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## EXTRAORDINARY

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

#### PART IV-B

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made by the Government of Gujarat under the Gujarat Acts

#### LABOUR AND EMPLOYMENT DEPARTMENT

#### NOTIFICATION

Sachivalaya, Gandhinagar, 27<sup>th</sup> December, 2017.

**No. KHR-2017-191-LBL-19-2016-26789-M.3:-** WHEREAS, for the ease of and for the expedient compliance of the requirements 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 thereunder, 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 thereunder 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, certain draft rules were published as required by the various provisions of the below mentioned Acts, at pages 350-1 to 350-7 of the Gujarat Government Gazette, Extraordinary, Part IV-B, dated the 19<sup>th</sup> August, 2017, under the Government Notification, Labour and Employment Department No. KHR-2017-127-LBL-19-2016-26789-M.3, dated the 11<sup>th</sup> August, 2017, inviting objections and suggestions from all persons likely to be affected thereby on or before the expiry of a period of 3 months from the date of publication of the said notification in the *Official Gazette*.

AND WHEREAS, an objection or suggestion has been received by the Government from Tata Motors Limited, Sanand, Dist. Ahmedabad in respect of the said draft rules suggesting to indicate Labour Identification Number of the Principal Employer in Form A, Form B, Form C and Form D specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017;

AND WHEREAS, the said suggestion has been considered by the Government,

NOW, THEREFORE, to achieve the aforementioned purposes, in exercise of the powers conferred by;

- (a) section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970);
- (b) section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979);
- (c) section 30 of the Minimum Wages Act, 1948 (11 of 1948);
- (d) section 62 of the Buildings and Other Construction Worker's (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996); and
- (e) section 26 of the Payment of Wages Act, 1936 (4 of 1936), the Government of Gujarat 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 (Gujarat) Rules, 2017.
- (2) They shall come into force on the date of their publication in the *Official Gazette*.

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

- (1) Notwithstanding anything contained in any rules made under the,—
  - (i) Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970);
  - (ii) Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979); and
  - (iii) Minimum Wages Act, 1948 (11 of 1948);
  - (iv) Buildings and Other Construction Worker's (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996);
  - (v) Payment of Wages Act, 1936 (4 of 1936);

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 thereunder, as specified therein.

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

- (1) In the Contract Labour (Regulation and Abolition) (Gujarat) Rules, 1972,—
  - (A) in rule 75, for the words and figures "in Form XIII", the words, letter and figures, "in Form A specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted;

- (B) in rule 78, in sub-rule (2)—
- (a) in clause (a),—
- (A) for the words and figures "in Form XVI and Form XVII respectively", the words, letters and figures, "in Form D and Form B, respectively, specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted;
- (B) the proviso shall be deleted;
- (b) in clause (d), for the words and figures "in Forms XX, XXI and XXII respectively", the words, letters and figures, "in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted;
- (c) in clause(e), for the words and figures "in Form XXIII", the words, letter and figures "in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted; and
- (C) Form XIII, Form XVI, Form XVII, Form XVIII, Form XX, Form XXI, Form XXII and Form XXIII shall be deleted;
- (2) In the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) (Gujarat) Rules, 1981,-
- (A) in rule 49, for the words and figures "in Form XIII", the words, letters and figures, "in Form A specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted;
- (B) in rule 52, in sub-rule (2),—
- (a) in clause (a), for the words and figures "in Form XVII and Form XVIII, respectively", the words, letters and figures, "in Form D and Form B, respectively, specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted;
- (b) in clause (c), for the words and figures "in Forms XIX, XX and XXI respectively", the words, letter and figures, "in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted;
- (c) in clause (d), for the words and figures "in Form XXII", the words, letter and figures "in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted; and
- (C) Form XIII, Form XVII, Form XVIII, Form XIX, Form XX, Form XXI and Form XXII shall be deleted;

**(3) In the Gujarat Minimum Wages Rules, 1961,-**

(B) in rule 21, in sub-rule (4),-

(c) for the words and figures in "Forms I, II and III, as the case may be", the words, letter and figures "in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted;

(d) in the proviso, for the words and figures "of Form II and III", the words, letter and figures "of register in Form C specified in the Schedule to the Ease of Compliance to

Maintain Registers under various Labour Laws (Gujarat) Rules, 2017 and in Form III of these rules" shall be substituted;

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

(C) in rule 26,-

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

(b) in sub-rule (5), for the words and figure "in Form V", the words, letter and figures "in Form D specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted; and

(D) Form I, Form II, Form IV, Form IV-A and Form V shall be deleted;

**(4) In the Gujarat Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2003,—**

(A) in rule 56, for the words and figures "Form XIX, annexed to these rules", the words, letter and figures "Form A specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted;

(B) in rule 57,-

(i) in sub-rule (1),—

(a) in clause (a),-

(A) for the words and figures "muster-roll and a register of wages in Form XX and Form XXI, respectively, annexed to these rules", the words, letters and figures, "register of wages and muster-roll in Form B and Form D, respectively, specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted;

(B) the proviso shall be deleted;

- (b) in clause (b), for the words and figures "in Form XXIII, Form XXIV and Form XXV, respectively, annexed to these rules", the words, letter and figures, " in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted;
  - (c) in clause (c), for the words and figures "in Form XXVI annexed to these rules", the words, letter and figures, " in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted; and
  - (ii) in sub-rule (10), for the words and figures "in Form XXIII, Form XXIV, Form XXV and Form XXVI, as the case may be", the words, letters and figures, "in Form C and B, as the case may be, specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted; and
- (C) Form XIX, Form XX, Form XXI, Form XXII, Form XXIII, Form XXIV, Form XXV, Form XXVI shall be deleted;
- (5) In the Gujarat Payment of Wages Rules, 1963,-**
- (A) in rule 3, in sub-rule (1), for the words and figures "in Form I", the words, letter and figures "in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted;
  - (B) in rule 4, for the words and figures "in Form II", the words, letter and figures "in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat)Rules, 2017" shall be substituted;
  - (C) in rule 5, for the words and figures "in Form II-A", the words, letter and figures "in Form B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted;
  - (D) in rule 17, in sub-rule (3), for the words and figures "in Form III", the words, letter and figures "in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted;
  - (E) in rule 17-A, in sub-rule (3), for the words and figures "in Form III-A", the words, letter and figures "in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws (Gujarat) Rules, 2017" shall be substituted; and
  - (F) Form I, Form II, Form II-A, Form III, and Form III-A shall be deleted.

## SCHEDULE

## FORM-A

## FORMAT OF EMPLOYEE / WORKMAN/ WORKER

Name of Establishment..... Name of Owner ..... Labour Identification No .....  
 Name and Address of Principal Employer..... \*\*\* Labour Identification No. of Principal Employer,

Name and Address of Principal Employer..... \*\*\* Labour Identification No. of Principal Employer,

Sr. No.	Employee/Workman/Worker 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/CNo.	Bank	Branch (IFSC)	Present Address	Permanent Address
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

# 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 remarks Column

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

\*\* Not necessary in case of electronic format

\*\*\* Wherever applicable

## FORM-B

## FORMAT OF WAGE REGISTER

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

Name of Establishment..... Name of Owner ..... Labour Identification No .....

\* Name and Address of Principal Employer ..... \* Labour Identification No. of Principal Employer

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

Sr. No. in Employee/Workman/Worker Register	Name	Rate of Wage	No. of Days worked	Overtime hours worked	Basic	Special Basic	DA	Payments Overtime	HRA	Total
1	2	3	4	5	6	7	8	9	10	11

PF	ESIC	Society	Income Tax	Deduction				Net Payment	Employer/Workman/Worker Share PF Welfare Fund
				Insurance	Others	Recoveries	Total		
12	13	14	15	16	17	18	19	20	21

Receipt by Employee/Workman/ Worker Bank Transaction ID	Date of Payment	Remarks
22	23	24

\* Wherever applicable

## FORM-C

## Format of Register of Loan/Recoveries/Damage/Loss/Fine/Advance/Absence

Name of Establishment..... Labour Identification No .....

\* Name and Address of Principal Employer ..... \* Labour Identification No. of Principal Employer.....

Sr. Number in Employee/Workman/Worker Register	Name	Recovery type (Damage/Loss/Fine/Advance/Loans/Absence)	Particulars	Date of Damage/Loss/Absence	Amount
1	2	3	4	5	6
Whether show cause issued	Explanation heard in presence of	Number of installments	Last Month/Year	Date of Complete Recovery	Remarks
7	8	9	10	11	12
					13

\*Wherever applicable



**FORM-D****FORMAT OF ATTENDENCE/MUSTOR-ROLL REGISTER**

Name of Establishment..... Name of Owner..... Labour Identification  
No .....

\* Name and Address of Principal Employer ..... \* Labour Identification No. of Principal Employer.....

For the period From..... To.....

Sr. Number in Employee/Workman/Worker register	Name	Relay or Set Work	Summary No. of Days	Remarks No. Hours	Signature of Register Keeper**
1	2	3	4	5	6

\* Not necessary in case of electronic format

\*\* Not necessary in case of electronic format

By order and in the name of the Governor of Gujarat,

**R. H. VASAVA,**  
Deputy Secretary to Government.