

TRIPURA GAZETTE

Published by Authority

EXTRAORDINARY ISSUE

Agartala, Thursday, February 4, 2021 A. D., Magha 15, 1942 S. E.

PART--I-- Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA LABOUR DEPARTMENT

No.F.110 (10)-LAB/ENF/ISMW/2020/8372-74

Dated, Agartala, 30th January, 2021.

NOTIFICATION

WHEREAS, the draft rules further to amend the Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980, which the Government of Tripura proposed to make in exercise of the powers conferred by Section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (No. 30 of 1979);

AND WHEREAS the draft Rules namely, the Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service)(fourth amendment) Rules, 2020, were published vide notification of the Government of Tripura, Labour Department, in the Tripura Gazette Extra ordinary Issue dated 1st January, 2021 as required by sub-section (1) of the said section, for the information of all persons likely to be affected thereby;

AND WHEREAS, the copies of the said official gazette were made available to the public on the 1st January,2021;

AND WHEREAS, no objections or suggestions were received from public on the said draft Rules;

NOW THEREFORE, to achieve the aforementioned purpose, the State Government in exercise of the powers conferred by Section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, hereby makes the following Rules, namely :-

RULES

1. (1) These rules may be called the "Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service)(fourth amendment) Rules, 2020.
 - (2) They shall come into force on the date of their final publication in the official gazette.
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2. In the Tripura Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1980 (hereinafter referred to as the principal rules), in rule 3,-

(i) in sub-rule (1),-

(a) the words “in triplicate”, shall be omitted;

(b) for the words “to the registering officer of the area in which the establishment sought to be registered is located”, the words “online on the Shram Suvidha Portal of the Labour Directorate or any other web portal notified by the Government of Tripura”, shall be substituted;

(ii) for sub-rule (2), the following sub-rule shall be substituted, namely,-

“(2) The payment of fees for the registration of the establishment referred to in sub-rule (1) shall be made through e-payment”;

(iii) Sub-rule (3) shall be omitted;

(iv) for sub-rule (4), the following sub-rule shall be substituted, namely,-

“(4) On submission of e-application referred to in sub-rule (1) by the applicant, an automated acknowledgement shall be generated electronically on the web portal specified in the said sub-rule”;

3. In the principal rules, in rule 4,-

(i) in sub-rule (1),-

for the words “Where the registering officer registers the establishments, he shall issue to the principal employer a certificate of registration”, the words, figures and brackets “The certificate of registration issued under sub-section (2) of Section 4 of the Act shall be generated electronically and shall be made available to the applicant online” shall be substituted;

(ii) sub-rule (2) shall be omitted.

(iii) in sub-rule (3) for the words “to the registering officer”, the words, figures and brackets “online on the web portal specified in sub-rule(1) of rule 3” shall be substituted.

4. In the principal rules, in rule 5,-

(i) in sub-rule (1), after the words “in all respects”, the words “then, by recording his observations online”, shall be inserted;

5. In the principal rules, in rule 6, in sub-rule(1), -

- (i) after the words “principal employer to deposit”, the words “by e-payment” shall be inserted;
- (ii) the words “and to produce receipt showing such deposit” shall be omitted;

6. In the principal rules, in rule 7,-

(i) in sub-rule (1),-

- (a) for the words “in triplicate,” the words, figures and brackets “online on the web portal specified in sub-rule (1) of rule 3” shall be substituted.
- (b) the words “to the licensing officer having jurisdiction in relation to the area where in recruitment is made” shall be omitted”.

(ii) in sub-rule (2),-

- (a) after the words “shall be made”, the words, figures and brackets “online on the web-portal specified in sub-rule (1) of rule 3” shall be inserted.
- (b) the words “to the licensing officer having jurisdiction in relation to the area wherein the establishment is situated”, shall be omitted.

(iii) in sub-rule (3),-

- (a) in clause (i) for the words “accompanied by a”, the words “accompanied by uploading a copy of the” shall be substituted.
- (b) clause (ii) shall be omitted;

(iv) for sub-rule (4), the following sub-rule shall be substituted, namely, -

“(4) On e-submission of the application referred to in sub-rule (1) or sub-rule (2) by the applicant, an automated acknowledgement shall be generated electronically on the web - portal specified in sub-rule (1) of rule 3”;

(v) for sub-rule (5), the following sub-rule shall be substituted, namely,-

“(5) The deposit of security referred to in rule 10 and the payment of fees at the rates specified in rule 12 for application referred in sub-rule (1) or sub-rule (2) shall be made by e-payment”;

7. In the principal rules, in rule 9, in clause (ii) of sub-rule (2),-

after the words "communicated to the applicant", the words, figures and brackets "online through the web-portal specified in sub-rule (1) of rule 3" shall be added;

8. In the principal rules, in rule 10, in sub-rule (2),-

for the words "the applicant need deposit in such a case", the words "the applicant need to deposit, by e-payment, in such a case", shall be inserted;

9. In the principal rules, in rule 11,-

in sub-rule (1), after the words "Section 8 shall be", the words "generated electronically" shall be inserted;

10. In the principal rules, in rule 13,-

- (i) in sub-rule (2), for the words "to the licensing officer", the words, figures and brackets "online on the web-portal specified in sub-rule (1) of rule 3", shall be substituted;
- (ii) in sub-rule (3), in clause (i), for the words "a crossed demand draft for", the words "by e-payment" shall be substituted;
- (iii) in sub-rule (4), after the words "to the applicant" the words and figures "online through the web-portal specified in sub-rule (1) of rule 3", shall be added;

11. In the principal rules, in rule 14,-

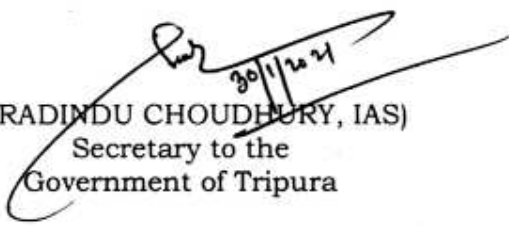
- (i) in sub-rule(1), for the words "may apply to the licensing officer for renewal", the words and figures "shall apply online through the web-portal for auto-renewal specified in sub-rule (1) of rule 3", shall be substituted;
- (ii) in sub-rule (2), the words "in triplicate" shall be omitted;

12. In the principal rules, rule 20 shall be omitted.

13. In the principal rules, for rule 24,-

the following rule shall be substituted, namely:-

"Every employer and contractor shall upload a unified annual return online on or before the 1st day of January every year on the web-portal specified in sub-rule(1) of rule 12 giving information as to the particulars specified in respect of the preceding year".


(SARADINDU CHOUDHURY, IAS)
Secretary to the
Government of Tripura

FORM XI
[SEE RULE 24]
UNIFIED ANNUAL RETURN
A
General part:

(a) Name of the establishment _____
Address of the establishment: House No./Flat No. _____ Street/ Plot No. _____
Town _____ District _____ State _____ Pin Code _____

(b) Name of the employer _____
Address of the employer: House No./Flat No. _____ Street/ Plot No. _____
Town _____ District _____ State _____ Pin Code _____
E-mail ID _____ Telephone No. _____ Mobile No. _____

(c) Name of the manager or person responsible for supervision and control of the establishment _____

Address: House No./Flat No. _____ Street/Plot No. _____ Town _____
District _____ State _____ Pin Code _____
E-mail ID _____ Telephone No. _____ Mobile No. _____

Part B:

Employer's Registration/ License number under the Acts mentioned in table

Sl.No	Name of the Act	Registration No	Licence No
1	Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996		Not Applicable
2	Contract Labour (Regulation and Abolition) Act, 1970		
3	Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979		
4	Motor Transport Workers Act, 1961		Not Applicable
5	The Plantation Labour Act, 1951		Not Applicable
6	The Beedi and Cigar workers (Conditions of Employment) Act, 1966	Not Applicable	

Part C.

Details of Principal Employer, Contractor and Contract Labour:

1	Name of the principal employer in the case of a contractor's establishment.	
2	Date of commencement of the establishment.	
3	Number of contractors engaged in the establishment during the year.	
4	Total Number of days during the year on which contract labour were employed	
5	Total number of man-days worked by contract labour during the year	
6	Name of the Manager /Agent (if any)	
7	Address of the employer _____ House No./Flat No. _____ Street/Plot No. _____ Town _____ District _____ State _____ Pin Code _____ E-mail ID _____ Telephone Number _____ Mobile No _____	

Part D.

Working hours and week day:

1	Number of working days during the year.	
2	Number of man-days worked during the year.	
3	Daily hours of work.	
4	Weekly day of rest.	

Part E.

Maximum number of persons employed in any day during the year.

Sl. No	Male	Female	Adolescents (between the age of 14 to 18 years.)	Children (below 14 years of age.)	Total

Part F.

Wage rates (Category Wise):

Category	Rate of Wages	Number of workers							
		Regular				Contract			
		Male	Female	Children	Adolescent	Male	Female	Children	Adolescent
Highly Skilled									
Skilled									
Semi-skilled									
Un-skilled									

Part G .

(a) Details of Payments:

Gross wages paid		Deductions			Net wages paid	
In cash	In kind	Fines	Deductions for damage or loss	Others	In cash	In kind

(b) Number of workers who were granted leave with wages during the year.

Sl. No.	During the year	Number of workers	Granted leave with wages

Part H.

Details of various welfare amenities provided under the statutory schemes

Sl. No.	Nature of various welfare amenities provided	Statutory (specify the statute)

Part I

The Maternity Benefit

(a) Details of establishment, medical and paramedical staff:

1.	Date of opening of establishment	
2	Date of closing , if closed	
3	Name of Medical Officer	
3(i)	Qualification of Medical officer	
3(ii)	If a part time, how often does he/ she pay visit to establishment	
3(iii)	Is there any Hospital?	
3(iv)	If, so how many beds are provided ?	
3(v)	Is there a lady Doctor ?	
3(vi)	If so, what is her qualification?	
3(vii)	Is there a qualified mid – wife?	
3(viii)	Has any crèche been provided?	

(b) Leave Granted under the Maternity Benefit

1	Total number of female employees in the establishment	
2	Total number of leave granted	
3	Number of employees granted maternity leave	

Part J

Building and Others Construction Workers

A	Maximum number of building workers employed on any day during the year		
B	The number of accidents that took place during the year		
B1(i)	The number of accidents resulting in disablement of building workers for less than 48 hours		
B1(ii)	The number of building workers involved		
B1(iii)	The number of man-days lost		

B2(i)	The number of accidents resulting in disablement of building workers beyond 48 hours but not resulting in any permanent partial or permanent total disablement		
B2(ii)	The number of building workers involved		
B2(iii)	The number of man-days lost on account of such accidents		
B3(i)	The number of accidents resulting in permanent partial or total disablement		
B3(ii)	The number of building workers involved		
B3(iii)	The number of man-days lost on account of such accidents		
B4(i)	The number of accidents resulting in deaths of building workers and the number of resultant deaths		
C	Change, if any, in the management of the establishment, its location, or any other particulars furnished to the Registering Officer in the application for Registration indicating also the dates		

Part K

The payment of Bonus

Number of Employees benefitted by bonus payment:

1	2	3	4	5	6	7
Total amount payable as bonus	Settlement if any, reached	Percentage of bonus declared	Total amount of bonus actually paid	Date on which payment made	Whether bonus has been paid to all the employees, if not reason for non-payment	Remarks

Part L

The Inter- State Migrant Workmen

1	Number of Contractors worked in the Establishment during the Year	
2	Nature work / Operation in which inter – state migrant workmen were employed	
3	Maximum number of inter - state migrant workmen employed	
4	Total number of days during the year on which migrant workmen were employed	
5	Total number of man – days of inter – state migrant workmen worked:	

DECLARATION

It is to certify that the above information are true and correct and I also certify that I have complied with all the provisions of Labour Laws applicable to my establishment.

Place :-

Date :-

Signature of the Employer
with seal