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उप-खण्ड (i)

राज्य सरकार तथा अन्य राज्य-प्राधिकारियों द्वारा जारी किये गये (सामान्य आदेशों, उप-विधियों आदि को सम्मिलित करते हुए) सामान्य कानूनी नियम।

LABOUR DEPARTMENT

NOTIFICATION

Jaipur, December 29, 2017

G.S.R.16 .-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 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 to achieve the aforementioned purposes, the draft following rules, namely the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017 were published in the Rajasthan Gazette Extraordinary part-5(gha) dated 21st August, 2017 for 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 of publication of the said notification in the Official Gazette;

And whereas, no objection or suggestion has received from the public on the said draft rules.

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 (Central Act No. 27 of 1996) and after consultation with the expert committee;
- (b) section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (Central Act No. 37 of 1970);
- (c) section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (Central Act No. 30 of 1979);
- (d) section 30 of the Minimum Wages Act, 1948 (Central Act No. 11 of 1948);
- (e) section 26 of the Payment of Wages Act, 1936 (Central Act No. 4 of 1936); and Chapter III of the Information Technology Act, 2000 (Central Act No. 21 of 2000), the State Government hereby makes the following rules. namely:-

RULES

1. Short title and commencement.- (1) These rules may be called the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws 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) Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act No. 27 of 1996);

- (ii) Contract Labour (Regulation and Abolition) Act, 1970 (Central Act No. 37 of 1970);
- (iii) Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (Central Act No. 30 of 1979);
- (iv) Minimum Wages Act, 1948 (Central Act No. 11 of 1948);
- (v) Payment of Wages Act, 1936 (Central Act No. 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 Inspector concerned, appointed under any of the enactments referred to in the said sub-rule, the persons concerned shall make available the combined registers or provide the necessary particulars for the purposes of accessing the information, as the case may be.

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

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

- (i) in the Rajasthan Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2009,-

(A) in rule 67 of the said rules, for the existing expression "Form-XI", the expression "Form-A specified in the Schedule to the Rajasthan Ease of Compliance to Maintain Registers under

various Labour Laws Rules, 2017 ” shall be substituted;

(B) in sub-rule (1) of rule 68,-

(a) in clause (a), for the existing expression “Form-XII and Form-XIII respectively”, the expression “Form-B and Form-D, respectively, specified in the Schedule to the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted;

(b) in clause (b), for the existing expression “in Form-XV, Form-XVI and Form-XVII respectively”, the expression “in Form-C specified in the Schedule to the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted; and

(c) in clause (c), for the existing expression “Form-XVIII”, the expression “Form-B, specified in the Schedule to the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017” shall be substituted; and

(C) the existing Form-XI, Form-XII, Form-XIII, Form-XV, Form-XVI, Form-XVII and Form-XVIII shall be deleted;

(ii) in the Rajasthan Contract Labour (Regulation and Abolition) Rules, 1971,-

(A) in rule 74, for the existing expression “Form No. IX”, the expression “Form-A specified in the Schedule to the Rajasthan Ease of

Compliance to Maintain Registers under various Labour Laws Rules, 2017" shall be substituted;

(B) in sub-rule (2) of rule 77,-

(a) in sub-clause (a),-

(A) for the existing expression "Form No.XII and Form No. XIII respectively", the expression "Form-D and Form-B, respectively, specified in the Schedule to the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017" shall be substituted; and

(B) the existing proviso shall be deleted;

(b) in sub-clause (d), for the existing expression "Forms XVI, Form XVII and Form XVIII respectively", the expression "Form-C specified in the Schedule to the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017" shall be substituted; and

(c) in sub-clause (e), for the existing expression "Form XIX", the expression "Form-B specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017" shall be substituted; and

(C) the existing Form IX, Form XII, Form XIII, Form XIV, Form XVI, Form XVII, Form XVIII and Form XIX shall be deleted;

(iii) in the Rajasthan Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1981,-

(A) in rule 49, for the existing expression "Form XIII", the expression "Form-A specified in the Schedule to the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017" shall be substituted;

(B) in sub-rule (2) of rule 52,-

(a) in clause (a), for the existing expression "Forms XVII and XVIII respectively", the expression "Form-D and Form-B, respectively, specified in the Schedule to the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017" shall be substituted;

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

(c) in clause (d), for the existing expression "Form XXII", the expression "Form-B specified in the Schedule to the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017" shall be substituted; and

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

(iv) in the Rajasthan Minimum Wages Rules, 1959,-

(A) in sub-rule (4) of rule 21, for the existing expression "Form I and II as the case may be", the expression "Form-C specified in the Schedule to the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017" shall be substituted;

(B) in sub-rule (2) of rule 26, for the existing expression "Form IV", the expression "Form-B specified in the Schedule to the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017" shall be substituted;

(C) in sub-rule (1) of rule 27,-

(a) in sub-clause (e), for the existing expression "Form XI" the expression "Form-B specified in the Schedule to the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017" shall be substituted; and

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

(D) the existing Form I, Form II, Form IV, Form V and Form XI shall be deleted;

(v) in the Rajasthan Payment of Wages Rules, 1961,-

(A) in sub-rule (1) of rule 3, for the existing expression "Form I", the expression "Form-C specified in the Schedule to the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017" shall be substituted;

- (B) in rule 4, for the existing expression "Form II", the expression "Form-C specified in the Schedule to the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017" shall be substituted;
- (C) in sub-rule (3) of rule 18, for the existing expression "Form III", the expression "Form-C specified in the Schedule to the Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017" shall be substituted; and
- (D) the existing Form I, Form II and Form III shall be deleted;

SCHEDULE
[See rule 2(1)]

FORM-A

FORMAT OF EMPLOYEE REGISTER

Name of the Establishment-----LIN-----

Sl. No.	Employee Code	Name	Surname	Father's Name	Date of Birth*	Nationality	Education Level	Date of Joining
1	2	3	4	5	6	7	8	9

Designation	Category	Type of Employment	Mobile No.	UAN	PAN	ESIC IP	LWF	AADHAR No.	Present Address	Permanent Address
10	11	12	13	14	15	16	17	18	19	20

Service Book No.	Date of Exit	Reason for Exit	Mark of Identification	Photo	Specimen Signature	Remarks
21	22	23	24	25	26	27

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.

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

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

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

Receipt by Employee	Date of Payment	Remarks
22	23	24

FORM-C**FORMAT OF REGISTER OF LOANS RECOVERIES**

Name of Establishment _____ LIN _____

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	
7	8	9	10	11	12	13

*Applicable only in case of damage/loss/fine

FORM-D**FORMAT OF ATTENDANCE REGISTER**

Name of Establishment _____ LIN _____

For the Period From.....to.....

Sl. Number in Employee register	Name	Place of Work	IN OUT	Dates	No. of Days worked	Summary No. of hours worked
				1 2 3 4.....31		
1	2	3	4	5	6	7

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)

[No. F.13(16)Shram/Vidhi/2016]

By Order of the Governor,

C.B.S. Rathore,

Additional Labour Commissioner and,

Joint Secretary to the Government.

Government Central Press, Jaipur.