंदरु,
अपर मुख्य सचिव, हरियाणा सरकार,
श्रम विभाग।

HARYANA GOVERNMENT

LABOUR DEPARTMENT

Notification

The 6th November, 2021

No. Lab/25467/2021.— In exercise of the powers conferred by sub-section 3 of section 1 of the Haryana State Employment of Local Candidates Act, 2020 (3 of 2021), the Governor of Haryana hereby specifies the 15th day of January, 2022 for the purposes of said sub-section.

DR. RAJA SEKHAR VUNDRU,
Additional Chief Secretary to Government Haryana,
Labour Department.

9370—C.S.—H.G.P. Pkl.

(3733)



Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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No. 6-2022/Ext.] CHANDIGARH, MONDAY, JANUARY 10, 2022 (PAUSA 20, 1943 SAKA)

हरियाणा सरकार

श्रम विभाग

अधिसूचना

दिनांक 10 जनवरी, 2022

संख्या लैब/1128.— हरियाणा राज्य के स्थानीय उम्मीदवारों का नियोजन अधिनियम, 2020 (2021 का 03) की धारा 24 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हरियाणा के राज्यपाल, इसके द्वारा, निम्नलिखित नियम बनाते हैं, अर्थात्:—

संक्षिप्त नाम, विस्तार तथा प्रारम्भ —

1. (1) ये नियम हरियाणा राज्य के स्थानीय उम्मीदवार का नियोजन नियम, 2021 कहे जा सकते हैं।
- (2) इन नियमों का विस्तार सम्पूर्ण हरियाणा राज्य में होगा।
- (3) ये नियम हरियाणा राज्य के स्थानीय उम्मीदवारों का नियोजन अधिनियम, 2020 (2021 का 3) के लागू होने की तिथि से लागू होंगे।

परिभाषाएं.—

2. (1) इन नियमों में, जब तक विषय या संदर्भ से अन्यथा अपेक्षित न हो—
 - (क) “अधिनियम” से अभिप्राय है, हरियाणा राज्य के स्थानीय उम्मीदवारों का नियोजन अधिनियम, 2020 (2021 का 3);
 - (ख) “अधिवासित व्यक्ति” से अभिप्राय है, इस अधिनियम के प्रयोजनों हेतु ऐसी शर्तों, जो सरकार द्वारा समय-समय पर, जारी की जाएं, को पूरा करने वाला तथा हरियाणा परिवार पहचान अधिनियम, 2021 (2021 का 20) के अधीन जारी किया परिवार पहचान पत्र रखने वाला हरियाणा का मूल निवासी;
 - (ग) “कर्मचारी” से अभिप्राय है, ऐसे वेतन या मजदूरी या किसी अन्य पारिश्रमिक के भुगतान पर नियोक्ता द्वारा नियोजित कोई व्यक्ति, किन्तु इसमें शिक्षु अधिनियम, 1961 (1961 का केन्द्रीय अधिनियम 52) के अधीन कोई शिक्षु शामिल नहीं है ;
 - (घ) “प्ररूप” से अभिप्राय है, इन नियमों से संलग्न प्ररूप;
 - (ङ) “हरियाणा उद्यम ज्ञापन पहचान संख्या (एचयूएमआईडी)” से अभिप्राय है, हरियाणा राज्य में संचालित सभी किस्म के उद्यमों तथा कारबारों को एचयूएव पोर्टल पर उनके पंजीकरण के लिये जारी की गई विशिष्ट पहचान संख्या ;

(च) "तिमाही" से अभिप्राय है, प्रत्येक वित्तीय वर्ष के प्रथम अप्रैल, प्रथम जुलाई, प्रथम अक्टूबर तथा प्रथम जनवरी, जैसी भी स्थिति हो, से प्रारम्भ तीन कलैण्डर मास की अवधि।

(2) इन नियमों में प्रयुक्त तथा इनमें अपरिभाषित किन्तु अधिनियम में परिभाषित शब्दों तथा अभिव्यक्तियों के वही अर्थ होंगे जो उन्हें क्रमशः अधिनियम में दिए गए हैं।

नियोक्ता द्वारा कर्मचारियों का पंजीकरण.—

3. हरियाणा उद्यम ज्ञापन पहचान संख्या (एच यू एम आई डी) का प्रयोग करने वाला प्रत्येक नियोक्ता अपने सभी कर्मचारियों, जो सकल मासिक वेतन या मजदूरी जो अधिनियम की धारा 3 के अधीन समय-समय पर, अधिसूचित की जाए, को पदाभिहित पोर्टल पर प्रत्येक ऐसे कर्मचारी के अपेक्षित ब्योरे मुहैया कराते हुए पंजीकृत करेगा।

स्थानीय उम्मीदवारों का पंजीकरण—

4. स्थानीय उम्मीदवार जो इस अधिनियम के अधीन नियोजन चाहता है, प्ररूप-I में पदाभिहित पोर्टल पर पंजीकृत करेगा।

छूट आवेदन—

5. (1) नियोक्ता जो अधिनियम की धारा 4 के उपबन्धों से छूट चाहता है, प्ररूप-I में पदाभिहित को पदाभिहित पोर्टल पर आवेदन करेगा तथा कथित पद के लिए योग्यता, कौशल तथा अनुभव की विशिष्ट अपेक्षा तथा ऐसी योग्यता, कौशल तथा अनुभव रखने वाले स्थानीय उम्मीदवारों की उपलब्धता या अन्यथा उसमें वर्णित करते हुये ऐसी छूट प्रदान करने के युक्तियुक्त आधार प्रस्तुत करेगा।

(2) अधिनियम की धारा 5 के अधीन ऐसे अनुरोध के सम्यक् विचारण के बाद, पदाभिहित अधिकारी पन्द्रह दिन की अवधि के भीतर आदेश पारित करेगा तथा पदाभिहित पोर्टल पर उसे अपलोड करेगा। पदाभिहित अधिकारी धारा 5 के अधीन छूट का दावा करने के लिए नियोक्ता द्वारा ली गई छूट के आधारों की जांच या सत्यापन करने के प्रयोजन के लिए प्राधिकृत, अधिकारी की ऐसी सहायता, जो वह उचित समझे, ले सकता है :

परन्तु इन नियमों के अधीन प्रदान की गई कोई छूट, छूट प्रदान करने की तिथि से अधिकतम एक वर्ष की अवधि के लिए वैध होगी :

परन्तु यह और कि एक वर्ष की अवधि से अधिक छूट प्रदान करने के बाद कोई रिक्ति खाली रह जाती है, तो वह तब तक नई या नूतन के रूप में समझी जाएगी जब तक अधिनियम की धारा 5 की उपधारा (2) के खण्ड (111) के अधीन प्रशिक्षण मुहैया कराने के अध्याधीन छूट प्रदान नहीं कर दी जाती।

स्थानीय उम्मीदवार द्वारा की गई शिकायतों का निपटान.—

6. (1) इस अधिनियम के किसी उपबन्ध की उल्लंघना में किसी नियोक्ता की कार्रवाई से व्यथित कोई स्थानीय उम्मीदवार, प्ररूप-II में यथा विनिर्दिष्ट फारमेट में सम्बन्धित प्राधिकृत अधिकारी को पदाभिहित पोर्टल पर इलैक्ट्रॉनिक ढंग के माध्यम से शिकायत दायर कर सकता है।

(2) स्थानीय उम्मीदवार की शिकायत की प्राप्ति पर, प्राधिकृत अधिकारी शिकायत में वर्णित तथ्यों का सत्यापन करने के बाद, सम्बन्धित नियोक्ता तथा शिकायतकर्ता को नोटिस जारी करेगा तथा दोनों पक्षकारों को सुनवाई का अवसर देने के बाद तीस दिन के भीतर शिकायत का निपटान करेगा तथा उसे पोर्टल पर अपलोड करेगा।

नए नियोजन के लिए तिमाही विवरणी.—

7. प्रत्येक नियोक्ता पूर्व तिमाही के दौरान, नियोजित तथा नियुक्त स्थानीय उम्मीदवारों के सम्बन्ध में, प्ररूप-III में पदाभिहित पोर्टल पर आगामी तिमाही के 20वें दिन तक तिमाही रिपोर्ट प्रस्तुत करेगा।

डिजीटल रूप में रिकार्ड का अनुरक्षण.—

8. (1) प्रत्येक नियोक्ता, निम्नलिखित का डिजीटल रूप में रिकार्ड रखेगा तथा पदाभिहित अधिकारी/प्राधिकृत अधिकारी, जैसी भी स्थिति हो, द्वारा निरीक्षण तथा सत्यापन के लिए उपलब्ध कराएगा :-

- (क) प्रत्येक तिमाही की अन्तिम तिथि को कर्मचारियों (नियमित, अस्थायी, संविदात्मक, आकस्मिक तथा नियत अवधि कर्मचारी) की संख्या;
- (ख) प्रत्येक तिमाही की अन्तिम तिथि को कर्मचारियों के व्यावसायिक/पद-वार ब्योरे;
- (ग) प्रत्येक तिमाही के दौरान भर्ती/नियुक्त स्थानीय उम्मीदवारों की संख्या;
- (घ) उपयुक्त उम्मीदवारों की अनुपलब्धता के कारण तिमाही के दौरान प्राप्त की गई छूट का रिकार्ड;

- (ड) स्थानीय उम्मीदवारों को प्रदान किए गए प्रशिक्षण या कौशल विकास हेतु आयोजित शिविरों का रिकार्ड;
 (च) कोई अन्य सुसंगत रिकार्ड।

(2) डिजिटल रूप में रिकार्ड की प्रस्तुति इस अधिनियम के प्रयोजन के लिए स्वीकार्य होगी।

निरीक्षण के लिए प्रक्रिया.-

9. यदि इस अधिनियम या इसके अधीन बनाए गए नियमों के किन्हीं उपबन्धों की उल्लंघना के समबन्ध में कोई सूचना या शिकायत प्राप्त होती है तो प्राधिकृत अधिकारी, श्रम आयुक्त की पूर्व अनुमति लें, तीन दिन का पूर्व नोटिस देने बाद निम्नलिखित के संबंध में नियोक्ता का निरीक्षण कर सकता है :-

- (क) अधिनियम की धारा 3 के अनुसार अपंजीकरण कर्मचारियों ;
 (ख) अधिनियम की धारा 4 के उपबन्धों का अनुपालन;
 (ग) मिथ्या या तुच्छ आधारों पर, इस अधिनियम के उपबन्ध से छूट का दावा करने;
 (घ) अधिनियम के अधीन झूठी सूचना या रिपोर्ट की प्रस्तुति;
 (ङ) स्थानीय उम्मीदवारों से अन्यथा किसी व्यक्ति की नियुक्ति के बारे में संदिग्ध रिकार्ड या सूचना देना।

अपील-

10. (1) अपील दायर करने वाला नियोक्ता, साठ दिन के भीतर, अपील के उपवर्णित संक्षेप आधारों पर अपील के ज्ञापन से संलग्न दोहरी प्रति लगाएगा, जिसकी एक प्रति इलैक्ट्रॉनिक ढंग के माध्यम से एक सौ रूपए फीस के भुगतान के सबूत वाली होगी तथा प्रतिवाद आदेश की प्रमाणित प्रति संलग्न की जाएगी।

(2) अपील की प्राप्ति पर, अपील प्राधिकारी की सन्तुष्टि होने पर कि अपील के आधार युक्तियुक्त हैं अपीलार्थी तथा प्राधिकारी, को व्यक्तिगत रूप में या प्राधिकृत प्रतिनिधि या विधि व्यवसायी, जो मामले के तथ्य से परिचित हो, के माध्यम से कथित नोटिस में यथा विनिर्दिष्ट तिथि तथा समय पर अपना मामला पेश करने के लिए प्ररूप-IV में नोटिस जारी करेगा।

(3) अपील प्राधिकारी पक्षकारों की सुनवाई करने के बाद तथा ऐसी आगामी जांच करने के बाद, जो वह आवश्यक समझे, आदेश या निर्देश को पुष्ट, परिवर्तित या अपास्त कर सकता है जिसके विरुद्ध अपील की गई है तथा तद्दानुसार आदेश करेगा।

चण्डीगढ़:
दिनांक : 10 जनवरी, 2022.

डॉ० राजा सेखर वुंदरू,
अतिरिक्त मुख्य सचिव, हरियाणा सरकार,
श्रम विभाग।

प्ररूप-1
[देखिए नियम 5 (1)]
छूट आवेदन

सेवा में

पदाभिहित प्राधिकारी,

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मैं, नियोक्ता/अधिभोगी/स्वामी/मैसर्ज का भागीदार (बी आई पी नम्बर सहित) नीचे दिए गए वर्णन के अनुसार स्थानीय उम्मीदवार मांगने के लिए अधिनियम की धारा 5 के अधीन आवेदन प्रस्तुत करता हूँ :-

क्रम संख्या	वर्णन	नियोक्ता द्वारा टिप्पणी
1.	पद के लिए वांछित कौशल	
2.	पद के लिए योग्यता	
3.	पद के लिए निपुणता	
4.	भरे जाने वाले पद (पदों) की संख्या	
5.	रोजगार की अस्थायी अवधि	
6.	पद के लिए पारिश्रमिक/मजदूरी	
7.	तैनाती का स्थान	

यह कथित किया जाता है कि मैंने उपरोक्त वर्णित पदों के लिए उपयुक्त स्थानीय उम्मीदवार को पता लगाने के लिए हरसम्भव प्रयास किया है किन्तु वह उपलब्ध नहीं है/हैं।

मेरे द्वारा उपरोक्त दिये गये औचित्य तथा किए गए प्रयास के दृष्टिगत यह अनुरोध किया जाता है कि अधिनियम की धारा 4 के उपबन्धों से छूट (तीन मास/छह मास/एक वर्ष) की अवधि के समय लिए वर्तमान नियोजन/भर्ती/पद के लिए मुहैया की जाए।

यह भी कथित किया जाता है कि छूट की उक्त अवधि के दौरान यदि पदाभिहित अधिकारी द्वारा ऐसा निर्देश दिया जाता कि उपयुक्त स्थानीय उम्मीदवार की पहचान की जाएगी तथा हमारी स्थापना के अपेक्षित मानक के लिए कौशल स्तर तक सुधार करने के लिए आवश्यक प्रशिक्षण दिया जाएगा।

यह प्रमाणित किया जाता है कि इस आवेदन में दिए गए तथ्यों को विवरण, निम्नहस्ताक्षरी के सर्वोत्तम ज्ञान तथा विश्वास से सही है।

तिथि सहित स्थापना की मोहर के साथ
नियोक्ता/स्वामी/अधिभोगी/भागीदार
के हस्ताक्षर

प्ररूप-II

[देखिए नियम 6 (1)]

स्थानीय उम्मीदवार द्वारा शिकायत/आवेदन

सेवा में,

प्राधिकृत अधिकारी,

.....

विषय:- शिकायत आवेदन।

मैं, सपुत्र निवासी हरियाणा राज्य का स्थाई निवासी हूँ। मेरा हरियाणा निवास प्रमाणपत्र संख्या है जो मेरे आवेदन के साथ अपलोड किया गया है। मैं हरियाणा राज्य के स्थानीय उम्मीदवारों का नियोजन अधिनियम, 2020 (2021 का 3) के अधीन लाभ का दावा करने के लिए पूर्ण रूप से पात्र हूँ। विरोधी पक्षकार/पक्षकारों (स्थापना का नाम तथा पता) जिसके नियोक्ता का नाम है, इस अधिनियम के उपबन्धों का उल्लंघन कर रहा है। नियोक्ता द्वारा किए गए उल्लंघन (उल्लंघनों) का ब्योरा निम्न अनुसार है :-

1.
2.
3.

उपरोक्त उल्लंघनों के आधार पर मैं, (आवेदक) प्रार्थना करता हूँ कि अधिनियम के उपबन्ध (उपबन्धों) के अधीन निर्देश जारी किए जाएं तथा निम्नलिखित राहत शीघ्रता से मुहैया कराई जाएं:-

दावाकृत राहत के ब्योरों का वर्णन

यह प्रमाणित किया जाता है कि इस आवेदन में दिए गए तथ्यों के विवरण मेरे सर्वोत्तम ज्ञान तथा विश्वास से सही है।

सम्पर्क संख्या सहित आवेदक के
हस्ताक्षर या अंगूठा निशान

प्ररूप-III

[देखिए नियम 7]

नए नियोजन के लिए तिमाही विवरणी

हरियाणा राज्य के स्थानीय उम्मीदवारों का नियोजन अधिनियम, 2020 (2021 का 3) के अधीन निम्नलिखित सूचना प्रस्तुत की जानी अपेक्षित है :-

नियोक्ता का नाम तथा पता	
क्या मुख्यालय या शाखा कार्यालय है	
स्थापना की किस्म (कम्पनी, सोसाइटी, सिमित दायित्व भागीदारी फर्म, भागीदारी फर्म या अन्य स्थापना)	
कारबार का स्वरूप तथा स्थापना के मुख्य कार्यकलाप	
पदाभिहित पोर्टल पर स्थापना पंजीकरण संख्या	
नियोक्ता का नाम तथा पता	

1. वर्तमान नियोजन

प्रशिक्षुओं को छोड़कर, स्थापना की वेतन पंजी पर व्यक्तियों की कुल संख्या, अधिनियम की धारा 3 के अधीन यथा विहित मासिक वेतन/मजदूरी प्राप्त करते हैं।

(i) पूर्व तिमाही (तिथि तक) के अन्तिम कार्य दिवस को									
पुरुष	महिला	ट्रांसजेंडर	अकुशल	अर्ध कुशल	कुशल	उच्चतर कुशल	स्थानीय उम्मीदवार	स्थानीय उम्मीदवार से अन्यथा	कुल
कुल									
(ii) चालू तिमाही (तिथि तक) के अन्तिम कार्य दिवस को									
पुरुष	महिला	ट्रांसजेंडर	अकुशल	अर्ध कुशल	कुशल	उच्चतर कुशल	स्थानीय उम्मीदवार	स्थानीय उम्मीदवार से अन्यथा	कुल
कुल									

2. तिमाही के दौरान रिक्तियों तथा तिमाही के दौरान भरी गई रिक्तियों की संख्या के ब्योरे :

रिपोर्टाधीन तिमाही के दौरान हुई रिक्तियों की संख्या	रिपोर्टाधीन तिमाही के दौरान भरी गई रिक्तियों की संख्या	स्थानीय उम्मीदवार	स्थानीय उम्मीदवारों से अन्यथा	नए रोजगार का कुल

3. मानवशक्ति की कमी, यदि कोई हो।

व्यवसाय/सेवा का नाम या पदनाम	नहीं भरे गए पदों की संख्या	अपेक्षित योग्यता	अपेक्षित अनुभव	अपेक्षित कौशल/प्रशिक्षण

प्रमाणन :

यह प्रमाणित किया जाता है कि इस आवेदन में दिए गए तथ्यों के विवरण निम्नहस्ताक्षरी के सर्वोत्तम ज्ञान तथा विश्वास से सही है।

मोहर तथा तिथि सहित स्थापना के नियोक्ता/
स्वामी/अधिभोगी/भागीदार के हस्ताक्षर

सेवा में,

प्राधिकृत अधिकारी,

.....

टिप्पण:- रिपोर्टाधीन तिमाही के अन्तिम कार्य दिवस से 20 दिन के भीतर, प्राधिकृत अधिकारी को विवरणी भरी जानी अपेक्षित है।

प्ररूप-IV
[देखिए नियम 10 (2)]

सेवा में,

.....
.....

विषय:- उपस्थिति के लिए नोटिस।

चूंकि, हरियाणा राज्य के स्थानीय उम्मीदवारों का नियोजन अधिनियम, 2020 (2021 का 03) के अधीन पदाभिहित अधिकारी/प्राधिकृत अधिकारी के आदेश दिनांकके विरुद्ध अपील आवेदन के रूप में मुझे प्रस्तुत की गई है जिसके लिए एक प्रति संलग्न की गई है, इसके द्वारा, आपको या तो व्यक्तिगत रूप में आवेदन से सम्बन्धित सभी महत्वपूर्ण प्रश्नों के उत्तर देने में समर्थ विधिवत् अनुदेशित किसी व्यक्ति द्वारा, या जो आवेदन से सम्बन्धित सभी महत्वपूर्ण प्रश्नों का उत्तर देने के योग्य किसी व्यक्ति के साथ, या जो सभी ऐसे प्रश्नों का उत्तर देने के लिए योग्य किसी व्यक्ति के साथ, दावे के उत्तर देने के लिए पूर्वाहन/अपराहन में के दिन को बजे मेरे सम्मुख पेश होने के लिए बुलाया जाता है तथा जैसा कि आपकी उपस्थिति के लिए नियत दिन आवेदन के अन्तिम निपटान के लिए नियत किया गया है, आपको सभी गवाहों जिसके साक्ष्य तथा दस्तावेज जिस पर आप अपने बचाव के समर्थन में उत्तर देने का आशय रखते हैं सहित उस दिन को पेश करने के लिए तैयार होना चाहिए।

यह भी ध्यान में रखें कि पूर्वोक्त वर्णित दिन को आपकी उपस्थिति की चूक में आवेदन पर आपकी अनुपस्थिति में सुनवाई की जाएगी तथा अवधारित किया जाएगा।

मेरे हस्ताक्षर तथा मोहर के अधीन

दिनांक को दिया गया।

मोहर

प्राधिकारी

नाम
अपर मुख्य सचिव, हरियाणा सरकार,
श्रम विभाग।

HARYANA GOVERNMENT**LABOUR DEPARTMENT****Notification**

The 10th January, 2022

No Lab/1128.-In exercise of the powers conferred under section 24 of the Haryana State Employment of Local Candidates Act, 2020 (03 of 2021), the Governor of Haryana hereby makes the following rules, namely:-

Short title and commencement.

1. (1) These rules may be called the Haryana State Employment of Local Candidates Rules, 2021.
- (2) They shall come into force with effect from the date of coming into force of the Haryana State Employment of Local Candidates Act, 2020 (3 of 2021).

Definitions.

2. (1) In these rules, unless the subject or context otherwise requires, -
 - (a) "**Act**" means the Haryana State Employment of Local Candidates Act, 2020(3 of 2021);
 - (b) "**domiciled person**" means a bonafide resident of Haryana satisfying the conditions as may be issued by the Government from time to time and having ParivarPehchanPatra (PPP) issued under the Haryana ParivarPehchan Act, 2021 (20 of 2021) for the purposes of this Act;
 - (c) "**employee**" means any person employed by the employer on payment of salary or wages or any other remuneration, but does not include an apprentice engaged under the Apprentices Act, 1961 (Central Act 52 of 1961);
 - (d) "**form**" means form appended to these rules.
 - (e) "**Haryana Udhyam Memorandum Identification Number (HUM ID)**" means unique identification number to be issued on resistance to all types of enterprises and businesses operating in the State at Haryana Udhyam Memorandum Portal;
 - (f) "**quarter**" means a period of three calendar months commencing from the 1st April, 1st July, 1st October and 1st January, as the case may be, of every financial year.
- (2) Words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Act.

Registration of employees by the employer.

3. Every employer using its Haryana Udhyam Memorandum Identification Number shall register all its employees, who receive gross monthly salary or wages as notified from time to time under section 3 of the Act by providing the required details of each such employee, in the form as specified on the designated portal.

Registration of Local Candidate.

4. Local Candidate who seeks employment under this Act may register on the designated portal in the format as specified on the designated portal.

Exemption application.

5. (1) Any employer who seeks exemption from the provisions of section 4 of the Act, shall apply on the designated portal to the Designated Officer in the format as specified in **Form-I** and shall furnish reasonable grounds for granting such exemption mentioning there in the specific requirement of qualification, skill and experience for the said post and availability or otherwise of the Local Candidates possessing such qualification, skill and experience.
- (2) The Designated Officer after due consideration of such request under section 5 of the Act, shall pass an order within a period of fifteen days and upload the same on the designated portal. The Designated Officer may for the purpose of conducting inquiry or verifying the grounds of exemption taken by the employer for claiming exemption under section 5, take such assistance, as he deems fit, of the Authorized Officer.

Provided that any exemption granted under these rules shall be valid for a maximum period of one year from the date of grant of the exemption.

Provided further that any vacancy remain unfilled after granting the exemption beyond the period of one year, shall be treated as new or fresh vacancy unless the exemption is granted subject to providing training sub clause (iii) of under sub-section (2) of section 5 of the Act.

Disposal of the complaints made by Local Candidate.

6. (1) Any Local Candidate aggrieved by the action of any employer in violation of any provision of this Act, may file a complaint through electronic mode on the designated portal to the concerned Authorized Officer in the format as specified in **Form-II**.

(2) The Authorized Officer, on receipt of a complaint of a Local Candidate, shall, on verifying the facts mentioned in the complaint, issue notices to the concerned employer as well as the complainant and dispose-of the complaint within a period of thirty day, after giving an opportunity of being heard to both the parties and upload the decision on the portal.

Quarterly return for new employment.

7. Every employer shall furnish a quarterly report, with respect to Local Candidates employed and appointed, during the previous quarter, by 20th day of the following quarter, on the designated portal, as per format in **Form-III**.

Maintenance of records in digital form.

8. (1) Every employer shall maintain records and make available for inspection and verification by the Designated Officers / Authorized Officers, as the case may be, in digital form, as under :-

- (a) number of employees (regular, temporary, contractual, casual and fixed term employee) on the last date of every quarter.
- (b) occupational/ post-wise details of employees on last date of every quarter.
- (c) number of Local Candidates recruited / appointed during every quarter.
- (d) record of exemption obtained during the quarter due to non-availability of suitable candidates.
- (e) record of training imparted or camp for skill development organized for Local Candidates.
- (f) any other relevant record.

(2) The production of record in digital form shall be acceptable for the purpose of this Act.

Procedure for inspection.

9. In case any information or complaint with regard to violation of any of the provisions of the Act or Rules made there under has been received, the Authorized Officer, with the prior permission of the Labour Commissioner, may after giving three days prior notice, inspect any employer on the following, ground, namely:-

- (a) non registration of employees in terms of section 3 of the Act;
- (b) non-compliance of the provision of section 4 of the Act;
- (c) claiming exemption from the provision of this Act on false or frivolous grounds;
- (d) submission of fake information or report under the Act;
- (e) suspicious records or information about the appointment of person other than Local Candidates in violation of the provision of this Act.

Appeal.

10. (1) Any employer preferring an appeal shall accompanied in duplicate a memorandum of appeal setting forth concisely the grounds of the appeal, one copy of which shall bear a proof of payment of fee of one hundred rupees through electronic mode and a certified copy of the impugned order or direction.

(2) On receipt of the appeal, the Appellate Authority, having been satisfied that the grounds of appeal are reasonable, shall issue, notice as per **Form-IV** to the appellant and to the Authority to present their case in person or through an Authorized representative or legal practitioner who is well acquainted with the fact of the case, on the date and time as specified in the said notice.

(3) The appellate authority, after hearing the parties and after such further inquiry, as it may deem necessary, may confirm, vary or set aside the order or directions from which, the appeal is preferred and shall make an order accordingly.

Chandigarh:
The 10th January, 2022.

DR. RAJA SEKHAR VUNDRU,
Additional Chief Secretary to Government Haryana,
Labour Department.

Form-I*[see rule 5(1)]***Exemption Application.**

To,

The Designated Officer,

.....

I,Employer/ Occupier / Owner / Partner of M/s(alongwith BIP No.) have submitted the application under section 5 of the Act for want of the Local Candidate as per the description given below:-

Sr. No.	Description	Remarks by employer
1.	Desired Skill for the post	
2.	Qualification for the post	
3.	Proficiency for the post	
4.	No. of post (s) to be filled	
5.	Tentative duration of employment	
6.	Remuneration / Wages for the post	
7.	Place of posting	

It is stated that I.....have made every effort to find out suitable Local Candidate for the posts mentioned above but same is/are not available.

In view of the above, justification and efforts made by me, it is requested that the exemption from the provision of section 4 of the Act may be provided to the present employment / recruitment / post for a time period of (Three months/ six months/ one year).

It is also stated that during the said period of exemption, if so directed by the Designated Officer, suitable Local Candidates shall be identified and necessary training shall be taken up to improve the skill level to the required standard of our establishment,.

It is certified that the statement of facts contained in this application is accurate, to the best of him knowledge and belief of the undersigned.

**Signature of Employer/ Owner/ Occupier/Partner
alongwith seal of Establishment with date**

Form-II*[see rule 6(1)]***Complaint/Application by Local Candidate.**

To,

The Authorize Officer,

Subject: Complaint application.

I, S/o is a permanent Resident of.....State of Haryana. My Haryana Resident Certificate no. is,which is uploaded alongwith my application. I am fully eligible for claiming benefit under the Haryana State Employment of Local Candidates Act, 2020. The opposite party / parties(Name and address of Establishment)..... Whose employer name..... is violating the provisions of this Act. The detail of violation (s) made by the employer is as follows:-

- 1.
- 2.
- 3.

On the basis of the above violations I, (Applicant) prays that a direction may be issued under the provision (s) of the Act and following relief may be provided at the earliest:-

Mention the detail of the relief claimed.....

It is certified that the statement of facts contained in this application is to the best of his knowledge and belief accurate.

Signature or thumb impress of the applicant

With contact no.

Form-III*[see rule 7]***Quarterly return for new employment**

The following information is required to be submitted under the Haryana State Employment of Local Candidates Act, 2020.

Name and Address of the Employer	
Whether – Head Office or Branch Office.	
Type of Establishment (Company, Society, Limited Liability Partnership Firm, Partnership Firm or other establishment)	
Nature of business and Principal activity of the establishment	
Establishment Registration No. on designated portal	
Name and Address of the Employer	

1. Present Employment

Total number of persons on the pay roll of the establishment who draw monthly salary / wages as prescribed under section 3 of the Act, excluding apprentices.

(i) On the Last working day of the previous quarter (as on date).									
Men	Women	Transgender	Unskilled	Semi-Skilled	Skilled	Higher Skilled	Local Candidates	Other than Local Candidates	Total
Total									
(ii) On the Last working day of the current quarter (as on date).									
Men	Women	Transgender	Unskilled	Semi-Skilled	Skilled	Higher Skilled	Local Candidates	Other than Local Candidates	Total
Total									

2. Details of vacancies during the quarter and the number of vacancies filled during the quarter.

No. of Vacancies occurred during the quarter under reporting	No. of vacancies filled up during the quarter under reporting	Local Candidates	Other than Local Candidates	Total of new employment

3. Manpower Shortages, if any.

Name of the Occupation /Services or Designation posts	No. of unfilled posts	Qualification required	Experienced required	Skill/Training required

Certification:

It is certified that the statement of facts contained in this application is to the best of him knowledge and belief accurate.

**Signature of Employer / Owner/ Occupier /Partner
of the establishment with seal & Date**

To

The Authorized Officer,

Note:- The return is required to be filed, to the Authorized Officer, within twenty days from the last working day of the quarter under reporting.

Form-IV

[see rule 10(2)]

To,

Subject: Notice for appearance.

Whereas under the Haryana State Employment of Local Candidates Act, 2020 (Haryana Act no. 03 of 2021) an appeal against the order ofDesignated Officer / Authorized Officer has been presented to me in the application for which a copy is enclosed, you are hereby called upon to appear before me either in person or by any person duly instructed, an able to answer all material questions relating to the application, or who shall be accompanied by some person able to answer all material relating to the application, or who shall be accompanied by some person able to answer all such question, on the.....day of.....ato'clock in the forenoon/afternoon to answer the claim; and as the day fixed for your appearance is appointed for the final disposal of the application, you must be prepared to produce on that day all the witnesses upon whose evidence, and the documents upon which you intend to reply in support of your defense.

Take notice that, in default of your appearance on the day before mentioned, the application will be heard and determined in your absence.

Given under my hand and seal, this day of

Authority


Name.....

(Stamp)

HARYANA GOVERNMENT
LABOUR DEPARTMENT

Dated: 13 | 1 | , 2022

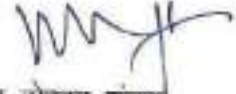
No. SP.2/HSE/C/12-3 The Governor of Haryana, in term of sub clause (d) to Section 2 of the Haryana State Employment of Local Candidates Act, 2020 is pleased to specify the portal i.e. <https://local.hrylabour.gov.in> as 'designated portal'.


Dr. Raja Sekhar Vundru,
Additional Chief Secretary to Government, Haryana
Labour Department.

हरियाणा सरकार
श्रम विभाग

दिनांक 13/11, 2022

संख्या ~~542~~/15/SECRET/2021/HR हरियाणा के राज्यपाल, राज्य स्थानीय उम्मीदवारों का नियोजन अधिनियम, 2020 (2021 का 3) की धारा 2 के उप-खंड (डी) के तहत <https://local.hrylabour.gov.in> को बतौर 'पदाभिहित पोर्टल' अधिकृत करते हैं।



श्री राजा सेखर पुंडरा,
अपर मुख्य सचिव, हरियाणा सरकार,
श्रम विभाग।



Haryana Government Gazette

EXTRAORDINARY

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CHANDIGARH, TUESDAY, MARCH 2, 2021
(PHALGUNA 11, 1942 SAKA)

LEGISLATIVE SUPPLEMENT

	CONTENTS	PAGES
PART-I ACTS		
	THE HARYANA STATE EMPLOYMENT OF LOCAL CANDIDATES ACT, 2020 (HARYANA ACT NO. 3 OF 2021).	39—43
PART-II ORDINANCES		
	NIL	
PART-III DELEGATED LEGISLATION		
	NIL	
PART-IV CORRECTION SLIPS, REPUBLICATIONS AND REPLACEMENTS		
	NIL	

PART - I**HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 2nd March, 2021

No. Leg. 3/2021.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 26th February, 2021 and is hereby published for general information:-

HARYANA ACT NO. 3 OF 2021**THE HARYANA STATE EMPLOYMENT OF LOCAL CANDIDATES ACT, 2020****AN****ACT**

to provide seventy-five percent employment of local candidates by employer in the State of Haryana and for matters connected therewith and incidental thereto.

Be it enacted by the Legislature of the State of Haryana in the Seventy-first Year of the Republic of India as follows:-

1. (1) This Act may be called the Haryana State Employment of Local Candidates Act, 2020. Short title, extent, commencement, cessation and application.
 - (2) It extends to the whole of the State of Haryana.
 - (3) It shall come into force on such date, as the Government may, by notification in the Official Gazette, specify.
 - (4) It shall cease to have effect on the expiry of ten years from the date of its commencement, except as respect to the things to be done or omitted to be done before such cesser, and upon such cesser section 6 of the General Clauses Act, 1897 (Central Act 10 of 1897), shall apply as if this Act had then been repealed by a Central or State Act, as the case may be.
 - (5) This Act applies to all the Companies, Societies, Trusts, Limited Liability Partnership firms, Partnership Firm and any person employing ten or more persons and an entity, as may be notified by the Government, from time to time.
2. In this Act, unless the context otherwise requires,- Definitions.
 - (a) "Appellate Authority" means an officer of the Government not below the rank or equivalence of the Labour Commissioner, as may be designated by notification in Official Gazette, by the Government for the purpose of section 9;
 - (b) "Authorised Officer" means an officer of the Government not below the rank or equivalence of the Sub-Divisional Officer (Civil) or any other officer as may be designated as such by notification in Official Gazette, by the Government for the purpose of section 7;
 - (c) "Designated Officer" means, an officer of Government not below the rank or equivalence of the Deputy Commissioner as may be designated by notification in Official Gazette, by the Government for the purpose of section 5;
 - (d) "designated portal" means a portal specifically designed and designated for the purpose of registration of local candidates and employees under sections 3 and 4;
 - (e) "employer" means a Company registered under the Companies Act, 2013 (Central Act 18 of 2013) or a Society registered under the Haryana Registration and Regulation of Societies Act, 2012 (1 of 2012) or a Limited Liability Partnership Firm as defined under the Limited Liability Partnership Act, 2008 (Central Act 6 of 2009) or a Trust as defined under the Indian Trust Act, 1882 (Central Act 2 of 1882) or a Partnership Firm as defined under Indian Partnership Act, 1932 (Central Act 9 of 1932) or any person employing ten or more persons on salary, wages or other remuneration for the purpose of manufacturing or providing any service or such entity, as may be notified by the Government from time to time, but shall not include the Central Government or the State Government or any organisation owned by the Central Government or the State Government;

- (f) "Government" means the Government of the State of Haryana in the administrative department;
- (g) "Local Candidate" means a candidate who is domiciled in the State of Haryana;
- (h) "State" means the State of Haryana.
- 3.** On and from the date of commencement of this Act, every employer shall, register such employees receiving gross monthly salary or wages not more than fifty thousand rupees or as notified by the Government, from time to time, on the designated portal, within three months of coming into force of this Act:
- Provided that no person shall be employed or engaged by any employer till the registration of all such employees is completed on the designated portal.
- Explanation.*— For the purpose of section 3 and section 4 of this Act, process for registration on designated portal shall be prescribed under the rules notified by the Government, from time to time.
- 4.** After the commencement of this Act, every employer shall employ seventy-five percent of the local candidates with respect to such posts where the gross monthly salary or wages are not more than fifty thousand rupees or as notified by the Government, from time to time:
- Provided that the local candidates may be from any district of the State, but the employer may, at his option, restrict the employment of local candidates from any district to ten percent of the total number of local candidates:
- Provided further that no local candidate shall be eligible to avail the benefits under this Act unless he registers himself on the designated portal.
- 5.** (1) The employer may claim exemption from the requirement of section 4, where adequate number of local candidates of the desired skill, qualification or proficiency are not available by applying to the Designated Officer in such form and manner, as may be prescribed.
- (2) The Designated Officer shall, after such inquiry, as he deems fit and after evaluating the attempt made by the employer to recruit local candidates of the desired skill, qualification or proficiency, may either-
- (i) accept the claim of the employer for exemption from the provisions of section 4; or
- (ii) reject the claim of the employer for exemption for reasons to be recorded in writing; or
- (iii) direct the employer to train local candidates to achieve the desired skill, qualification or proficiency.
- (3) Every order made by the Designated Officer under sub-section (2), shall be placed on the website of the Government.
- 6.** Every employer shall furnish a quarterly report, by such date, as may be notified by the Government in the Official Gazette, of the local candidates employed and appointed during that quarter on the designated portal in such form, as may be prescribed.
- 7.** (1) The reports furnished by the employer under section 6 shall be examined by the Authorised Officer.
- (2) The Authorised Officer shall have powers to call for any record, information or document in the possession of any employer for the purposes of verifying the report furnished under section 6.
- (3) The Authorised Officer, after examination of the report, may pass any order, as may be necessary for complying with the objectives of this Act.
- (4) Every such order issued under sub-section (3) shall be placed on the website of Government.
- 8.** (1) Subject to the provisions of this section, the Authorised Officer shall have a right to enter, at all reasonable times with such assistance, as he considers necessary, any place-
- (a) for the purpose of performing any of the functions entrusted to him under this Act;

Compulsory registration.

Recruitment of local candidates.

Exemption.

Employer to furnish report.

Power to access, verify records and documents.

Power to enter premises and inspection thereof.

- (b) for the purpose of determining whether and if so in what manner, any such functions are to be performed or whether any provisions of this Act or the rules made thereunder are being or have been complied with;
- (c) for the purpose of examining any record, register, document when he has reason to believe that an offence under this Act or the rules made thereunder has been or is being committed.

(2) Every employer shall render all assistance to the Authorised Officer under sub-section (1) and in case he fails to do so without any reasonable cause, he shall be guilty of an offence under this Act.

(3) If any person wilfully delays or obstructs the Authorised Officer under sub-section (1) in the performance of his functions, he shall be guilty of an offence under this Act:

Provided that no entry shall be made except between the hours of 6:00 and 18:00 and notice of the intention to enter is given at least one day prior to the date on which the entry is proposed to be made.

9. (1) Any employer aggrieved by an order passed by the Designated Officer under section 5 or the Authorised Officer under section 7, may within sixty days, prefer an appeal to such Appellate Authority, in such form and in such manner, as may be prescribed. Appeal.

(2) Every appeal preferred under sub-section (1) shall be accompanied by such fees, as may be prescribed.

(3) After the receipt of appeal under sub-section (1), the Appellate Authority shall, after giving the appellant an opportunity of being heard, dispose of the appeal as expeditiously as possible.

(4) The appellate authority may rescind, confirm or modify such order.

(5) The appellate authority shall follow such procedure, as may be prescribed.

10. Save as otherwise expressly provided in this Act, if there is any contravention by the employer of the provisions of this Act or rules made thereunder or of any order in writing given under this Act, he shall be liable to a penalty which shall not be less than ten thousand rupees, but which may extend upto fifty thousand rupees, and if the contravention is still continued after the conviction, then, with further penalty which may extend to one hundred rupees for each day till the time contravention is so continued. General penalty.

11. Save as is otherwise expressly provided in this Act, if any employer contravenes the provisions of section 3 of this Act or of any rules made thereunder or of any order in writing given thereunder, he shall be guilty of an offence punishable with penalty which shall not be less than twenty-five thousand rupees but which may extend to one lakh rupees and if the contravention is still continued after conviction, with a further penalty which may extend to five hundred rupees for each day till the time contravention is so continued. Penalty for contravention of section 3.

12. Save as otherwise expressly provided in this Act, if any employer contravenes provisions of section 4 or of any rules made thereunder or of any order in writing given thereunder, he shall be guilty of an offence punishable with penalty which shall not be less than fifty thousand rupees but which may extend to two lakh rupees and if the contravention is still continued after conviction, with a further penalty which may extend to one thousand rupees for each day till the time contravention is so continued. Penalty for contravention of section 4.

13. Save as otherwise expressly provided in this Act, if any employer disobeys any order in writing made by the Designated Officer under section 5, he shall be guilty of an offence punishable with penalty which shall not be less than ten thousand rupees but which may extend to fifty thousand rupees and if the contravention is still continued after conviction, with a further penalty which may extend to one hundred rupees for each day till the time contravention is so continued. Penalty for disobey of direction issued under section 5.

- Penalty for falsification and non furnishing of records etc.
- 14.** (1) Whoever—
- (a) produces false records or counterfeits or knowingly makes or produces or uses a false statement, declaration or evidence regarding any document in connection with compliance of any of the provisions of this Act or any rules made thereunder; or
 - (b) makes, gives or delivers knowingly a false return, notice, record or report containing a statement, entry or detail,
- shall be punishable with penalty which may extend to fifty thousand rupees for each offence.
- (2) Where any person convicted of an offence punishable under sub-section (1) is again convicted of an offence under the same provision, he shall be punishable with penalty which shall not be less than two lakh rupees but which may extend to five lakh rupees.
- Notice and opportunity to be heard.
- 15.** (1) No order under this Act shall be passed under section 5 or section 7 unless an opportunity of being heard is provided to the employer.
- (2) No penalty under this Act shall be imposed unless the person concerned is given a notice in writing by the Designated Officer, informing him of the grounds of penalty which is proposed to be imposed on him and providing him an opportunity to be heard.
- Offence by companies.
- 16.** Where a person committing an offence under this Act is a company, every director, manager, secretary, agent or other officer or person concerned with the management thereof shall, unless he proves that the offence was committed without his knowledge or consent, be deemed to be guilty of such offence.
- Offence by limited liability partnership firm.
- 17.** Where an offence under this Act committed by a limited liability partnership is proved—
- (i) to have been committed with the consent or connivance of a partner or partners or designated partner or designated partners of the limited liability partnership; or
 - (ii) to be attributable to any neglect on the part of the partner or partners or designated partner or designated partners of that limited liability partnership,
- the partner or partners or designated partner or designated partners of the limited liability partnership, as the case may be, as well as that limited liability partnership shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.
- Offences by societies or trusts.
- 18.** (1) Where an offence under this Act has been committed by a society or trust, every person who at the time the offence was committed was in charge of, and was responsible for the conduct of the business of the society or the trust, as the case may be, shall be deemed to be guilty of the offence and be liable to be proceeded against and punished accordingly:
- Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.
- (2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a society or trust and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary, trustee or other officer of the society or trust, such director, manager, secretary, trustee or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- Limitation of prosecution and cognizance of offence.
- 19.** (1) No court shall take cognizance of any offence punishable under this Act, unless a complaint in respect thereof is made within six months of the date on which the alleged commission of the offence came to the knowledge of the Authorized Officer or Designated Officer.
- (2) No court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the First Class shall try any offence punishable under this Act.
- Explanation.—** For the purposes of this section,—
- (a) in the case of a continuing offence, the period of limitation shall be computed with reference to every point of time during which the offence continues;

- (b) where for the performance of any act, time is granted or extended on an application made by the employer, the period of limitation shall be computed from the date on which the time so granted or extended expired.

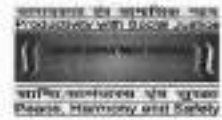
- 20.** No suit or other legal proceedings shall lie in any Court against any Authorized Officer or Designated Officer or against any person or body of persons acting under the order or direction of such Authorized Officer and Designated Officer for anything which is done in good faith, or intended to be done in pursuance of provisions of this Act. Protection of action taken in good faith.
- 21.** If any difficulty arises in giving effect to the provisions of this Act, the Government may, within a period of two years from the commencement of this Act, by an order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as appear to it necessary or expedient for removing the difficulty. Power to remove difficulties.
- 22.** The Government may, from time to time, issue directions or order in writing for giving effect to the provisions of this Act. Power to issue directions or orders.
- 23.** Notwithstanding anything inconsistent therewith contained in any other State law for the time being in force or any instrument having effect by virtue of such law, the provisions of this Act have overriding effect. Act to have overriding effect.
- 24.** (1) The Government may, by notification, make rules for carrying out all or any of the purposes of this Act. Power to make rules.
- (2) Every rule made under this Act shall, immediately after it is made, be laid before the Legislature of the State.

BIMLESH TANWAR,
Administrative Secretary to Government, Haryana,
Law and Legislative Department.



Labour Department, Haryana

30 Bays Building Sector 17 C, Chandigarh. Ph-0172-2701373
Email-labourcommissioner@nic.in and hrylabour@gmail.com



Order

Representations were received in the department regarding exemptions to certain categories from the purview of the Haryana State Employment of Local Candidate Act, 2020. After careful consideration, in order to ensure smooth implementation of the Haryana State Employment of Local Candidates Act, 2020 in the State of Haryana, it has been decided that at the first instance some categories of employers are hereby granted deemed exemptions, as under:-

- (i) vacancies in new Startups and new Information Technology (IT) / Information Technology Enabled Services (ITES) of new employers **for a period of two year** from the date of commencement of work or business or manufacturing process;
- (ii) short term employment, the total duration of which is **less than forty five days**;
- (iii) vacancies under any employer, who primarily engages in **agriculture activities**, such as growing/harvesting of field crops, fruits, nuts, seeds, vegetables, tea, coffee or raising animals, growing and harvesting of fish or other animals from a farm, ranch or their natural habitats but does not include any agricultural allied activity which involve therein manufacturing, trading, processing of agriculture products or produce or covered under the definition of establishment, as defined under sub clause (viii) of section 2 of the Haryana Shops and Commercial Act, 1958 (Punjab Act 15 of 1958) or Factory, as defined under sub clause (m) of section 2 of the Factories Act, 1948 (Central Act 63 of 1948);
- (iv) vacancies under any employer for **domestic work or services** in residential homes;
- (v) vacancies, which are being filled up through promotion or transfer or by absorption of surplus staff of any unit of the same employer in the State; and
- (vi) any class, post, skill and category of employment, as may be notified by the Government from time to time, where the Local Candidates of the desired skill, qualification or proficiency required in such employment are not available.

Explanation I- New Startups and new Information Technology (IT) / Information Technology Enabled Services (ITES) for the purpose of this order means employer who has established or has commenced its operation within a period of two years, after the commencement of this Act.

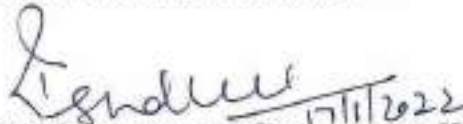
Dr. Raja Sekhar Vundru,
Additional Chief Secretary to Government, Haryana
Labour Department.

Endst. No. Lab./2022/HSELC/spl-01 to 03

Dated: 17.01.2022

A copy of the above is forwarded to the following for information and necessary action:-

1. PS to Minister of State of Labour for kind information of Hon'ble MoS(L).
2. PS to Additional Chief Secretary (Labour) for kind information of W/ACS(L).
3. PS to Labour Commissioner for kind information of W/LC.


for Additional Chief Secretary to Government, Haryana
Labour Department.

Endst. No. Lab./2022/HSELC/spl-04-205

Dated: 17.01.2022

A copy of the above is forwarded to the following for information and necessary action:-

1. All the Deputy Commissioner-cum-Designated Officers as per Section 2 (c) under HSELC Act, 2020 in the State of Haryana.
2. All the Sub Divisional Officer (Civil)-cum-Authorized Officers as per Section 2 (b) under HSELC Act, 2020 in the State of Haryana.
3. Addl. Labour Commissioner, Headquarter, Chandigarh.
4. Addl. Director, (IS&H), Headquarter, Chandigarh.
5. All the Officers posted at Headquarter.
6. All the Deputy Labour Commissioners/Assistant Labour Commissioners in the State of Haryana.
7. All the Deputy Directors (IS&H) and (IH)/Assistant Directors (IS&H), (IH) and (Chemical) in the State of Haryana.


for Additional Chief Secretary to Government, Haryana
Labour Department.

ಕರ್ನಾಟಕ ಸರ್ಕಾರ
ಕರ್ನಾಟಕ ಕಾರ್ಮಿಕ ಕಲ್ಯಾಣ ಮಂಡಳಿ ಬೆಂಗಳೂರು

ಪತ್ರಿಕಾ ಪ್ರಕಟಣೆ

ದಿನಾಂಕ: 14-01-2022

- 1) ಕರ್ನಾಟಕ ಕಾರ್ಮಿಕ ಕಲ್ಯಾಣ ನಿಧಿ ಕಾಯ್ದೆ 1965ರ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರುವ ಎಲ್ಲಾ ಕಾರ್ಖಾನೆಗಳು, ಪ್ಲಾಂಟೇಶನ್‌ಗಳು, ಮೋಟಾರು ವಾಹನ ಸಂಸ್ಥೆಗಳು 50 ಮತ್ತು ಅದಕ್ಕಿಂತ ಹೆಚ್ಚು ಕಾರ್ಮಿಕರನ್ನು ಹೊಂದಿರುವ ಅಂಗಡಿ ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳು, ಚಾರಿಟಬಲ್ ಸಂಸ್ಥೆಗಳು, ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳು/ITBT ಸಂಸ್ಥೆಗಳು, ಕರ್ನಾಟಕ ಸೊಸೈಟಿ ಕಾಯ್ದೆ 1960ರ ಅಡಿಯಲ್ಲಿ ನೋಂದಣಿಯಾಗಿರುವ ಸಂಘಗಳು ಹಾಗೂ
- 2) 50 ಮತ್ತು ಅದಕ್ಕಿಂತ ಹೆಚ್ಚು ಕಾರ್ಮಿಕರನ್ನು ಹೊಂದಿರುವ ಅಂಗಡಿ ಮತ್ತು ವಾಣಿಜ್ಯ ಸಂಸ್ಥೆಗಳು, ಕಡ್ಡಾಯವಾಗಿ ಆನ್‌ಲೈನ್ ಮುಖಾಂತರ ವಂತಿಕೆ ಪಾವತಿಸಬೇಕಾಗಿರುತ್ತದೆ.
- 3) ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಸಂಪ್ಯಶಾಇ 5 ಶಾಸನ 2016, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.04.2017 ರ ತಿದ್ದುಪಡಿಯನ್ನು ದಿನಾಂಕ: 01-12-2020 ರಂದು ನಿರಸನಗೊಳಿಸಿ ಕರ್ನಾಟಕ ರಾಜ್ಯದ ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆಯಲ್ಲಿ ಪ್ರಕಟಗೊಳಿಸಲಾಗಿದೆ. ಈ ತಿದ್ದುಪಡಿ ಕಾಯ್ದೆಯನ್ನು ಮೂಲ ಕಾರ್ಮಿಕ ಕಲ್ಯಾಣ ನಿಧಿ ಕಾಯ್ದೆ 1965 ಸೆಕ್ಷನ್ 7ಎ ಗೆ ಸೇರಿಸಲಾಗಿದೆ. ಆದ್ದರಿಂದ ಪ್ರತಿ ಕಾರ್ಮಿಕನಿಗೆ ರೂ.20/- ಮಾಲೀಕರು/ಸಂಸ್ಥೆಗಳಿಂದ ರೂ.40/- ರಂತೆ ಒಟ್ಟು ರೂ 60/- ಗಳನ್ನು ಕಾರ್ಖಾನೆ/ಸಂಸ್ಥೆಯಲ್ಲಿ ಕೆಲಸ ನಿರ್ವಹಿಸುವ ಒಟ್ಟು ಕಾರ್ಮಿಕರ ಸಂಖ್ಯೆಗನುಗುಣವಾಗಿ ಕರ್ನಾಟಕ ಕಾರ್ಮಿಕ ಕಲ್ಯಾಣ ನಿಧಿಗೆ ವಂತಿಗೆ ಪಾವತಿಸುವುದು ಕಡ್ಡಾಯವಾಗಿರುತ್ತದೆ.
- 4) ಈ ಕಾಯ್ದೆಯಡಿಯಲ್ಲಿ ಆನ್‌ಲೈನ್ ಮುಖಾಂತರ ವಂತಿಗೆ ಪಾವತಿಸಬೇಕಾದ ವೆಬ್‌ಸೈಟ್ ವಿಳಾಸ www.klwb.karnataka.gov.in

ವಂತಿಗೆ ಪಾವತಿಗೆ ಕಡೆಯ ದಿನಾಂಕ: 15-01-2022 ಎಂದು ನಿಗದಿಪಡಿಸಲಾಗಿತ್ತು ಆದರೆ ಕರೋನಾ ಮತ್ತು ಒಮಿಕ್ರಾನ್ ವೈರಾಣು ಹೆಚ್ಚುತ್ತಿರುವ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ವಂತಿಗೆ ಪಾವತಿಗಾಗಿ ಕೊನೆಯ ದಿನಾಂಕವನ್ನು ದಿನಾಂಕ: 31-01-2022 (2021 ನೇ ಕ್ಯಾಲೆಂಡರ್ ವರ್ಷಕ್ಕೆ) ರವರೆಗೆ ವಿಸ್ತರಿಸಲಾಗಿದೆ.

ನಿಯಮ ಪಾಲಿಸದ ಸಂಸ್ಥೆಗಳಿಗೆ ಮೊದಲ 3 ತಿಂಗಳಿಗೆ ಶೇಕಡ 12 ರಂತೆ ಹಾಗೂ ನಂತರದ ತಿಂಗಳಿಗೆ ಶೇಕಡ 18 ರಂತೆ ಬಡ್ಡಿಯನ್ನು ದಂಡವಾಗಿ ವಿಧಿಸಬಹುದು, ಹಾಗೂ ಕಲ್ಯಾಣ ಆಯುಕ್ತರಿಂದ ತಪಾಸಣೆ/ ತನಿಖೆಗೆ ಒಳಪಡಬೇಕಾಗುತ್ತದೆ.

ಹೆಚ್ಚಿನ ಮಾಹಿತಿಗಾಗಿ ದೂರವಾಣಿ ಸಂಖ್ಯೆ: 8277291175, 8277120505, 080-23475188
ಮೂಲಕ ಸಂಪರ್ಕಿಸಬಹುದು.


ಕಲ್ಯಾಣ ಆಯುಕ್ತರು

ಕರ್ನಾಟಕ ಕಾರ್ಮಿಕ ಕಲ್ಯಾಣ ಮಂಡಳಿ
ಯಶವಂತಪುರ, ಬೆಂಗಳೂರು.



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-27012022-232934
CG-DL-E-27012022-232934

असाधारण
EXTRAORDINARY

भाग III—खण्ड 4
PART III—Section 4

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 59]

नई दिल्ली, बृहस्पतिवार, जनवरी 27, 2022/माघ 7, 1943

No. 59]

NEW DELHI, THURSDAY, JANUARY 27, 2022/ MAGHA 7, 1943

कर्मचारी राज्य बीमा निगम

अधिसूचना

नई दिल्ली, 21 जनवरी, 2022

सं. N-17011/1/2021-यो एवं वि.—कर्मचारी राज्य बीमा (सामान्य) विनियम, 1950 के विनियम 95-क के साथ पठित कर्मचारी राज्य बीमा अधिनियम 1948, (1948 का 34) की धारा 46(2) द्वारा प्रदत्त शक्तियों के अनुसरण में महानिदेशक ने 01.01.2022 ऐसी तारीख के रूप में निश्चित की है जिसमें उक्त विनियम 95-क तथा असम कर्मचारी राज्य बीमा (चिकित्सा हितलाभ) नियम, 1958 में निर्दिष्ट चिकित्सा हितलाभ असम राज्य के बारपेटा, बोंगाई गांव, विश्वनाथ, कछार, चिरांग, दरांग, धेमाजी, धुबरी, गोलाघाट, गोलपारा, कार्बी आंगलोंग, करीमगंज, लखीमपुर, माजुली, नलबाड़ी, मारीगांव, नागांव, सिबसागर, दक्षिण सालमारा मनकाचर, उदलगुरी एवं पश्चिम कार्बी आंगलोंग जिले के सम्पूर्ण क्षेत्रों (पहले से अधिसूचित क्षेत्रों के अलावा) में बीमांकित व्यक्तियों के परिवार पर लागू किये जाएंगे।

एस. बिस्वास, बीमा आयुक्त (यो एवं वि)

[विज्ञापन-III/4/असा./615/2021-22]

EMPLOYEES' STATE INSURANCE CORPORATION
NOTIFICATION

New Delhi, the 21st January, 2022

No. N-17011/1/2021-P&D.—In pursuance of powers conferred by Section 46 (2) of the Employees' State Insurance Act, 1948 (34 of 1948), read with Regulation 95-A of the Employees' State Insurance (General) Regulations, 1950, the Director General has fixed the **01/01/2022** as the date from, which the medical benefit as laid down in the said Regulation 95-A and the **Assam** Employees' State Insurance (Medical Benefit) Rules, 1958 shall be extended to the families of insured persons in the entire area of **Barpeta, Bangaigaon, Bishwanath, Cachar, Chirang, Darrang, Dhemaji, Dhubri, Golaghat, Goalpara, Karbi Anglong, Karimganj, Lakhimpur, Majuli, Nalbari, Marigaon, Nagaon, Sibsagar, South Salmara Mankachar, Udalguri, West Karbi Anglong** districts in the State of Assam, in addition to the already implemented area in the district.

S. BISWAS, Insurance Commissioner (P&D)

[ADVT.-III/4/Exty./615/2021-22]



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-27012022-232935
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असाधारण
EXTRAORDINARY

भाग III—खण्ड 4
PART III—Section 4

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 58]

नई दिल्ली, बृहस्पतिवार, जनवरी 27, 2022/माघ 7, 1943

No. 58]

NEW DELHI, THURSDAY, JANUARY 27, 2022/ MAGHA 7, 1943

कर्मचारी राज्य बीमा निगम

अधिसूचना

नई दिल्ली, 12 जनवरी, 2022

सं. एन-12/13/01/2019-यो.एवंवि.—जबकि 01.07.2021 से अटल बीमित व्यक्ति कल्याण योजना में बेरोजगारी से पूर्व 2 वर्ष बीमायोग्य रोजगार की पात्रता शर्त तथा अंशदायी शर्त को शिथिल करने के लिए मसौदा अधिसूचना भारत का राजपत्र (असाधारण), भाग III - खण्ड-4 (क्रम सं. 566), दिनांक 16.11.2021 को प्रकाशित की गई थी।

और जबकि उक्त राजपत्र अधिसूचना दिनांक 16.11.2021 को जनता को उपलब्ध कराई गई थी;

और प्रभावित होने वाले संभावित व्यक्तियों से कोई भी आपत्तियां तथा सुझाव प्राप्त नहीं हुए;

अतः अब, कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 97 की उप-धारा (1) के तहत प्रदत्त शक्तियों का प्रयोग करते हुए, कर्मचारी राज्य बीमा निगम एतद्वारा दिनांक 01.07.2021 से अटल बीमित व्यक्ति कल्याण योजना की बेरोजगारी से पूर्व 2 वर्ष बीमायोग्य रोजगार की पात्रता शर्त तथा अंशदायी शर्त की शिथिलता को निम्नानुसार अधिसूचित करता है:-

“बीमाकृत व्यक्ति अपनी बेरोजगारी से तुरंत पूर्व न्यूनतम 12 माह की अवधि के लिए बीमायोग्य रोजगार में हो तथा बेरोजगारी से तुरंत पूर्ववर्ती 12 माह में एक पूर्ण अंशदान अवधि में कम से कम 78 दिनों का अंशदान दिया हो।”

एस. बिस्वास, बीमा आयुक्त (यो. एवं वि.)

[विज्ञापन-III/4/असा./614/2021-22]

EMPLOYEES' STATE INSURANCE CORPORATION
NOTIFICATION

New Delhi, the 12th January, 2022

No. N-12/13/01/2019-P&D.—Whereas draft notification to provide relaxation in the eligibility condition of 2 years insurable employment before unemployment and the contributory condition of Atal Beemit Vyakti Kalyan Yojana w.e.f. 01.07.2021 was published in the Gazette of India, (Extraordinary), Part III – Section - 4 (Sl. No 566) dated 16.11.2021.

And whereas, the said Gazette notification was made available to the public on 16.11.2021;

And no suggestion was received from the persons likely to be affected;

Now, therefore in exercise of the powers conferred upon it under sub-section (1) of section 97 of the Employees' State Insurance Act 1948 (34 of 1948), the Employees' State Insurance Corporation hereby notifies its decision to relax the eligibility condition of 2 years insurable employment before unemployment and contributory condition of Atal Beemit Vyakti Kalyan Yojana with effect from 01.07.2021 as under:-

“The Insured Person should have been in insurable employment for a minimum period of 12 months immediately before his/her unemployment and should have contributed for not less than 78 days in the one completed contribution period in 12 months immediately preceding to unemployment.”

S. BISWAS, Insurance Commissioner (P&D)

[ADV.T.-III/4/Exty./614/2021-22]



बिहार गजट

असाधारण अंक

बिहार सरकार द्वारा प्रकाशित

23 पौष 1943 (श0)
(सं0 पटना 23) पटना, बृहस्पतिवार, 13 जनवरी 2022

okf.kT; &dj foHkx

अधिसूचना
13 जनवरी 2022

एस० ओ० 68, दिनांक 13 जनवरी 2022—बिहार पेशा, व्यापार, आजीविका एवं कार्य नियोजन कर अधिनियम, 2011 (बिहार अधिनियम 10, 2011) की धारा 18 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए बिहार के राज्यपाल बिहार पेशा कर नियमावली, 2011 का और संशोधन करने हेतु निम्नलिखित नियमावली बनाते हैं :-

1- l f{kr uke] foLrkj vS i kjHkA&

- (1) यह नियमावली बिहार पेशा कर (संशोधन) नियमावली, 2011 कही जा सकेगी।
- (2) इसका विस्तार संपूर्ण बिहार राज्य में होगा।
- (3) यह राजपत्र में इसके प्रकाशन की तिथि से प्रवृत्त होगी।

2- fckj i s k dj fu; ekoyh 2011 'it l s bl eabl ds i ' pkr "mDr fu; ekoyh dgk x; k gS/2 ds fu; e 3 eal akku :-

- (1) उक्त नियमावली के नियम 3 के पार्श्वशीर्ष में "निबंधन" शब्द के पश्चात् एक कॉमा अंतःस्थापित किया जाएगा एवं ऐसे अंतःस्थापित किये गये कॉमा के पश्चात् "संशोधन और उसका रद्दीकरण" शब्द जोड़े जाएंगे।
- (2) उक्त नियमावली के नियम 3 के उपनियम (4) के पश्चात् निम्नलिखित नए उपनियम (5) और (6) जोड़े जाएंगे, अर्थात् :-

"(5)(क) जहाँ नियोजक या कटौतीकर्ता के नाम या कर दायित्व की तिथि में कोई परिवर्तन होता है, नियोजक ऐसे परिवर्तन के पंद्रह दिनों की अवधि के भीतर, इलेक्ट्रॉनिक रूप से एक आवेदन संबंधित दस्तावेजों के साथ वाणिज्य कर विभाग के शासकीय वेब-साइट पर दाखिल करेगा।

- (ख) उप नियम (1) में निर्दिष्ट प्राधिकारी, उचित सत्यापन के बाद, संशोधन को अनुमोदित करेगा और निबंधन का संशोधित प्रमाण पत्र आवेदक को वाणिज्य-कर विभाग की शासकीय वेब-साइट पर उपलब्ध कराया जाएगा।
- (ग) जहाँ आवेदन या इसके साथ प्रस्तुत दस्तावेज में कमी पायी जाती है, उक्त प्राधिकारी आवेदन को अस्वीकार कर देगा और तदनुसार आवेदक को सूचित करेगा।
- (घ) जहाँ परिवर्तन के परिणामस्वरूप –
- (i) स्थायी लेखा संख्या या ऐसे स्थायी लेखा संख्या के अनुसार नाम, या
 - (ii) कर कटौती और संग्रह खाता संख्या या कर कटौती और संग्रह खाता संख्या के अनुसार नाम, या
 - (iii) अंचल का क्षेत्राधिकार, या
 - (iv) नाम और प्रकृति, या
 - (v) माल और सेवा कर पहचान संख्या,
- में परिवर्तन होता है, नियोजक नए निबंधन के लिए आवेदन करेगा।
परंतु मोबाइल नंबर, ई-मेल पता, व्यवसाय के स्थान का पता या फर्म का नाम, पेशा या व्यापार की प्रकृति का कोई परिवर्तन, नियोजक द्वारा वाणिज्य-कर विभाग की शासकीय वेब-साइट पर अपने लॉगिन के माध्यम से अपडेट किया जा सकेगा।
- (6)(क) नियोजक जो अपने निबंधन का रद्दीकरण चाहता है, इलेक्ट्रॉनिक रूप से एक आवेदन, इसके समर्थन में साक्ष्य के रूप में सहायक दस्तावेजों के साथ, वाणिज्य-कर विभाग की शासकीय वेब-साइट पर रद्दीकरण के लिए जिम्मेदार घटना के तीस दिनों की अवधि के भीतर प्रस्तुत करेगा।
- (ख) उपनियम (1) में निर्दिष्ट प्राधिकारी उचित सत्यापन के बाद आवेदन को स्वीकृत या अस्वीकृत करेगा और तदनुसार आवेदक को सूचित करेगा।”

3- mDr fu; ekyh dsfu; e 4 dk l ákku A&

- (1) उक्त नियमावली के नियम 4 के पार्श्वशीर्ष में “नामांकन” शब्द के पश्चात् एक कॉमा अंतःस्थापित किया जाएगा और ऐसे अंतःस्थापित किये गये कॉमा के पश्चात् “संशोधन और उसका रद्दीकरण” शब्द जोड़े जाएंगे।
- (2) उक्त नियमावली के नियम 4 के उपनियम (3) के बाद निम्नलिखित नए उपनियम (4) और (5) जोड़े जाएंगे, अर्थात् :-
- “(4)(क) जहाँ निर्धारिती के नाम या कर दायित्व की तिथि में कोई परिवर्तन होता है, निर्धारिती ऐसे परिवर्तन के पंद्रह दिनों की अवधि के भीतर, इस तरह के परिवर्तन से संबंधित दस्तावेजों के साथ इलेक्ट्रॉनिक रूप से एक आवेदन वाणिज्य-कर विभाग की शासकीय वेब-साइट पर प्रस्तुत करेगा।
- (ख) उपनियम (1) में निर्दिष्ट प्राधिकारी, उचित सत्यापन के पश्चात्, संशोधन को अनुमोदित करेगा और संशोधित नामांकन प्रमाण पत्र आवेदक को वाणिज्य-कर विभाग की शासकीय वेब-साइट पर उपलब्ध कराया जाएगा।
- (ग) जहाँ आवेदन या इसके साथ प्रस्तुत दस्तावेजों में कमी पाया जाता है, उक्त प्राधिकारी आवेदन को अस्वीकार कर देगा और तदनुसार आवेदक को सूचित करेगा।
- (घ) मोबाइल नंबर, ई-मेल पता, व्यवसाय के स्थान का पता या फर्म का नाम, पेशा या व्यापार की प्रकृति में कोई परिवर्तन, कर निर्धारिती द्वारा वाणिज्य-कर विभाग की शासकीय वेब-साइट पर अपने लॉगिन के माध्यम से अपडेट किया जा सकेगा।
- (5)(क) कोई निर्धारिती जो अपने नामांकन का रद्दीकरण चाहता है, इलेक्ट्रॉनिक रूप से एक आवेदन, इसके समर्थन में साक्ष्य के रूप में सहायक दस्तावेजों के साथ, रद्दीकरण के लिए जिम्मेदार घटना के 30 दिनों की अवधि के भीतर वाणिज्य-कर विभाग की शासकीय वेब-साइट पर प्रस्तुत करेगा।

(ख) उपनियम (1) में निर्दिष्ट प्राधिकार, उचित सत्यापन के बाद, आवेदन को स्वीकृत या अस्वीकृत करेगा और तदनुसार आवेदक को सूचित करेगा।”

[(संस० बिक्री-कर/संशोधन-10/2015-56)]
बिहार-राज्यपाल के आदेश से,
डॉ० प्रतिमा,
राज्य कर आयुक्त-सह-सचिव।

13 जनवरी 2022

एस० ओ० 68, दिनांक 13 जनवरी 2022 का अंग्रेजी में निम्नलिखित अनुवाद बिहार-राज्यपाल के प्राधिकार से इसके द्वारा प्रकाशित किया जाता है जो भारतीय संविधान के अनुच्छेद 348 के खंड (3) के अधीन अंग्रेजी भाषा में उसका प्राधिकृत पाठ समझा जायेगा।

[(संस० बिक्री-कर/संशोधन-10/2015-56)]
बिहार-राज्यपाल के आदेश से,
डॉ० प्रतिमा,
राज्य कर आयुक्त-सह-सचिव।

The 13th January 2022

S.O. 68, dated 13th January 2022.—In exercise of the powers conferred by sub-section (1) of Section 18 of The Bihar Tax on Professions, Trades, Callings and Employments Act, 2011 (Bihar Act 10, 2011) the Governor of Bihar is pleased to make the following Rules further to amend the Bihar Professional Tax Rules, 2011:-

1. Short title, extent and commencement.—

- (1) These Rules may be called the Bihar Professional Tax (Amendment) Rules, 2021.
- (2) It shall extend to the whole state of Bihar.
- (3) It shall come into force from the date of its publication in the official gazette .

2. Amendment of Rule 3 of the Bihar Professional Tax Rules, 2011 (hereinafter referred to as the "said Rules")

- (1) A comma shall be inserted after the word "Registration" in the marginal heading of Rule 3 of the said Rules and after the comma so inserted, the words " amendment and cancellation thereof" shall be inserted.
- (2) After sub-rule (4) of Rule 3 of the said Rules the following new sub-rules (5) and (6) shall be inserted, namely :-

“(5)(a) Where there is any change in the name of employer or deductor or date of liability, the employer shall, within a period of fifteen days of such change, submit an application electronically along with the documents relating to such change on the official web-site of the Commercial Taxes Department.

(b) The authority specified in sub-rule (1) shall, after due verification, approve the amendment and the amended certificate of registration shall be made available to the applicant on the official web-site of the Commercial Taxes Department.

(c) Where the application or the documents submitted therewith are found to be deficient, the said authority shall reject the application and shall inform the applicant accordingly.

- (d) Where a change results in-
- (i) change of the Permanent Account Number, or the name as per such Permanent Account Number, or
 - (ii) the Tax Deduction and Collection Account Number, or the name as per such Tax Deduction and Collection Account Number, or
 - (iii) the jurisdiction of the circle, or
 - (iv) the name and style, or
 - (v) the Goods and Services Tax Identification Number,

the employer shall apply for fresh registration:

Provided that any change in mobile number, e-mail address, address of the place of the business or name of the firm, nature of profession or trade shall be updated by the employer through his own login at the official web-site of the Commercial Taxes Department.

- (6)(a) The employer seeking cancellation of his registration shall submit electronically an application, along with supporting documents by way of evidence in support thereof, on the official web-site of the Commercial Taxes Department within a period of thirty days of the occurrence of the event warranting the cancellation.
- (b) The authority specified in sub-rule (1) shall, after due verification, approve or reject the application and shall inform the applicant accordingly."

3. Amendment of Rule 4 of the said Rules .—

- (1) A comma shall be inserted after the word "Enrolment" in the marginal heading of Rule 4 of the said Rules and after the comma so inserted, the words " amendment and cancellation thereof" shall be inserted.
- (2) After sub-rule (3) of Rule 4 of the said Rules the following new sub-rules (4) and (5) shall be inserted, namely :-
- “(4)(a) Where there is any change in the name of the assessee or the date of liability, the assessee shall, within a period of fifteen days of such change, submit an application electronically along with the documents relating to such change on the official web-site of the Commercial Taxes Department.
- (b) The authority specified in sub-rule (1) shall, after due verification, approve the amendment and the amended Certificate of Enrolment shall be made available to the applicant on the official web-site of the Commercial Taxes Department.
- (c) Where the application or the documents submitted therewith are found to be deficient, the said authority shall reject the application and shall inform the applicant accordingly.
- (d) Any change in mobile number, e-mail address, address of the place of the business or name of the firm, nature of profession or trade shall be updated by the tax assessee through his own login at the official web-site of the Commercial Taxes Department.
- (5)(a) An assessee seeking cancellation of his enrolment shall submit electronically an application, along with supporting documents by way of evidence in support thereof, on the official web-site of the Commercial Taxes Department within a period of thirty days of the occurrence of the event warranting the cancellation.

(b) The authority specified in sub-rule (1) shall, after due verification, approve or reject the application and shall inform the applicant accordingly."

[(File No. Bikri-kar/Sansodhan-10/2015-56)]

By the order of Governor of Bihar,

Dr. Pratima,

Secretary-Cum-Commissioner State Tax.

अधीक्षक, सचिवालय मुद्रणालय,

बिहार, पटना द्वारा प्रकाशित एवं मुद्रित।

बिहार गजट (असाधारण) 23-571+10-डी0टी0पी0।

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