

**GOVERNMENT OF PUDUCHERRY
ABSTRACT**

Labour – Act and Rules – The Contract Labour (Regulation and Abolition) Act, 1970 read with the Puducherry Contract Labour (Regulation & Abolition) Rules, 1973 – Amendment of the Pondicherry Contract Labour (Regulation and Abolition) Rules, 1973 – Draft Notification – Issued.

11 NOV 2019

LABOUR DEPARTMENT

G.O.Ms.No. 13 /AIL/Lab/G/2019

Puducherry, the

READ: This Department's I.D.No.9/AIL/LAB/G/2018, dated 11.10.2019.

ORDER:

The following Notification shall be published in the next issue of the Official Gazette of Government of Puducherry:-

NOTIFICATION

The draft of the following rules further to amend the Puducherry Contract Labour (Regulation & Abolition) Rules, 1973, which the Lieutenant-Governor, Puducherry has proposed to make in exercise of the powers conferred under section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (Central Act 37 of 1970), is hereby published as required under sub-section (1) of section 35 of the said Act for information of all persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration on the expiry of forty-five days from the date of publication of this notification in the official Gazette.

2. Objection or suggestion which may be received from any person by the Government of Puducherry in respect of the said draft rules within the period specified above will be considered by the Government.

3. Objections or suggestions shall be addressed to the Secretary to Government, Labour Department, Puducherry.

DRAFT RULES

1. *Short title and commencement.*— (1) These rules may be called the Puducherry Contract Labour (Regulation and Abolition) Amendment Rules, 2019.

(2) These rules shall extend to the whole of the Union territory of Puducherry.

(3) They shall come into force on and from the date of their publication in the Official Gazette of Government of Puducherry.

2. *Amendment of rule 17.*— (a) In the Puducherry Contract Labour (Regulation & Abolition) Rules, 1973, (hereinafter referred to as the said rules), in sub-rule (1) of rule 17, after the expression '**shall be made**', the expression, "**through the on-line portal of the Labour Department, Puducherry**" shall be inserted and the words '**in triplicate**' shall be deleted.

(b) in sub-rule (2), after the expression, "**by a treasury receipt**", the expression "**or by on-line payment through the on-line portal of Government of Puducherry**", shall be inserted.

3. *Amendment to rule 18.*— (a) In the said rules, in sub-rule (1) of rule 18, after the expression "granted", the expression, "through the on-line portal of the Labour Department, Puducherry" shall be inserted.

(b) In the said rules, in sub-rule (3) of rule 18, after the expression 'register', the expression "through the on-line portal of the Labour Department, Puducherry" shall be inserted.

4. *Amendment to rule 21.*— (a) In the said rules, in sub-rule (1) of rule 21, after the expression "shall be made", the expression " through the on-line portal of the Labour Department, Puducherry" shall be inserted and the words 'in triplicate' shall be deleted.

(b) In the said rules, in sub-rule (2) of rule 21, after the expression 'by a certificate', the expression "through the on-line portal of the Labour Department, Puducherry" shall be inserted.

5. *Amendment to rule 24.*— In the said rules, for sub-rule (2) of rule 24, the following shall be substituted, namely:-

"(2) The amount of security deposit: shall be paid by online payment through on-line portal of Government of Puducherry under the head of Account 8443 Civil Deposits-116 Deposits under various Central and State Acts Deposits under the Contract Labour (Regulation and Abolition) Act, 1970".

6. *Amendment to rule 29.*— In the said rules, in sub-rule (2) of rule 29, after the expression 'shall be', the expression "through the on-line portal of the Labour Department, Puducherry" shall be inserted and the words 'in triplicate' shall be deleted.

7. *Amendment to rule 32.*— In the said rules, in sub-rule (2) of rule 32, after the expression "shall be made" the expression "through the on-line portal of the Labour Department, Puducherry" and after the expression "by a treasury receipt" the expression "or by online payment through the on-line portal of Government of Puducherry" shall be inserted and the words 'in triplicate' shall be deleted.

8. *Amendment to rule 38.*— In the said rules for rule 38, the following shall be substituted, namely:-

"38. *Payment of fees.*— Unless otherwise provided in these rules all fees to be paid by online payment, through on-line portal of Government of Puducherry under the relevant head of Account viz., 0230-Labour & Employment 106-Fees under the Contract Labour (Regulation and Abolition) Rules, 1973".

9. *Amendment to rule 74.*— In the said rule for rule 74, the following shall be substituted, namely:-

"74. *Register of Contracts.*— Every principal employer shall maintain in respect of each registered establishment a register of contractors in Form-XII at his option be maintained in electronic form".

Provided that during inspection, the inspector may require the production of books, registers and other documents maintained in electronic form.

Explanation - For the purposes of this rule, the expression "electronic form" shall have the same meaning as assigned to it in clause (r) of section 2 of the Information Technology Act, 2000 (21 of 2000)".

10. Amendment to rule 75.— In the said rule for rule 75, the following shall be substituted, namely:-

"75. Register of persons employed.— Every contractor shall maintain in respect of each registered establishment where he employs contract labour a register in Form-XIII which may at his option be maintained in electronic form".

Provided that during inspection, the inspector may require the production of books, registers and other documents maintained in electronic form.

Explanation - For the purposes of this rule, the expression "electronic form" shall have the same meaning as assigned to it in clause (r) of section 2 of the Information Technology Act, 2000 (21 of 2000)".

11. Insertion of new rule 80(6).— In the said rules, after sub-rule (5) of rule 80, the following shall be inserted, namely:-

"(6).— All the books, registers and records required to be maintained under the said rules stipulated under the Puducherry Contract Labour (Regulation & Abolition) Rules, 1973, shall be at the discretion of the employer may be maintained in electronic form.

Provided that during inspection, the inspector may require the production of books, registers and other documents maintained in electronic form.

Explanation:- for the purposes of this rule, the expression "electronic form" shall have the same meaning as assigned to it in clause(r) of section 2 of the Information Technology Act, 2000 (21 of 2000)."

12. Amendment to rule 82.— (a) In the said rules, in sub-rule (1) of rule 82, after the expression 'half-yearly return', the expression **"through the on-line portal of the Labour Department, Puducherry"** shall be inserted and the words '(in duplicate)' shall be deleted.

(b) In the said rules, in sub-rule (2) of rule 82, after the expression 'send annually a return', the expression **"through the on-line portal of the Labour Department, Puducherry"** shall be inserted and the words '(in duplicate)' shall be deleted.

//BY ORDER OF THE LIEUTENANT-GOVERNOR//

(E. VALLAVAN)

ADDITIONAL SECRETARY TO GOVERNMENT
(LABOUR)

To

The Director of Stationery & Printing, Puducherry, } with a request to supply 50 copies of the notification to this Department.

Copy to:

1. The District Collector, Puducherry/Karaikal.
2. The Regional Administrator, Mahe/Yanam.
3. The Deputy Labour Commissioner, Puducherry.
4. The Inspector of Factories, Puducherry/Karaikal.
5. The Labour Officer (Enforcement), Puducherry
6. The Labour Officer, Karaikal.
7. The Assistant Inspectors of Labour, Puducherry/Karaikal/Mahe/Yanam.
8. The Web Master, Labour Department, Puducherry, 9. G.O. Copy /Spare.