

# TalEzine - October '21 Monthly Edition

## Enforcement Of Provisions Towards ESIC In Mayiladuthurai, Vellore And Ariyalur Districts Of Tamil Nadu

**Vide Notification No: S.O. 3528(E)**

As per the notification, The ESIC has implemented the provisions towards Chapter IV (Contribution), Chapter V (Benefits), Chapter VI (Adjudication of Disputes and Claims) effective from 1st day of September, 2021 in all the areas of Mayiladuthurai, Vellore and Ariyalur in the State of Tamil Nadu. Please refer to the notification for more details.

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## Extension Of Timeline For Mandatory Seeding Of Aadhar Number For North Eastern States And Certain Establishments

**Vide Notification No: BKG-27/5/2021-BKG/**

As per the notification, The Employees Provident Fund Organization has extended the time till 31st December 2021 towards seeding of Aadhaar for EPFO administrative zone of north east region comprising state of Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland and Tripura and establishments in remote localities, areas affected by insurgency, frequent change of work site of workers, other attendant constraints in classes establishments such as Beedi making, building and construction and plantation industries. The delay in filing ECR for wage month August 2021, September 2021, due to non-seeding of Aadhaar in establishments located other than those areas as mentioned shall not be considered as employer's default. Therefore, zonal offices are directed that regional offices and district offices facilitate and coordinate with UIDAI to organize camps for Aadhaar enrolment and correction in Aadhaar data of EPF member to facilitate Aadhaar seeding in UANs and monitor the progress on weekly basis. Please refer to the circular for more information

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## Guidelines For Payment Of Bonus Or Ex-gratia To The Employees In West Bengal

**Vide Notification No: Labr/1690(LC-IR)/22013/56/2019**

As per the notification, The Governor of West Bengal makes an appeal to all employers and employees of the state covered under payment of Bonus Act,1965 as amended by the payment of Bonus (Amendment) Act, 2015 to stick to the following guidelines while setting the legitimate dues of workers in respect of payment of bonus, in view of ensuing Durga Puja, for the year 2021, (1) Employers shall adopt a flexible attitude on the issue of payment of bonus, (2) Employers shall consider payment of an amount of ex-gratia in lieu of bonus as is admissible at the maximum stage workmen and employees who have crossed the eligibility limit, (3) All employees, whether in casual employment or re-employed after retirement or employed through contractors worked for not less than 30 days during the year should be paid bonus, (4) The employers who are in default towards payment of bonus for the previous years are also being requested to make such payments this year along with the payment of bonus, (5) All trade unions, and employers organizations shall extend their co-operation in maintenance of a climate of industrial peace and exercise their good offices for peaceful and effective settlement of industrial disputes, (6) Employees of IT sector, Hotels and Restaurants, Shops & Establishments, Security Workers and some workers in jute mills should get, (7) The payments of bonus should be made before commencement of Durga Puja, 2021, (8) All employers including the public sector undertakings will act according to this appeal, (9) Government also expects that all employers' organizations will advise their constituents to act according to this appeal. Therefore, Government expects that the employers in such cases shall also pay bonus/ex-gratia to their workers before commencement of Durga Puja, 2021. Please refer to the notification for more details.

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## ESIC Provision Extended To Certain Establishments And Local Bodies In Manipur

**Vide Notification No: LAB-1/3/2020-LAB and EM-LAB&EMP**

As per the notification, The Government of Manipur has extended the provisions of The Employees' State Insurance Act, 1948 (ESIC) to the classes of establishments situated within the areas as specified in consultation with the Employees State Insurance Corporation and with the approval of the Central Government. Therefore, provision of ESIC extends on Shops, Hotels, Restaurants, Road Motor Transport establishments, Cinemas including preview theatres, newspaper establishments, educational institutions, medical institutions, municipal corporation, municipal board, municipal council and other Local bodies controlled by the State Government. Please refer to the notification for more details

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## Enforcement Of Provisions Towards ESIC In Dhalai, Gomati, North Tripura and Sepahijala Districts Of Tripura

**Vide Notification No: S.O.3952(E)**

As per the notification, The ESIC has implemented the provisions towards Chapter IV (Contribution), Chapter V (Benefits), Chapter VI (Adjudication Of Disputes and Claims) effective from 1st day of October, 2021 in all the areas of Dhalai, Gomati, North Tripura and Sepahijala district in the State of Tripura . Please refer to the notification for more details

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## The Draft Industrial Relations (Haryana) Rules, 2021.

**Vide Notification No:02/10/2021-2 Lab**

As per the notification, The State Government of Haryana has notified the Draft Industrial Relations (Haryana) Rules, 2021 which extends to the whole of the State of Haryana in respect of the industrial establishments or undertakings and matters for which the State Government is the appropriate Government. The rule specifies the matters for negotiation with employer in an industrial establishment having registered trade union for negotiating on behalf of the workers employee. The Grievance Redressal Committee in an industrial establishment employing twenty or more workers, shall consist of equal number of members representing the employer and the workers, which shall not exceed ten and the representatives of the employer in the Grievance Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with or associated with the working of the industrial establishment, preferably the heads of major departments of the industrial establishment. The application for registration of a Trade Union shall be made to the Registrar electronically specified in Form II. The fee of one thousand rupees for the registration of a Trade Union shall be applicable and be paid electronically and the Certificate of Registration of Trade Union shall be issued in Form III. Further the Register of Trade Unions shall be maintained in the office of Registrar Trade Union electronically in the form specified in Form IV. Please refer to the notification for more details

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## Code on Social Security (Haryana) Rules, 2021

**Vide Notification No: 02/09/2021-2 Lab**

As per the notification, The Governor of Haryana has issued draft Code on Social Security (Haryana) Rules, 2021. The draft rules provide the manner for payment of maternity benefit, employees compensation and gratuity and collection of cess in respect of building and other construction workers.

The following registers and wage slip are to be maintained by the employer under these rules, namely:

- Register of employees.
- Register of Attendance-cum-Muster Roll.
- Register of Wages, over time and deductions.
- Wage slip.

Please refer to the notification for more details

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## Draft Code on Wages (Haryana) Rules, 2021

**Vide Notification No: 02/08/2021-2 Lab**

As per the notification, The Governor of Haryana has issued the draft Code on Wages (Haryana) Rules, 2021. The Rules provides for weekly holiday, maximum working hours, overtime wages, travel allowance and procedure for fixing minimum wages. The Rules further provides that where the employees are employed in an establishment through contractor, then, the company or firm or association or any other person who is the proprietor of the establishment shall pay to the contractor the amount payable to him or it, as the case may be, before the date of payment of wages. Please refer to the notification for more details

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## The Maharashtra Code on Wages Rules, 2021.

**Vide Notification No: C.O.W-2021/C.R.25/LABOUR-9**

As per the notification, The State Government of Maharashtra on has notified the Draft Maharashtra Code on Wages Rules, 2021. The Rules proposes supersession of Maharashtra Minimum Wages Rules, 1963 and the Maharashtra Payment of Wages Rules, 1963.

Key Highlights from the code of wages Rules, 2021.

- The Rules provides the procedure to fix minimum wages, working hours, shifts, holidays and floor price. It also provides the constitution and functions of Central Advisory Board.
- The minimum rate of wages shall be fixed on a day basis keeping in view the following criteria, namely, the standard working class family which includes a spouse and two children apart from the earning worker; an equivalent of three adult consumption units; A net intake of 2700 calories per day per consumption unit; 66 meters' cloth; per year per standard working class family etc.
- No employee shall be required or allowed to work in an establishment for more than forty-eight hours in a week.
- If the employee works in the establishment for six days in a week, the period of work of an employee, inclusive of his interval for rest, shall be so arranged that it shall not spread over for more than ten and half hours per day and the seventh day of the said week for the employee shall be a paid holiday.
- An employee shall be allowed rest of one day or more than one day, as the case may be, every week which in case of six-day week shall be Saturday and Sunday and in case of less than six-day week shall ordinarily be Saturday and Sunday.
- If any employee who is not in employment for normal working day but has worked for or less than four hours in working day shall be eligible for minimum wages computed by dividing the daily rate of minimum wages by eight (hours) with fifteen per cent. rise in it and quotient being stepped up to the nearest paise. Please refer to the notification for more details

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## The Government of Karnataka has extended the Karasamadhana Scheme till 30th October 2021.

**Vide Notification No: FD 49 CSL 2021**

As per the notification, The Government of Karnataka has extended time for completion of Assessment/Re-assessment/Rectification and withdrawal of appeal and other proceedings to avail the benefits under Karasamadhana Scheme -2021. Karasamadhana Scheme was introduced with a view to reduce the arrears arising out of the enactments administered by the Commercial Taxes Department which existed before the introduction of Goods and Services Tax Act. The scheme has now been extended till 30th October 2021 on account of inconvenience faced by Trade and Industries due to lockdown imposed in the state to avail the benefits under Karasamadhana Scheme, 2021. Please refer to the notification for more details

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## Exemption Of Petrol And Diesel Pumps (filling station) For Bye-Election In West Bengal

**Vide Notification No: Labr./1677/LC-IR/75-06/17**

As per the notification, The Governor of West Bengal has exempted from operation of provision towards hours of work under The West Bengal Shops And Establishments Act, 1963 for all classes of petrol and diesel pumps (filling station) situated within the areas of the concerned assembly constituencies in the state, on the occasion of elections to West Bengal Legislative Assembly from 56-Samsarganj, 58-Jangipur Assembly Constituencies and Bye-election to West Bengal Legislative Assembly from 159-Bhabanipur Assembly Constituency to be held on 30th September 2021 (Thursday) subject to the condition that any work done beyond eight and half hours a day or forty eight hours a week shall be regarded as overtime work for payment of overtime wages. Please refer to the notification for more details.

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## Draft Tamil Nadu Labour Welfare Fund (Amendment) Act, 2021

**Vide Notification No: 28,29,30 of 2021**

As per the notification, The Tamil Nadu Labour Department has tabled a Bill for Tamil Nadu Labour Welfare Fund (Amendment) Act, 2021 to further amend the Tamil Nadu Labour Welfare Fund Act, 1972. Every employee shall contribute a sum not exceeding fifty rupees, per year, as may be prescribed, from time to time, to the Fund and every employer shall, in respect of each such employee, contribute a sum not exceeding hundred rupees, per year, as may be prescribed, from time to time, to the Fund and the Government shall, in respect of each such employee, contribute a sum not exceeding fifty rupees, per year, as may be prescribed, from time to time, to the Fund. Please refer to the notification for more details.

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## Haryana Occupational Safety, Health and Working Conditions Rules, 2021.

**Vide Notification No: 02/11/2021-2Lab**

As per the notification, The Labour Department, Haryana has issued Draft

- Application for registration- The employer seeking registration for an establishment not already registered shall apply electronically by giving details as specified in Form-1
- Duties of Employer and Employee- Annual Health Examination of employees, Letter of appointment to employee, etc.
- Hours of Work and Annual Leave with Wages- No worker shall be required or allowed to work in an establishment for more than forty-eight hours in a week.
- Maintenance of Registers, Records and Returns- Display at conspicuous places on a notice board or electronic board and maintained in Form-7 and Maintain in Form- 9.
- Special Provisions relating to employment of women- Conditions relating to safety, holidays and working hours or any other condition to be observed by the employer.

Special Provisions for Contract Labour & Inter-state Migrant Worker, etc. Please refer to the notification for more details.

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## Labour Department publishes Booklet Titled "New Labour Code for New India"

As per the Booklet, The empowerment of workers is necessary for an empowered, prosperous and Aatmanirbhar India. Even after 73 years of independence, approximately 90% of workers work in the unorganized sector that do not have access to all the social securities. The total number of workers, comprising of organized and unorganized sectors, is more than 50 crores. It is for the first time that any families has cared for the workers in both organized and unorganized sectors and their families. Earlier, the working class was entangled in web of multiple labour legislations. The Central Government has taken a revolutionary step in the right direction to provide them freedom in true sense. For this, the Central Government has taken historical step of codifying 29 laws into 4 Codes, so that workers can get security along with respect, health and other welfare measures with ease. The New Labour code discuss about the following 4 codes The Code on Wages, The Code on Social Security, The Industrial Relations Code and The Occupational, Safety, Health and Working Condition Code. Please refer to the booklet for more details.

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## Building & Other Construction Workers Welfare (RE&CS) Rules, Telangana

**Vide Notification No: G.O.Ms.No. 31**

As per the notification, The Telangana Building & Other Construction Workers Welfare (RE&CS) Rules, 1999 read with Section 22 (h) of the Building & Other Construction Workers (RE&CS) Act, 1996 for conducting of training programme through SETWIN, Department of Youth Services, Government of Telangana, Hyderabad to the registered building & other construction workers and their dependants in various construction trades and also vocational training to improve their productivity and employability by acquiring of new skills and upgradation of existing skills duly following the below guidelines. Please refer to the booklet for more details.

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## Building & Other Construction Workers Welfare (RE&CS) Rules, Karnataka

**Vide Notification No: LD106 LET 2019**

As per the notification, The Karnataka Labour Department has notified, The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 read with The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) (KARNATAKA) Rules, 2006. As per the notification It is applicable to every establishment which employs, or had employed on any day of the preceding twelve months, ten or more building workers in any building or other construction work. The construction, alteration, repairs, maintenance or demolition of or in relation to, building, streets, roads, irrigation, drainage, generation of power, dams, canals reservoirs etc. Every employer shall register their establishment with the registering officer in FORM I and obtain Certificate of Registration from the concerned Jurisdictional Labour Officer. Cess is levied under Building and Other Construction Workers Welfare Cess Act 1996 read with The Building and Other

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## The Assam Minimum Wages Notification (Jan 2021)

**Vide Notification No: GLR(RC)81/2005/Pt/15**

As per the notification, The Government of Assam has released minimum wages for the state of Assam effective from 1st January 2021. Please refer to the notifications for more details

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## The Haryana Minimum Wages Notification (July 2021)

**Vide Notification No: I.R-2/2021/20632-782**

As per the notification, The Government of Haryana has released the variable dearness allowance towards Minimum Wages effective from 1st July 2021. Please refer to the notifications for more details

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## The Kerala Minimum Wages Notification (July 2021)

**Vide Notification No: DES/859/2021-P3(1)**

As per the notification, The Government of Kerala, Labour and Skills (E) Department has revised the variable dearness allowance for employment in Shops and Commercial Establishment and employment in Computer Software Sector. As per the Notification the Consumer Price Index (Cost of Living Index) Numbers applicable to employees in employment under the Minimum Wages Act (Central Act XI of 1948) for the month of July 2021 ascertained by the Director General of Economics & Statistics under clause (C) of Section 2 of the Act. Please refer to the notifications for more details

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## The Himachal Pradesh Minimum Wages Notification ( April 2021)

**Vide Notification No: Shram (A) 4-2/2018-P-1**

As per the notification, The Government of Himachal Pradesh has released the minimum wages for the State of Himachal Pradesh effective from 1st April 2021. Please refer to the notifications for more details.

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## The Madhya Pradesh Minimum Wages Notification (Oct 2021)

**Vide Notification No: 1/11/Five/2015/29748-996,**

As per the notification, The Government of Madhya Pradesh has released minimum wages for the State of Madhya Pradesh effective from 1st October 2021

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## The Bihar Minimum Wage Notification (Oct 2021)

**Vide Notification No: S/ M.W.- 40-16/202 1 LR- 2847,**

As per notification, The Government of Bihar has released Minimum Wages for the state of Bihar effective from 1st October 2021

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## The Chhattisgarh Minimum Wages Revised Notification (Oct 2021)

**Vide Notification No: 08/2021/7001,**

As per the notification, The Government of Chhattisgarh has revised the VDA effective from 1st October 2021 to 31st March 2022

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# Minimum Wages Notification

Minimum Wages 2020-2021						
State	Class	Minimum Wages				With Effect From
		Zone I (INR)	Zone II (INR)	Zone III (INR)	Zone IV (INR)	
Himachal Pradesh	Highly Skilled	10870.00				01-Apr-21
	Skilled	10446.00				01-Apr-21
	Semi Skilled	9510.00				01-Apr-21
	Unskilled	9000.00				01-Apr-21
Haryana	Highly Skilled	12511.65				01-Jul-21
	Skilled A	11348.43				01-Jul-21
	Skilled B	11915.86				01-Jul-21
	Semi Skilled A	10293.36				01-Jul-21
	Semi Skilled B	10808.02				01-Jul-21
	Unskilled	9803.24				01-Jul-21
Madhya Pradesh	Highly Skilled	12335.00				01-Oct-21
	Skilled	11035.00				01-Oct-21
	Semi Skilled	9657.00				01-Oct-21
	Unskilled	8800.00				01-Oct-21
Chhattisgarh	Highly Skilled	12010.00				01-Oct-21
	Skilled	11230.00				01-Oct-21
	Semi Skilled	10450.00				01-Oct-21
	Unskilled	9800.00				01-Oct-21
Bihar	Highly Skilled	12324.00				01-Oct-21
	Skilled	10088.00				01-Oct-21
	Semi Skilled	8268.00				01-Oct-21
	Unskilled	7956.00				01-Oct-21
	Supervisory / Clerical	8771.00				01-Oct-21

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