

THE EASE OF COMPLIANCE TO MAINTAIN REGISTERS UNDER VARIOUS LABOUR LAWS RULES, 2017¹

(G.S.R. 154(E), dated 21st February, 2017)

RELEVANT PROVISIONS

WHEREAS for the ease of, and for the expedient compliance of the requirement of the various labour related laws referred to herein and for the purpose of maintaining combined registers for all such laws, it has become essential to frame separate rules for the said purpose;

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

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

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

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

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

AND WHEREAS, the objections and suggestions received from the public on the said draft rules have been considered by the Central Government; Now, therefore, in exercise of the powers conferred by—

- (a) section 62 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996) and after consultation with the expert committee;
- (b) section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970);
- (c) section 13 of the Equal Remuneration Act, 1976 (25 of 1976);

1. Published in the Gazette of India, Extra., Pt II, Sec. 3(i), No. 126, dated 21st February, 2017.

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- (d) section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979);
- (e) section 58 read with section 59 of the Mines Act, 1952 (35 of 1952) and after complying with the requirements of sub-section (4) of said section 59;
- (f) section 29 and section 30 of the Minimum Wages Act, 1948 (11 of 1948);
- (g) section 26 of the Payment of Wages Act, 1936 (4 of 1936);
- (h) section 12 of the Sales Promotion Employees (Conditions of Service) Act, 1976 (11 of 1976); and
- (i) section 20 of the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955);

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

1. Short title and commencement.—(1) These rules may be called the Ease of Compliance to Maintain Registers under Various Labour Laws Rules, 2017.

(2) They shall come into force on the date¹ of their publication in the Official Gazette.

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

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

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

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

(2) If the combined register referred to in sub-rule (1) is required for inspection by the concerned Inspector appointed under any of the enactments

1. Came into force on 21-2-2017.

referred to in the said sub-rule, the concerned persons shall make available the combined registers or provide the necessary particulars for the purposes of accessing the information, as the case may be.

(3) Where any register referred to in sub-rule (1) is maintained in electronic form, then, layout and presentation of the register may be adjusted without changing the integrity, serial number and contents of the columns of the register, but not otherwise.

3. Amendment of certain rules.—The following rules shall be amended, except as respects things done or omitted to be done before such amendment, in the manner specified below, namely:—

* * * * *

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

- (A) in rule 21, in sub-rule (4), for the words and figures “in Forms I and II, respectively”, the words, letter and figures “in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;
- (B) in rule 25, in sub-rule (2), for the words and figures “in Forms IV”, the words, letter and figures “in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;
- (C) in rule 26,—
 - (a) in sub-rule (1), for the words and figure “in Form X”, the words, letter and figures “in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;
 - (b) sub-rule (1A) shall be omitted;
 - (c) in sub-rule (5), for the words and figure “in Form V and the attendance of each person employed in the establishment shall be recorded daily in that Form”, the words, letter and figures “in Form D specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017 and the attendance of each person employed in the establishment shall be recorded daily in that Form” shall be substituted; and
- (D) Form I, Form II, Form IV, Form V and Form X shall be omitted;

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SCHEDULE

[See rule 2(1)]

FORM A

FORMAT OF EMPLOYEE REGISTER

[PART A: FOR ALL ESTABLISHMENTS]

Name of the Establishment.....Name of Owner.....LIN.....

Sl. No.	Employee Code	Name	Surname	Gender	Father's/ Spouse Name	Date of Birth#	Nationality	Education Level	Date of Joining	Designation
1	2	3	4	5	6	7	8	9	10	11

Category Address *(HS/S/SS/US)	Type of Employment	Mobile	UAN	PAN	ESIC IP	LWF	AADHAAR	Bank A/c Number	Bank	Branch (IFSC)	Present Address	Permanent
12	13	14	15	16	17	18	19	20	21	22	23	24

Service Book No.	Date of Exit	Reason for Exit	Mark of Identification	Photo	Specimen Signature/ Thumb Impression	Remarks
25	26	27	28	29	30	31

*(Highly Skilled/Skilled/Semi Skilled/Un Skilled)

#Note.—In case the age is between 14 to 18 years, mention the nature of work, daily hours of work and Intervals of rest in the remarks Column.

[PART B: FOR THE MINES ACT, 1952 (35 of 1952) ONLY]

Sl. Number in Employee Register	Name	Token Number Issued	Date of First Appointment with present Owner	Certificate of age/ fitness taken (for 14 to 18 Years)	Place of Employment (Underground /Open cast/ Surface)	Certificate of Vocational Training	
						Number	Date
1	2	3	4	5	6	7	8

Nominee		Adult Person to be contacted in case of Emergency			Remarks	*Signature of Mines Manager
Name	Address	Name and Relationship	Address	Mobile		
9	10	11	12	13	14	15

* Not necessary in case digital form

FORM B
FORMAT FOR WAGE REGISTER

Rate of Minimum Wages and since the date.....				
	Highly Skilled	Skilled	Semi-Skilled	Un-Skilled
Minimum Basic				
DA				
Overtime				

Name of the Establishment.....Name of Owner.....LIN.....

Wage period From To (Monthly/Fortnightly/Weekly/Daily/Piece Rated)

Sl. No. in Employee register	Name	Rate of Wage	No. of Days worked	Overtime hours worked	Basic	Special Basic	DA	Payments Overtime	HRA	*Others	Total
1	2	3	4	5	6	7	8	9	10	11	12

Deduction								Net Payment	Employer Share PF Welfare Found
PF	ESIC	Society	Income Tax	Insurance	Others	Recoveries	Total		
13	14	15	16	17	18	19	20	21	22

Receipt by Employee/Bank Transaction ID	Date of Payment	Remarks
23	24	25

* In case of Mines Act any Leave Wages paid should be shown in the Others Column and specifically mentioned in the Remarks column also.

FORM C
FORMAT OF REGISTER OF LOAN/RECOVERIES

Name of EstablishmentLIN.....

Sl. Number in Employee register	Name	Recovery Type (Damage/loss/fine/advance/loans)	Particulars	Date of damage/Loss*	Amount
1	2	3	4	5	6

Whether show cause issued*	Explanation heard in presence of*	Number of Instalments	First Month /Year	Last Month /Year	Date of Complete Recovery	Remarks
7	8	9	10	11	12	13

*Applicable only in case of damage/loss/fine.

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FORM D

FORMAT OF ATTENDANCE REGISTER

Name of Establishment..... Name of Owner

LIN.....

For the Period From To

Sl. Number in Employee register	Name	Relay# or set work	Place of work*	Date 1234... 31 IN OUT	Summary No. of day	Remarks No. of hours	**Signature of Register Keeper
1	2	3	4 5	6 7	8	9	10

Relay and *Place of Work in case of Mines only (Underground/Opencast/Surface)

In case an employee is not present the following to be entered: (R for Rest/L for Paid Leave/A for absent/O for Weekly Off/C for Establishment Closed)

** Not necessary in case of E Form maintenance.

FORM E

**FORMAT OF REGISTER OF REST/LEAVE/LEAVE WAGES UNDER THE
MINES ACT, 1952, THE SALES PROMOTION EMPLOYEES (CONDITIONS
OF SERVICE) ACT, 1976 AND THE WORKING JOURNALISTS (CONDITIONS
OF SERVICE) AND MISCELLANEOUS PROVISIONS ACT, 1957**

Name of Establishments..... Name of Owner.....LIN.....

For the Year

Sl. Number in Employee Register	Name	No. of days worked in the Year	Details of Compensatory Rest				
			Opening Balance	Added	Rest Not Allowed	Rest Availed	Closing Balance
1	2	3	4	5	6	7	8

Details of Earned Leave				Details of Medical Leave			
Opening Balance	Added	Leave Availed	Closing Balance	Opening Balance	Added	Leave Availed	Closing Balance
9	10	11	12	13	14	15	16

Details of Other Leave				Remarks
Opening Balance	Added	Leave Availed	Closing Balance	
17	18	19	20	21

Note.—The Register for the month of January for the year will show the Leave Opening Balance for the year also and for the month December will show the Closing Balance for the year.