

TalEzine - December '20 Monthly Edition

List of Holidays 2021

The below mentioned state holiday lists has been released through the appropriate Government gazettes;

- ▶ Andaman and Nicobar Islands Union Territory List of Holidays 2021 [Download](#)
- ▶ Mizoram State List of Holidays 2021 [Download](#)
- ▶ Chhattisgarh State List of Holidays 2021 [Download](#)
- ▶ Puducherry Union Territory List of Holidays 2021 [Download](#)
- ▶ Gujarat State List of Holidays 2021 [Download](#)
- ▶ Delhi State List of Holidays 2021 [Download](#)
- ▶ West Bengal State List of Holidays 2021 [Download](#)
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- ▶ Tamil Nadu State List of Holidays 2021 [Download](#)
- ▶ Maharashtra State List of Holidays 2021 [Download](#)
- ▶ Haryana State List of Holidays 2021 [Download](#)
- ▶ Rajasthan State List of Holidays 2021 [Download](#)

Kerala Shops and Commercial Establishments (Amendment) Ordinance, 2020

Vide Notification No. 15354/Leg.C2

As per the notification, the Government of Kerala has amended Kerala Shops and Commercial Establishments Ordinance. As per the amendment the Shop and Commercial Establishments registration certificate shall be automatically renewed on submitting an application along with the prescribed fees through the Labour Commissionerate Automation System (<https://lcas.kerala.gov.in/office/index.php>). Please refer to the notification for more details

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The Factories (Bihar Amendment) Act, 2020

Vide Notification No. 16 of 2020

As per the notification, the Government of Bihar has repealed The Factories (Bihar Amendment) Ordinance, with ordinary legislation to be known as The Factories (Bihar Amendment) Act, 2020. As per the notification, the government has increased the threshold limit for applicability to the Factories Act, 1948 from ten or more workers to twenty or more workers for factories operating with the aid of power and from twenty or more workers to forty or more workers for factories operating without the aid of power. Please refer to the notification for more details

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Draft Rules Under Code on Social Security

Vide Notification No. G.S.R. 713 (E)

As per the notification, the draft rules provide for operationalization of provisions in the Code on Social Security, 2020 relating to Employees' Provident Fund, Employees' State Insurance Corporation, Gratuity, Maternity Benefit, Social Security and Cess in respect of Building and Other Construction Workers, Social Security for Unorganized Workers, Gig Workers and Platform Workers. The draft rules also provide for Aadhaar based registration including self-registration by unorganized workers, gig workers and platform workers on the portal of the Central Government. Ministry of Labour and Employment has already initiated action for development of such portal. For availing any benefit under any of the social security schemes framed under the Code, an unorganized worker or a gig worker or platform worker shall be required to be registered on the portal with details as may be specified in the scheme.

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Centre Notifies Draft Rules for Industrial Relations Code

Vide Notification No. G.S.R. 684(E)

The ministry has sought comments from stakeholders within 30 days after which the rules will be finalized. Parliament had recently approved three labour codes. These include the IR Code, the Code on Social Security and the Code on Occupational Safety, Health and Working Conditions.

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The Occupational Safety, Health and Working condition

Vide Notification No. G.S.R.729(E)

As per the notification, the Central Government notified the draft Occupational Safety, Health and Working Conditions (Central) Rules, 2020 ("OSH Rules") under the Occupational Safety, Health and Working Conditions Code, 2020 ("OSH Code") for seeking public comment. When enforced, the OSH Rules will apply to establishments for which the "appropriate Government" is the Central Government. The State Governments, which are the "appropriate Government" for, amongst others, private establishments, may draft their State-specific rules or adopt the OSH Rules with appropriate modifications.

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Invest Punjab Business Introduced Online Portal

Vide Notification No.21/46/2017-2L/1754

As per the notification, to increase the transparency and eliminate physical touch points, it has been decided to replace multiple electronic interface by various regulatory department and agencies providing services to the industries through their lifecycle by setting up unified Invest Punjab Business First (www.pbindustries.gov.in) for providing robust online facility for availing various regulatory clearances and fiscal Incentives under the Industrial and Business Development Policy 2017.

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A Self-Certification-Cum-Consolidated Annual Returns Scheme for Factories and Establishments

Vide Notification No. Misc-2015/C.R.No.76/Lab-9

As per the notification, the Government of Maharashtra Resolution date 23/06/2015, the Government of Security Deposit prescribed under paragraph no.2 is hereby deleted. This Government Corrigendum of Maharashtra Government is available at the website www.maharashtra.gov.in. This corrigendum has been digitally signed. By order and in the name of the Governor of Maharashtra.

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Grant of Quarantine Leave to Employees Infected by Corona Virus in Karnataka

Vide Notification No. KAE 66 KaBani (part-I)

As per the notification, the Government of Karnataka has issued below advisory to employers of all public or private companies in the state:- (1) The period of Quarantine of Employees/Workmen infected by Coronavirus shall not be treated as unauthorised absence (2) Employers advised to Enable the Employees/Workmen infected by Corona virus to utilize leaves under their Quota for the period of quarantine (3) The Employees/Workmen who are not coming under the purview of ESIC, even if they are not entitled for leave, if infected by the corona virus, taking in to consideration the larger interest of society, to be granted leave as available/possible, in term of their employment to undergo quarantine (4) In case Employees/Workmen who are infected by Corona Virus who do not have leave in their account, employers advised to facilitate transfer of leave from the account of other Employees/Workmen and enable them to undergo the quarantine (5) In case Employee who do not have leave under their quota and when it is already fully utilized, employers advised to provide for advance leave which the Employees are eligible to avail in the future so that the infected Employees/Workmen may undergo quarantine (6) When the Employees are unable to grant leave on their own initiative to Employees and such Employees do not have any kind of leave under their Quota, both Employer and Employees to consult with each other regarding granting of special leaves for the period and come to an amicable solution. Hence Employers in Karnataka are advised to follow the guidelines in order to ensure maximum containment of COVID-19 and the utmost safety of all employees at their establishments

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Amendment to Shops and Establishments in Madhya Pradesh

Vide Notification No. 03/01/2020/1920-55(2)

As per notification, the Government of Madhya Pradesh has made the provision under Section 13 non-applicable where every shop and commercial establishment shall remain closed on one day of the week. This exemption is applicable to Shops and Commercial Establishment registered under The Madhya Pradesh Shops And Establishments Act, 1958 are subject to condition that employee shall be allowed a paid weekly holiday by the Employer. Please refer notification for more details

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Haryana Labour Welfare Fund Online Mode Under the PLWF Act, 1965

Vide Notification No.7231-7374

As per the notification, The Punjab Labour Welfare Fund Act, 1965 shall be deposited by every employer through online mode on the website of the Labour Department.

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Online Registration and Enrolment Under the Tripura Professions, Trades, Callings and Employments Taxation Act, 1997

Vide Notification No. F-1-8(13)-TAX/2017(Part-I)

As per the notification, the Government of Tripura has announced as the provision of Ease of Doing Business (EoDB) for ease of stakeholders, the information on fees, procedure and a comprehensive list of all documents are provided on the website for obtaining registration and enrolment under The Tripura Professions, Trades, Callings And Employments Taxation Act, 1997. As per the notification, the applicant may apply online for enrolment under profession tax by visiting web-portal (<http://ptax.tripura.gov.in/>) and applicant also for registration under professional tax may visit single-window approval by all government agencies in Tripura (SWAAGAT) web portal: <https://swaagat.tripura.gov.in/>. Please refer notification for more details

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The Contract Labour (Regulation And Abolition) (Bihar Amendment) Ordinance, 2020

Vide Ordinance No. 06

As per notification, The Factories (Bihar Amendment) Act, 2020

The Government of Bihar vide notification No. 16 of 2020 has repealed The Factories (Bihar Amendment) Ordinance, 2020 with ordinary legislation to be known as The Factories (Bihar Amendment) Act, 2020. As per the notification, the government has increased the threshold limit for applicability to the Factories Act, 1948 from ten or more workers to twenty or more workers for factories operating with the aid of power and from twenty or more workers to forty or more workers for factories operating without the aid of power. Please refer to the notification for more details

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The Industrial Disputes (Bihar Amendment) Act, 2020

Vide Notification No.15 of 2020

As per the notification, the Government of Bihar has repealed The Industrial Disputes (Bihar Amendment) Ordinance, 2020 with ordinary legislation to be known as The Industrial Disputes (Bihar Amendment) Act, 2020. As per the notification, Section 25 K of Industrial Disputes Act, 1947 which specifies provisions relating to layoffs, retrenchment, closure of certain establishment, will be applicable to an industrial establishment where the number of workmen employed are not less than three hundred workmen instead of the existing two hundred workmen. Please refer to the notification for more details

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The Factories (Punjab Amendment) Act, 2020

Vide Notification No. 22-Leg./2020

As per the notification, the Government of Punjab has repealed The Factories (Punjab Amendment) Ordinance, 2020 with ordinary legislation to be known as the Factories (Punjab Amendment) Act, 2020. As per the notification, the government has increased the threshold limit for applicability to the Factories Act, 1948 from ten or more workers to twenty or more workers for factories operating with the aid of power and from twenty or more workers to forty or more workers for factories operating without the aid of power. The notification also amends the number of hours allowed to work overtime in any quarter from seventy-five hours to one hundred and fifteen hours. Please refer to the notification for more details

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The Puducherry Child Labour (Prohibition And Regulation) (Amendment) Rules, 2020

Vide Notification No. G.O.Ms.No.09/AIL/Lab/G/2020

(Awareness on prohibition of employment of child and adolescents in contravention to Act), Rule 2B(Child to help his family without affecting education), Rule 2C (Child to work as an artist), Rule 15A (Hours of Work), Rule 16A (Payment of amount to child or adolescent from and out of Child and Adolescent Labour Rehabilitation fund), Rule 17A (Persons who may file complaint), Rule 17B (Manner of compounding offences), Rule 17C (Duties of District Magistrate), Rule 17D (Duties of Inspector), Rule 17E (Periodical inspection and monitoring) of The Puducherry Child Labour (Prohibition and Regulation) Rules, 1995. As per Amendment, Employers of adolescent to produce to the Inspector a certificate of age from the Appropriate medical authority and employer should be aware of the provision of the Act. Please refer notification for more details

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The Haryana State Employment of Local Candidates Bill, 2020 (Oct 2020)

Vide Notification No. 33-HLA of 2020/83/16641

As per the notification, the Government of Haryana has proposed "The Haryana State Employment of Local Candidates Bill, 2020" to provide reservation to the local candidates of Haryana in private employment. The below mentioned is the brief of the bill (1) Applicability:- The said Act is applicable for Companies, Societies, Trusts, Limited Liability Partnership firms, Partnership Firm and any person employing ten or more persons and an entity, as may be notified by the Government, from time to time. (2) Registration Liability:- The employer shall register such employees receiving a gross monthly salary or wages not more than fifty thousand rupees or as notified by the Government, from time to time. (3) Recruitment Liability:- Every employer shall employ seventy-five percent of the local candidates with respect to such posts where the gross monthly salary or wages are not more than fifty thousand rupees or as notified by the Government. (4) Exemption:- Employer may seek exemption from the requirement as mentioned in above para (3) where an adequate number of local candidates of the desired skill, qualification, or proficiency is not available by applying to the Designated Officer in such form and manner. (5) Consequences:- The penalty which shall not be less than ten thousand rupees, but which may extend up to fifty thousand rupees. Please refer to the bill for more information.

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Payment of Overtime Wages to All Eligible Workers Under Factories Act 1948 in Gujarat

Vide Notification No. GHR/2020/146/FAC/142020/346/M3

As per the notification, the Honourable Supreme Court of India has quashed the Gujarat government's notification exempting industries in the state from certain provisions of the Factories Act, 1948 relating to the payment of overtime wages, weekly restrictions, daily hours, intervals, etc on grounds of Covid-19 pandemic-induced lockdown restrictions. In accordance with the Supreme Court order, the Government of Gujarat has directed all factories registered under the Factories Act 1948 to pay overtime wages to all eligible workers who have been working since the issuance of the said notification. Please refer to the notification for more details

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Risk Assessment Based Inspections Under the Factories Act, 1948 in Tripura

Vide Notification No. F.2(345)-FB/EOB(SRAP)/2020/1627-32

As per the notification, the Government of Tripura has issued an order to introduce computerized systems of Risk Assessment based inspections with random allocation of Inspecting Officers will be carried out by the Ease of Doing Business in the State. As per the order, inspectors will be facilitated out by respective Inspection Officers to categorized establishments as Low Risk / Medium Risk / High Risk depending upon the number of workers employed. The frequency for inspection of industries under the Low-Risk category will be eighteen months, the Medium Risk category is twelve months, establishments under the High-Risk category inspections will be in three months. Therefore, the aforementioned scheme shall be applicable to the following acts, The Factories Act, 1948. Please refer to the notification for more details

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Amendment Under Madhya Pradesh Factories, Rules 1962

Vide Notification No. F-1-4-2020-A-XVI

As per the notification, the Government of Madhya Pradesh has inserted new provision under Rule 123A (Third Party Certification) of Madhya Pradesh Factories, Rules 1962. As per Rule 123A (Third Party Certification) of Madhya Pradesh Factories, Rules 1962, Labour Commissioner may recognise any person or institution who is recognised by Chief Inspector of Factories as Competent Person Or Institute. Please refer notification for more details

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Declaration of Paid Holiday During Panchayat Bye-Election in Haryana

Vide Notification No.F/W/Election-2020/5948

As per the notification, the Governor of Haryana has declared as a paid holiday to enable the workers who are working in the Factories in the State of Haryana and are enrolled as the voters at Sarpanch, Gram Panchayat Nissing (Gramin), Block Nissing, Distt. Karnal to cast their votes. This exception is subject to the condition that no adult worker shall be required or allowed to work on 15th December 2020 (Tuesday) in the factories of the state. Please refer to the notification for more details.

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Digital Maintenance of Records and Registers in a Single Online Platform Under Various Labour Laws in West Bengal

Vide Notification No. Labr/1699/ESTT

As per the notification, the Labour Department of West Bengal has informed that all statutory registers and records required under various labour laws are now allowed to be maintained online and/or in a Single Digital Platform. The registers and records so maintained shall be subject to scrutiny and inspection by authorities as and when required under the relevant Acts and Rules. Please refer to the notification for more details

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Introduction of Non-Discretionary Auto-Renewal of the Licenses Granted Under Various Labour Laws in West Bengal

Vide Notification No. Labour/1697/ESTT

As per the notification, the Labour Department of West Bengal has introduced the non-discretionary auto-renewal of (i) Licenses granted under the Factories Act, 1948 (ii) Licenses for contractors under the Contract Labour (Regulation and Abolition) Act, 1970 (iii) Licenses granted to the contractors under the Inter-State Migrant Workmen Act, 1979. This shall be done through the online portal (<https://wblc.gov.in/e-services>) and shall be processed immediately. Please refer to the notification for more details

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Amendment to the West Bengal Labour Welfare Fund Act, 1974

Vide Notification No. Labr/1700/ESTT

As per the notification, the Government of West Bengal vide has amended the West Bengal Labour Welfare Fund Act, 1974. As per the amendment, the employer's and employee's contribution to the board shall be paid electronically through the designated portal (<https://wblc.wblabour.gov.in/wblabour/>). Please refer to the notification for more details

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The Meghalaya Minimum Wages Notification (Oct 2020)

Vide Notification No. LBG 75/2012/393

As per notification, the Government of Meghalaya has declared the minimum rates of wages in the state of Meghalaya effective from 1st October 2020

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The Haryana Minimum Wages Notification (July 2020)

Vide Notification No. I.R.-2/2020/11083-11109

As per the notification, the Government of Haryana has released the variable dearness allowance towards Minimum Wages effective from 1st July 2020

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The Jharkhand Minimum Wage Notification (Oct 2020)

Vide Notification No. 2/MW-2021/2010, I&T-1310

As per the notification, the Government of Jharkhand has released the Minimum Wages effective from 1st October 2020

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The Assam Minimum Wages Notification (Jun 2020)

Vide Notification No. GLR.503/81/Pt-I/141

The Government of Assam, has released revised minimum rates of wages (variable dearness allowance) state of Assam effective from 1st June 2020

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The Kerala Minimum Wages Notification (Sep 2020)

Vide Notification No. DES/953/2020-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 establishments and employment in Computer Software Sector. 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 September 2020 are as ascertained by the Director-General of Economics & Statistics under clause (C) of Section 2 of the Act

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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)	
Haryana	Highly Skilled	12071.29				01-Jul-20
	Skilled - A	10949.01				01-Jul-20
	Skilled - B	11496.47				01-Jul-20
	Semi Skilled A	9931.08				01-Jul-20
	Semi Skilled B	10427.62				01-Jul-20
	Unskilled	9458.20				01-Jul-20
Jharkhand	Highly Skilled	12458.16				01-Oct-20
	Skilled	10793.91				01-Oct-20
	Semi Skilled	8181.54				01-Oct-20
	Unskilled	7809.55				01-Oct-20
Assam	Highly Skilled	16185.00				01-Jun-20
	Skilled	12588.90				01-Jun-20
	Semi Skilled	10070.80				01-Jun-20
	Unskilled	8631.90				01-Jun-20

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Sources:

Government Notifications, Press Releases, Labour Department Announcements through Circulars.



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