



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LABOUR WELFARE DEPARTMENT ::: LABOUR (RC) BRANCH

NOTIFICATION

The 24th August, 2026

No.E-246420/580.-The following draft of certain rules which the Governor of Assam proposes to make in exercise of the powers conferred by sections 154 and 156 of the Code on Social Security, 2020 (Central Act No. 36 of 2020), is hereby published as required under sub-section (1) of section 154 and sub-section(1) of section 156 of the said Code, in cancellation of the earlier draft rules published in the Official Gazette vide Government Notification No. GLR(RC) 69/2020/89, dated 21st October,2021 in the Assam Gazette Extraordinary No. 500, dated 27th October,2021, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft Notification shall be taken into consideration on or after the expiry of the period of 45 (forty-five) days from the date of publication of this Notification in the Official Gazette.

Any objections or suggestions which may be received from any individual with respect to the said draft rules before the expiry of the period above shall be considered by the Government of Assam.

Objections or suggestions which if any, may be sent to the Senior Most Secretary to the Government of Assam, Labour Welfare Department, Janata Bhawan, Dispur, Guwahati-6, Assam or by e-mail to labour.assam@gmail.com.

DRAFT

THE ASSAM SOCIAL SECURITY RULES, 2026

CHAPTER I

PRELIMINARY

Short title and
commencement

- (1) These rules may be called the Assam Social Security Rules, 2026.
- (2) They shall come into force on the date of their publication in the Official Gazette.

Definitions

2. (1) In these rules, unless the context otherwise requires,-

- (a) “Appellate Authority” means the Labour Commissioner, Assam as required under sub-section (8) of section 56, sub-section (3) of section 72 and an Officer, senior in rank to the Assessing Officer for the purposes of section 105, as the case may be;
- (b) “Assessing Officer” means a gazetted officer of a State Government or an officer of a local authority holding an equivalent post to a gazetted officer of the Government appointed by the Government for assessment of Cess under the Code;
- (c) “Board” means the Assam Unorganised Workers' Social Security Board constituted under sub-section (9) of section 6 and the Assam Building and other Construction Workers Welfare Board constituted under sub-section (1) of section 7 of the code;
- (d) “cess collector” means an officer appointed by the Government for collection of cess under section 100 of the Code;
- (e) “Chairperson” means the Chairperson of the Assam Unorganised Workers' Social Security Board and the Chairperson of the Assam Building and Other Construction Workers' Welfare Board;;
- (f) “Code” means the Code on Social Security,2020 (Central Act 36 of 2020);
- (g) “electronically” means any information submitted by email or uploading on the designated portal or digital payment in any mode for the purpose of Code;
- (h) 'form' means a form appended to these rules;
- (i) “fund” means,-
 - (i) the Employees' State Insurance Fund under section 25;
 - (ii) the Employees' Provident Fund under section 16;
 - (iii) the Employees' Pension Fund under clause (b) of sub-section (1) of section 16;
 - (iv) the Employees' Deposit-Linked Insurance Fund under clause (c) of sub-section (1) of section 16;
 - (v) Social Security Fund under sub-section (5) of section 141;
 - (vi) Building and other Construction Workers' Welfare Fund under section 108;
- (j) “Government” means the Government of Assam;
- (k) “immovable property” includes land, benefits to arise out of land, things attached to the earth, or permanently fastened to anything attached to the earth;

- (l) “movable property” means property of every description except immovable property;
 - (m) “Nodal officer” means a person designated by the Building and Other Construction Workers’ Welfare Board or the Government to facilitate the registration, renewal and updation or any such other function of Building Workers working in the Private Sector, Government, Central Government and Public Sector Undertakings of the Central and the State Governments or local authority electronically or otherwise. The Nodal officer shall also supervise and monitor the functions of the Beneficiary Registering Officers designated by the Government;
 - (n) “nomination” means nomination made under section 55;
 - (o) “Schedule” means the schedules appended to the Code;
 - (p) “section” means a section of the Code;
 - (q) “year” means the financial year beginning from the first of April and ending with the thirty-first of March of the following year.
- (2) Words and expressions used in these rules which are not defined herein, but are defined in the Code shall have their respective meaning as assigned to them in the Code.

CHAPTER-II

ASSAM UNORGANISED WORKERS SOCIAL SECURITY BOARD

Manner of exercise of powers and discharge of functions under sub-section (9) of section 6

3. For the purposes of sub-section (9) of section 6 of the Code, the Assam Unorganised Workers' Social Security Board shall exercise its powers and discharge its functions in the following manner, namely:—
- (1) Making recommendations to the Government.—
 - (i) The Board may examine any matter relating to social security and welfare of unorganised workers either on its own motion or on a reference made by the Government.
 - (ii) The Board may formulate its recommendations on the basis of available data, reports, stakeholder consultations, field studies, surveys, or reports of committees constituted by it or any Department of the Government.
 - (iii) Every recommendation of the Board shall be considered and approved by a majority of the members present and voting at a meeting of the Board convened in accordance with these rules.
 - (iv) The Member-Secretary shall, within thirty days from the date of approval of the recommendation by the Board, forward the recommendations together with the minutes of the meeting and such supporting documents as may be necessary to the Government for its consideration.

- (v) The Board may further recommend—
 - (a) formulation of new social security or welfare schemes;
 - (b) modification or strengthening of existing schemes;
 - (c) administrative or policy measures for effective implementation of the Code;
 - (d) budgetary requirements for implementation of welfare schemes; and
 - (e) such other measures as may be necessary for securing the welfare of unorganised workers.
- (2) Monitoring implementation of welfare schemes:-
 - (i) The Board shall periodically review the implementation of social security and welfare schemes applicable to the unorganised workers under the Code or any other law or scheme administered by the Government;
 - (ii) For the purpose of such review, the Board may call for progress reports, financial statements, beneficiary data, utilisation certificates and any other information from the concerned Departments, Boards, Corporations, Local Authorities or implementing agencies;
 - (iii) The Board may undertake or cause to be undertaken inspections, field visits, surveys, studies or independent evaluations for assessing the implementation and effectiveness of such schemes;
 - (iv) Where deficiencies or implementation gaps are noticed, the Board may recommend appropriate corrective measures to the Government;
 - (v) The Board shall prepare and submit an annual report on the implementation of welfare schemes to the Government.
- (3) Review of worker registration, records and expenditure.—
 - (i) The Board shall periodically review the registration of unorganised workers, including enrolment, updating of records, coverage and accessibility of the registration process. The Boards shall also ensure that all unorganized workers registered with them are onboarded on eShram Portal and should have eShram Universal Account Number (UAN).
 - (ii) The Board shall examine the maintenance of records and databases relating to registered unorganised workers and beneficiaries to ensure their accuracy, completeness and proper maintenance in accordance with applicable law.
 - (iii) The Board shall review the utilisation of funds allocated for implementation of social security and welfare schemes, including expenditure incurred, administrative expenses and outcomes achieved.

- (iv) For the purposes of this sub-rule, the Board may require the concerned Departments or implementing agencies to furnish reports, audited statements, records or any other information considered necessary.
 - (v) The Board may recommend measures for improving registration processes, maintenance of records, financial management, transparency, accountability and service delivery.
- (4) Constitution of committees or working groups.—
- (i) The Board may constitute one or more standing committees, sub-committees or working groups for the efficient discharge of its functions.
 - (ii) A committee or working group may consist of members of the Board and such experts or representatives of Government Departments, employers, workers, academic institutions, research organisations or civil society organisations as the Board may consider necessary.
 - (iii) The Board shall specify the composition, terms of reference, duration and reporting requirements of every committee or working group.
 - (iv) Every committee or working group shall submit its report or recommendations to the Board within such time as may be specified by the Board.
 - (v) No recommendation of a committee or working group shall have effect unless it is considered and approved by the Board.
- (5) The Board may adopt such procedure consistent with the provisions of the Code and these rules, as it considers necessary for the efficient discharge of its functions and for carrying out the purposes of the Code.

Manner of nomination of the Members of Assam Unorganised Workers' Social Security Board under sub-section (12) of section 6

4. The manner of nomination of the Members of the Board under sub-section (12) of section 6 of the Code shall be as follows, namely :-
- (1) Seven members representing unorganized workers, as may be nominated by the Government.
 - (2) Seven members representing employer of unorganized worker:-
 - (i) four to be nominated from recognized and active Industry Associations;
 - (ii) two from State level Organizations; and
 - (iii) one from Licensed Contractors;
 - (3) Two elected members to be nominated from Assam Legislative Assembly;
 - (4) Five members representing from Civil Societies: -
 - (i) one person from the field of Labour Law;

- (ii) one person from eminent Economist/Sociologist with a proven record of working in the field of unorganized workers;
- (iii) one person from the Rural Development Sectors with a proven record of working in the field of unorganized workers, rural workers;
- (iv) one person from Registered Non-Government Organisations with a proven record of working in the field of Domestic unorganized workers;
- (v) one person from the field of Finance with experience of at least five years :

Provided that adequate representation shall be given to persons belonging to Scheduled Castes, Scheduled Tribes, and Women;

- (5) Ten members representing Government departments, namely :-
- (i) the Senior-most Secretary Finance Department or his nominee;
 - (ii) the Senior-most Secretary Industries and Commerce Department or his nominee;
 - (iii) the Senior-most Secretary, Transport Department or his nominee;
 - (iv) the Senior-most Secretary, Panchayat and Rural Development Department or his nominee;
 - (v) the Senior-most Secretary, Women and Child Development Department or his nominee;
 - (vi) the Senior-most Secretary, Health and Family Welfare Department or his nominee;
 - (vii) the Senior-most Secretary , Skill Development Department or his nominee;
 - (viii) the Senior-most Secretary, Judicial Department or his nominee;
 - (ix) the Senior-most Secretary ,Urban Development Department or his nominee; and
 - (x) the Senior-most Secretary, Public Health Engineering Department or his nominee.

Term of Office of the members and other conditions of service of members etc. under sub-section (12) of section 6

5. (1) Term of office:-
- (i) A member, other than an ex-officio member, shall hold office for a period not exceeding **three years** from the date of his nomination and shall hold office at the pleasure of the Government. A member shall be eligible for re-nomination:
 Provided that a non- official member shall not hold the office for more than total two terms.
 - (ii) The non-official member shall be removed by the Government from the Board, if they cease to represent the interest for which he was nominated or if such person attracts any provisions of section 8 of the Code.

- (iii) If the new Board is not reconstituted after the completion of the term of the Board, the existing Board shall continue to discharge its functions till the new Board is reconstituted by the Government through notification.
- (iv) A member nominated under sub-clause (iii) of clause (d) of sub-section (10) of section 6 shall cease to be a member of the Board, if he ceases to be a member of Legislative Assembly.

(2) Resignation:-

- (i) A member of the Board, not being an ex-officio member, may resign his or her office by a letter in writing addressed to the Chairperson.
- (ii) The power to accept the resignation of a member shall be vested upon the Chairperson who, on accepting the resignation, shall report to the Board at its next meeting.
- (iii) The seat of such a member shall fall vacant from the date on which his or her resignation is accepted or on the expiry of **30 (thirty)** days from the date of receipt of intimation of resignation, whichever is earlier.

(3) Vacancy:-

When a vacancy occurs or is likely to occur on completion of the term of a member in the Board, the Chairperson shall submit a report to the Government and on receipt of such report, the Government may, by notification, nominate a person to fill the vacancy:

Provided that in the event of any vacancy occurring on account of death, resignation, disqualification or removal or otherwise, the Member-Secretary of the Board with approval of the Chairperson, shall forthwith communicate the occurrence to the Government, and the vacancy shall be filled in not later than ninety days from the date of occurrence of the vacancy. Any member so nominated by the Government shall hold the office for the remainder of the term of office of the Chairperson or member, as the case may be, in whose place he is nominated.

(4) Address:-

- (i) Every Member shall furnish his or her address to the Member Secretary of the Board who shall thereupon enter his address in the Official record.
- (ii) If a member changes his address, he or she shall furnish his or her new address to the Member Secretary of the Board within fifteen days in writing(hard/soft copy) who shall thereupon enter his or her new address in the official records:

Provided that if a member fails to notify his or her new address within the time specified, the address in official records shall be deemed to be the member's correct address for all purposes.

(5) Travelling Allowance :-

- (i) The travelling allowance of an official member of the Board shall be governed by the rules applicable to him or her for journey performed by him or her on official duty, shall be paid by the Authority paying his or her salary.

- (ii) Non-Official Members of the Board shall be paid travelling allowance and daily allowance for attending meetings of the Board at such rates as admissible for Group "A" Officer of the State Government.
- Disposal of business, meetings and Quorum of the Board under sub-section (14) of section 6
6. (1) Disposal of business
- Every matter which the Board is required to take into consideration shall be considered at a meeting of the Board, or if the Chairperson so directs, by sending the necessary papers to every member for opinion, and the matter shall be disposed of in accordance with the decision of the majority of members present and voting:
- Provided that where there is no opinion of majority on a matter and the members of the Board are equally divided, the Chairperson shall exercise an additional casting vote.
- (2) Meetings
- (i) The Board shall meet at such places and at such times as may be decided by the Chairperson.
- (ii) The Board shall meet at least once in a quarter and as and when required with a notice to all members.
- (iii) In case of any matter of urgency, a meeting may be called by the Chairperson after informing the member in advance about the subject matter of discussion and reasons of urgency.
- (iv) The Chairperson shall preside over every meeting of the Board in which he or she is present and in his or her absence, the Vice- Chairperson shall preside over such a meeting at his or her place.
- (v) Ordinarily, fifteen days' notice shall be given to the members of the Board of a proposed meeting:
- Provided that the Chairperson, if he or she is satisfied that it is expedient to call an emergency meeting for considering any matter which in his or her opinion is urgent, he or she may issue a notice giving such reasonable time as he or she may consider necessary.
- (vi) No business except which is included in the list of business for a meeting of the Board shall be considered at the meeting without the permission of the Chairperson.
- (vii) Details of the meeting shall be incorporated in the notice.
- (3) Quorum
- (i) No meeting of the Board shall be held unless atleast two of the following are present, namely:-
- (a) Chairman;
- (b) Vice-Chairperson;
- (c) Member Secretary:

Provided that if in a meeting, less than one third are present, the Chairperson may adjourn the meeting to another date informing the members present and giving notice to other members that he or she proposes to dispose off the business at the adjourned meeting whether there is prescribed quorum or not, and it shall thereupon be lawful for him or her to dispose off the business at the adjourned meeting irrespective of numbers attending.

- (ii) The Chairperson may debar any member, other than ex-officio members, from taking part in the Meetings of the Board if,-
 - (a) he or she absents himself or herself from three consecutive meetings of the Board without written information to and consent of the Chairperson; or
 - (b) in the view of the Government such member ceased to represent the interest which he or she purports to represent in the Board.

Setting up of Facilitation Centres and Welfare Schemes under clause (w) of sub-section (2) of section 154

- 7. The Assam Unorganised Workers' Social Security Board may set up facilitation centers in every district to perform the following functions, namely:-
 - (i) to disseminate information on various social security schemes for unorganised workers which includes gig, platform, motor transport, domestic, small tea growers' workers;
 - (ii) to assist unorganised workers to obtain online registration;
 - (iii) to facilitate filing, processing of online application forms for registration of all categories of unorganised workers;
 - (iv) to facilitate the enrolment of the registered unorganized workers in the social security schemes;
 - (v) a grievance redressal cell may be developed in every district to facilitate the unorganised workers at district level;
 - (vi) A website/ portal for facilitation centre may be developed.

Welfare Schemes under clause (l) of sub-section (2) of section 156

- 8. The Government shall formulate and notify, from time to time, suitable welfare schemes for unorganized workers on matters relating to:-
 - (i) education and skill upgradation of workers through vocational training for registered unorganized workers and their children;
 - (ii) funeral assistance;
 - (iii) any other social security scheme as determined by the State Government.

CHAPTER-III**ASSAM BUILDING AND OTHER CONSTRUCTION WORKERS' WELFARE BOARD**

- Terms and Conditions of Appointment, Salaries and other allowances of the Chairperson and other members under sub-section (4) of section 7
9. (1) Terms and conditions of the Chairperson and other members of the Board:-
- (i) The Government shall initiate the process for reconstitution of the Assam Building and Other construction Workers' Welfare Board, prior to six months of expiry of the term of the Board.
 - (ii) All actions taken during the interim period shall have the same effect as if it has been carried out by the Board itself.
- (2) Salaries and Allowances :-
- (i) The Chairperson shall be paid an honorarium and other allowances and facilities as may be fixed by the Welfare Board, from time to time.
 - (ii) Every non-official member of the Board shall be paid a sitting allowance of Rs. 1000/- or an amount as may be fixed by the Welfare Board, from time to time, for attending the meeting of the Board.
 - (iii) Every non-official member shall be allowed travelling allowance and daily allowance for attending a meeting of the Board at such rate admissible to Group 'A' officers of the State Government.
 - (iv) All such expenditures shall be met from the funds of the Board within its administrative expenses.
 - (v) The travelling allowance and daily allowance of an official member shall be governed by rules applicable to him for journey performed on official duties and shall be paid by the respective Government.
 - (vi) The term of office of the Chairperson and the members of the Board other than the official members shall be three (3) years from the date of their appointment:
 Provided that the members may continue in office till their successors are appointed.
- (3) Resignation:-
- The Chairperson or any non-official member of the Welfare Board may at any time resign his office by writing under his hand addressed to the Government and on acceptance of his resignation, his office shall become vacant.
- (4) Filling of vacancy :-
- In the event of any vacancy occurring on account of death, resignation, disqualification, or removal or otherwise, the Welfare Board shall communicate the occurrence of the vacancy to the Government and the vacancy shall be filled up not later than ninety days from the date of occurrence of the vacancy and the person so appointed, shall hold the Office for the remaining period of the term of the member in whose place he/she was nominated.

(5) Disqualification :-

- (i) No person shall be appointed to be a member of the Welfare Board who,-
 - (a) is a salaried Officer of the Board; or
 - (b) is or at any time has been adjudged as an insolvent; or,
 - (c) is found to be lunatic or become of unsound mind; or
 - (d) has been convicted of any offence involving moral turpitude.
- (ii) The Government may remove from office any member who:-
 - (a) is or has become subject to any of the disqualifications specified in sub-clause (i); or
 - (b) is absent without leave of the Board for more than three consecutive meetings on the Board; or
 - (c) is in the opinion of the Government:-
 - (i) a member representing the employer or the building worker shall cease to represent the employer or the building workers, or
 - (ii) having regard to the exigencies of circumstances or service in the Government, a member cannot continue to represent the Government, the Government can remove such member from the Board.

Terms and conditions of appointment and the salary and allowances payable to the Secretary and the other officers and employees of the Building Workers' Welfare Board under clause (c) of sub-section (5) of section 7

10. The terms and conditions, salary and allowances of the Secretary and other Officers and employees of the Building Workers' Welfare Board as per clause (c) of sub-section (5) of section 7 of the Code shall be as follows, namely:-

- (1) The Board shall with the prior approval of the Government, appoint an Officer of the State Government not below the rank of Secretary as Secretary of the Board.
- (2) The Board with the prior approval of the Government shall appoint other officers and staff for disposal of the functions of the Board:
 Provided no post of officer or employee shall be created without approval of the Government.
- (3) The Secretary or other Officers or other employees shall be paid such salary and allowances as fixed by the Government.
- (4) For smooth functioning of the Board, the Secretary and other officers and employees of the Board may visit different States or districts and the expenditure incurred towards the said visit shall be met from funds of the Board within its administrative expenses.

- (5) Subject to financial capability, the Board may appoint its own staff and provide their salaries, allowances and other remuneration from the funds of the Welfare Board at such rate as may be decided by the Board from time to time.
- (6) A senior officer belonging to the Assam Financial Service cadre may be deputed to the Welfare Board to look after the financial matters of the Board.
- (7) The Board may in consultation with the Government, open or shift or close District and Regional Offices, as it may consider necessary for the purpose of implementing the welfare schemes under the Code, taking into account its financial condition and the actual requirement of the such offices.
- (8) The Recruitment Procedure, classification of posts, pay scales, allowances and other terms and conditions of service of the other officers and staff of the Board shall be as may be determined by the Board with the prior approval of Government .
- (9) The Board shall furnish information to the Government on such matters as the Government may refer to it, from time to time.

Welfare
functions of the
Assam Building
Workers' Welfare
Board under
clause (c), (d)
and (e) of sub-
section (6) of
section 7

11. The Welfare Board shall perform the following functions and welfare schemes as per clauses (c), (d) and (e) of sub-section (6) of section 7 of the Code for the Building and Other Construction Workers, namely:-

- (1) Premium for Group Insurance Scheme under clause(c):
 - (i) The Board shall notify time to time, the premium amount of Group Insurance scheme of the registered building workers as recommended by the State Advisory Committee of the Building Workers subject to the necessary approval from the appropriate authority. The total premium for the benefit under GIS shall be as per nationalized bank/Corporation rates fixed thereupon in the age group as per eligibility criteria/conditions that are strictly as may be notified by Central Government.
 - (ii) Performance of Individual Group shall not be reviewed to increase or reduce the premium rates under the scheme. Overall Claims under the Scheme shall be considered to decide the revision in premium under the scheme.
 - (iii) Sum Assured under the Scheme is fixed and cannot be altered.
 - (iv) The Scheme shall be only for registered building workers as per eligibility conditions that shall be strictly as may be notified by Central Government.
 - (v) Data of the registered building workers shall include Aadhaar Card number, Mobile number, Bank Account details. The data Structure shall be framed as per directions of the Central Government issued from time to time.
 - (vi) A unique policy number shall be allotted by the nationalized bank/insurance agencies and the individual registered building worker shall be allotted unique id.

- (vii) The premium payable shall be the total sum of money payable as premium per head in respect of all the individual registered building worker insured with the Board.
 - (viii) The premium under the above Schemes shall not include any taxes like GST as on date. However, the Board undertakes to pay the taxes on premium with prior approval from the State, if imposed by the Taxation Authority as applicable in future.
 - (ix) The nationalized bank/insurance agencies may vary the rates, terms, conditions and provisions of this Scheme upon giving to the Board one month notice in writing. Such variation shall apply to all assurances with effect from the Annual Renewal Date coincident with or next, following the date of expiry of notice.
 - (x) No commission or Administrative Expenses are payable from or to either party for implementation and administration of the Scheme.
 - (xi) The Board shall notify from time to time, the premium amount of Group Insurance Scheme of the beneficiaries as recommended by the State Advisory Committee of the Building Workers subject to the necessary approval from the appropriate authority.
- (2) Educational Schemes for the benefit of children of the beneficiaries under clause (d):
- (i) **Cash Award:**
The Board may, subject to the availability of cess fund in the Board institute cash award as incentive for pursuing higher education for the children of registered construction workers @Rs. 5000/-, Rs. 4000/- and Rs. 3500/- to those children who score 75% or above, 65% or less than 75% and 55% or less than 65% respectively in H.S.L.C. under ASSEB and H.S. (Arts, Science and Commerce) examination of that particular year or as notified by the Government time to time. The beneficiary shall along with the application in **Form-I** submit such documents as may be specified by the Board.
 - (ii) **One time Educational Assistance:**
The Board may, subject to availability of Cess fund in the Board provide one-time educational assistance to the children of the registered construction workers as –
Class I to IV- Rs. 1500/-, V to VII – Rs. 2750/-, Class VIII to X- Rs. 4000/- Class XI to XII (including ITI)- Rs. 7000/-, Degree Course including ITI- Rs. 10000/- ,Postgraduate or equivalent Classes including engineering/ Medical/ competitive examinations etc. Rs. 20000/- and apart from the Post Graduate Degree, if any children of the registered beneficiaries wishes to get higher study in the Govt. Institution of IIT/ Engineering/ Medical or in any higher study in the Government Institution- all expenses entitled. The beneficiary shall along with the application in **Form-II** submit such documents as may be specified by the Board.

- (iii) Educational institutions set up through Assam Building and Other Construction Workers' Welfare Board:
 - (a) The construction of the BoCW educational institution building for the wards of BoC workers may be done from the BoC Welfare Fund.
 - (b) The registered building and other construction workers or their family members (spouse and children) shall be eligible to get admission into the educational institutions across the State set up through Building and Other Construction Workers Welfare Board subject to availability of seats.
 - (c) In case, educational institutions etc. are established by utilizing cess fund of ABoCWW Board in collaboration with other Department/entity, mandatory reservation of the seats for the registered Building and Other Construction Workers or their family members (spouse and children) are to be ensured.
 - (d) In case, any non-BoCW Workers or their family members (spouse and children) are provided seats for the efficient utilization and financial sustainability of the institution, it shall be decided by the Government. The concerned officials of labour department (not below the rank of ALC) may issue a certificate that there are vacancy of seats after filling up by the registered BoCW Workers and their family members (spouse and children).
 - (e) However, any registered BoCW workers family members (spouse and children) shall be always given first preference and every effort shall be made to bring them into such institution.
 - (f) Child specific expenditure like uniform, food, books etc. may also be borne from the Cess Fund.
 - (g) The salary and other recurring expenditure including establishment expenditure etc. shall be borne by the State from their own resources.
 - (h) In order to ensure genuineness, Standard Operating Procedures (SOPs) to be drawn especially with regard to verification of BOC workers and their wards, facilities of education of the ward in case the BOC workers migrate to some other States, etc.
 - (i) any other specific SoP may be drawn by the Board as per requirement.
- (3) Medical Assistance for major ailments to beneficiaries under clause (c):

- (i) The Board may subject to the availability of Boards fund sanction financial assistance to the registered beneficiaries who has been working as construction workers for minimum 90 days in the preceding twelve months including his/her spouse, parent and two dependent children who are hospitalized in a hospital due to accident or any disease. The financial assistance shall be Rs. 1,000/- per day for first 5 days and Rs. 200/- per day for the remaining days subject to a maximum Rs. 20,000/-. This assistance shall be given to the beneficiaries who met with an accident in course of and out of employment as construction worker. The Board may also consider payment of such assistance to the registered beneficiary who is not hospitalized but is orthopedically handicapped.
- (ii) The Board may, subject to the availability of Cess fund in the Board sanction upto an amount of Rs. 1.50 lakh or as notified by the Government time to time as financial assistance to the registered beneficiaries for his/ her treatment of critical disease like cancer, cardiac problem leading to requirement of pace maker or heart surgery, failure of kidney (kidney transplantation), liver cirrhosis, as well as for any other critical disease determined and specified by the Board from time to time. The beneficiary shall apply for the financial assistance to the Board in **Form-III** and submit such other documents as may be specified by the Board.
- (iii) The Board may, subject to the availability of Cess fund in the Board, enrol the registered Building and Other Construction Workers in the Ayushman Bharat Pradhan Mantri Jan ArogyaYojana (PM-JAY) wherein the Building and Other Construction Workers shall be provided with 5 lakhs coverage which includes Cashless Medical facility for the registered Building and Other Construction Workers and their family members.
- (iv) The Board may revise the amount of financial assistance subject to the availability of cess fund in Welfare functions of the Assam Building Workers' Welfare Board from time to time by Notification.

CHAPTER-IV

EMPLOYEES INSURANCE COURT

Manner and time within which second appeal may be filed to the Employees' Insurance Court by the Insured Person or the Corporation under clause (b) of sub-section (7) of section 37

12. The Insured Person or the Corporation may appeal to the Employees' Insurance Court by presenting an application in **Form-IV** within ninety days of the date of communication of the decision of the Medical Board or of the Medical Appeal Tribunal to the Insured Person or the Corporation, as the case maybe:

Provided that the Employees' Insurance Court may entertain an application after the period of ninety days, if it is satisfied that the appellant had sufficient reasons for not presenting the application within the said period.

- Manner of Proceedings fees and costs of Employees Insurance Court under sub-section (2) of section 50 and sub-section (1) of section 51
13. (1) Manner of Proceedings before Employees Insurance Court:-
- (i) Every application to the Court shall be brought within 3 years on which the cause of action arose or as the case may be, the claim become due.
 - (ii) Where at any stage it appears to the Court that the application shall be presented to another Court, or should be entertained by another Court, the first mention Court shall send the application or file the case to the Court empowered to deal with it and shall inform the applicant and the opposite party accordingly and the Court to which application for file is transferred, shall continue the proceedings as if the previous proceedings or any part of it had been taken before it.
 - (iii) The Court shall follow the rules of Code of Civil Procedure, 1908 in respect of summoning of the parties, service of summons, procedure of hearing, framing of issues, statement and production of evidence, method of recording evidence, cross examination of witness and other related matters.
- (2) Fees and Costs:-
- (i) The fee payable on an application in respect of any matter referred to in section 49 of the Code shall be Rs. 100/- or as may be notified by the Government time to time.
 - (ii) The fee and costs payable in respect of any other matters shall be such as may be notified by the Government from time to time.
 - (iii) All fees and costs referred to in this rule shall be collected by means of Court fee stamps and online method of payment may be also included.

CHAPTER V

GRATUITY

- Gratuity under sub-section (1) of section 53
14. Bank or other financial institution in which the gratuity shall be invested for the benefit of minor under the third proviso to sub-section (1) of section 53 shall be in the following manner, namely:-
- In the case of nominee, or an heir, who is a minor, the competent authority shall invest the gratuity amount deposited with him or her for the benefit of such minor in term deposit with the State Bank of India or other Nationalised Bank.
- Explanation:** "Nationalised Bank" means a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970) or a corresponding new bank specified in the First Schedule of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (40 of 1980).
- Time, form and manner of nomination, fresh nomination,
15. (1) The nomination by an employee under sub-section (1) of section 55 shall be in **Form V** and submitted in duplicate by the employee either by personal service, after taking proper receipt or by speed post acknowledgment due or electronically to the employer:-

modification
under sub-
sections (1), (4),
(5) and (6) of
section 55

- (i) in the case of an employee who is already in employment for a year or more on the date of commencement of these rules but not submitted the nomination, ordinarily, within ninety days from such date; and
- (ii) in the case of an employee who completes one year of service after the date of commencement of these rules, ordinarily within thirty days of the completion of one year of service:

Provided that the nomination in **Form-V** shall be accepted by the employer after the specified period, if filed and no nomination so accepted shall be invalid merely because it was filed after the specified period.

- (2) Within thirty days of the receipt of nomination in **Form-V** under sub-rule (1), the employer shall get the service particulars of the employee, as mentioned in the form of nomination, verified with reference to the records of the establishment and return to the employee, after obtaining a receipt thereof, the duplicate copy of the nomination in **Form-V** duly attested either by the employer or an officer authorized in this behalf by him, as a token of recording of the nomination by the employer and the other copy of the nomination shall be recorded.
- (3) An employee who has no family at the time of making a nomination shall, within ninety days of acquiring a family submit in the manner specified in sub-rule (1), a fresh nomination, as required under sub-section (4) of section 55, duplicate in **Form-V** to the employer and thereafter the provisions of sub-rule (2) shall apply mutatis mutandis as if it was made under sub-rule (1).
- (4) A notice of modification of a nomination, including cases where a nominee predeceases an employee, shall be submitted in duplicate in **Form-V** to the employer in the manner specified in sub-rule (1), and thereafter the provisions of sub-rule (2) shall apply mutatis mutandis.
- (5) A nomination or a fresh nomination or a notice of modification of nomination shall be, signed by the employee or, if illiterate, it shall bear his thumb impression and shall be submitted by the employee electronically or by speed post acknowledgment due.
- (6) A nomination, fresh nomination or notice of modification of nomination shall take effect from the date of receipt thereof by the employer.

Time and form
in which written
application shall
be made for
payment of
Gratuity under
sub-section (1)
of section 56
and form of
application to
the competent

16. (1) Application for Gratuity:

- (i) An employee who is eligible for payment of gratuity under the Code, or his legal heir, or any person authorized, to act on his behalf, shall apply, ordinarily within thirty days from the date the gratuity became payable, in **Form- VI** to the employer:

Provided that where the date of superannuation or retirement of an employee is known, the employee may apply to the employer before thirty days of the date of superannuation or retirement:

authority under
clause (b) of
sub-section (5)
of section 56

Provided further that an employee on fixed term employment shall be eligible for gratuity, if he renders service under the contract for a period of one year and he shall be paid gratuity at the rate of fifteen days' wages, based on the rate of wages last drawn by him, for every completed year of service or part thereof in excess of six months or more but less than one year, shall be rounded off to one additional year.

- (ii) A nominee of an employee who is eligible for payment of gratuity under the second proviso to sub-section (1) of section 53 shall apply, ordinarily within thirty days from the date of gratuity became payable to him, in **Form- VI** to the employer:

Provided that an application in plain paper with relevant particulars shall also be accepted. The employer may obtain such other particulars as may be deemed necessary by him.

- (iii) A legal heir of an employee who is eligible for payment of gratuity under the second proviso to sub-section (1) of section 53 shall apply, ordinarily within one year from the date of gratuity became payable to him, in **Form- VI** to the employer.
- (iv) An application for payment of gratuity filed after the expiry of the periods specified in this rule shall also be entertained by the employer, if the applicant adduces sufficient cause for the delay in preferring his claim, and no claim for gratuity under the Code shall be invalid merely because the claimant failed to present his application within the specified period. Any dispute in this regard shall be referred to the competent authority for his decision.
- (v) An application under this rule shall be presented to the employer either by electronically or personal service or by speed post acknowledgment due.
- (vi) Where gratuity becomes payable under the Code before the commencement of these rules, the periods of limitation specified in clauses (i), (ii) and (iii) sub-rule (1) shall be deemed to be operative from the date of such commencement.

(2) Notice for payment of gratuity:

- (i) within fifteen days of the receipt of an application under sub-rule (1) for payment of gratuity, the employer shall,-
 - (a) if the claim is found admissible on verification, issue a notice in **Form-VII** to the applicant employee, nominee or legal heir, as the case may be, specifying the amount of gratuity payable and fixing a date, not being later than the thirtieth day after the date of receipt of the application, for payment thereof; or
 - (b) if the claim for gratuity is not found admissible, issue a notice in **Form-VII** to the applicant

employee, nominee or legal heir, as the case may be, specifying the reasons why the claim for gratuity is not considered admissible within 30 days from the receipt of application.

In the case of denial of gratuity a copy of the notice shall be endorsed to the competent authority.

- (ii) In case payment of gratuity is due to be made in the employer's office, the date fixed for the purpose in the notice in **Form-VII** under sub-clause (a) of clause (i) sub-rule (2) shall be re-fixed by the employer, if a written application in this behalf is made by the payee explaining why it is not possible for him to be present in person on the date specified.
 - (iii) If the claimant for gratuity is a nominee or a legal heir, the employer may ask for such witness or evidence as may be deemed relevant for establishing his identity or maintainability of his claim, as the case may be. In that case, the time limit specified for issuance of notices under clause (i) of sub-rule (2) shall be operative with effect from the date such witness or evidence, as the case may be, called for by the employer is furnished to the employer.
 - (iv) A notice in **Form-VII** shall be served on the applicant either by personal service after taking receipt or by speed post with acknowledgment due or electronically.
 - (v) A notice under sub-section (2) of section 56 shall be in **Form-VII**.
- (3) Application to competent authority for direction under clause (b) of sub-section (5) of section 56,-
- (i) If an employer,-
 - (a) refuses to accept a nomination under rule 29 or to entertain an application sought to be filed under sub-rule (1) above, or
 - (b) issues a notice under clause (i) of sub-rule (2) either specifying an amount of gratuity which is considered by the applicant less than what is payable or rejecting eligibility to payment of gratuity; or
 - (c) having received an application under sub-rule (1) above fails to issue notice as required under sub-rule (2) above within the time specified therein, the claimant employee, nominee or legal heir, as the case may be, may, within one hundred eighty days of the occurrence of the cause for the application, apply in **Form-VIII** to the competent authority for issuing a direction under sub-section (5) of section 56 with as many extra copies as are the opposite party:

Provided that the competent authority may accept any application under this sub-rule, on sufficient cause being shown by the applicant, after the expiry of the specified period.

- (ii) Application under clause (i) above sub-rule (4) and other documents relevant to such an application shall be presented in person to the competent authority or shall be sent by speed post acknowledgment due or electronically.
- (4) Where gratuity becomes payable under the Code before the commencement of these rules, the periods of limitation specified in clauses (i), (ii) and (iii) of sub-rule (1) above shall be deemed to be operative from the date of such commencement.
- (5) Procedure for dealing with application for direction:
 - (i) On receipt of an application under sub-rule (4), the competent authority shall, by issuing a notice in **Form-IX** electronically or by speed post acknowledgment due or in person call upon the applicant as well as the employer to appear before him on a specified date, time and place, either by himself or through his authorized representative together with all relevant documents and witnesses, if any.
 - (ii) Any person desiring to act on behalf of an employer or employee, nominee or legal heir, as the case may be, shall present to the competent authority a letter of authority from the employer or the person concerned, as the case maybe, on whose behalf he seeks to act together with a written statement explaining his interest in the matter and praying for permission so to act. The competent authority shall record thereon an order either according his approval or specifying, in the case of refusal to grant the permission prayed for, the reasons for the refusal.
 - (iii) A party appearing by an authorized representative shall be bound by the acts of the representative.
 - (iv) After completion of hearing on the date fixed under clause (a), or after such further evidence, examination of documents, witnesses, hearing and inquiry, as may be deemed necessary, the competent authority shall record his finding as to whether any amount is payable to the applicant under the Code. A copy of the finding shall be given to each of the parties.
 - (v) If the employer concerned fails to appear on the specified date of hearing after due service of notice without sufficient cause, the competent authority may proceed to hear and determine the application *ex parte*. If the applicant fails to appear on the specified date of hearing without sufficient cause, the competent authority may dismiss the application:

Provided that an order under this clause may, on good cause being shown within thirty days of the said order, be reviewed and the application re-heard after giving not less than fourteen days' notice to the opposite party of the date fixed for rehearing of the application.
- (6) Place and time of hearing:

The sittings of the competent authority shall be held at such times and at such places as he may fix and he shall inform the parties of the same in such manner as he thinks fit.

- (7) Administration of oath:
The competent authority may authorize a clerk of his office to administer oaths for the purpose of making affidavits.
- (8) Summoning and attendance of witnesses, –
The competent authority may, at any stage of the proceedings before him, either upon or without an application by any of the parties involved in the proceedings before him, and on such terms as may appear to the competent authority just, issue summons to any person either to give evidence or to produce documents or for both purposes on a specified date, time and place.
- (9) Service of summons or notice,-
- (i) Subject to the provisions of sub-rule (3)(i)(b), any notice, summons, process or order issued by the competent authority may be served either personally or by speed post acknowledgement due or electronically or in any other manner as prescribed under the Code of Civil Procedure, 1908 (5 of 1908).
 - (ii) Where there are numerous persons as parties to any proceeding before the competent authority and such persons are members of any trade union or association or are represented by an authorized person, the service of notice on the Secretary, or where there is no Secretary, on the principal officer of the trade union or association, or on the authorized person shall be deemed to be service on such persons.
- (10) Maintenance of records of cases by the competent authority:
- (i) The competent authority shall record the particulars of each case under section 56 and at the time of passing orders shall sign and date the particulars so recorded.
 - (ii) The competent authority shall, while passing orders in each case also record the findings on the merits of the case and file it together with the memoranda of evidence with the order sheet.
 - (iii) Any record, other than a record of any order or direction, which is required by these rules to be signed by the competent authority, may be signed on behalf of and under the direction of the competent authority by any subordinate officer appointed in writing for this purpose by the competent authority.
- (11) Notice for Payment of Gratuity as determined by Competent Authority:
If a finding is recorded under clause (iv) of sub-rule (5) that the applicant is entitled to payment of gratuity under the Code, the competent authority shall issue a notice to the employer concerned in **Form-X**, electronically or speed post or in person specifying the amount payable and directing payment thereof to the applicant under intimation to the competent authority within thirty days from the date of the receipt of the notice by the employer. A copy of the notice shall be endorsed to the applicant employee, nominee or legal heir, as the case may be.

(12) Appeal:

- (i) The Memorandum of appeal under sub-section (8) of section 56 of the Code shall be submitted to the Appellate Authority with a copy thereof to the opposite party and the competent authority either through delivery in person or under speed post or electronically.
- (ii) The Memorandum of appeal shall contain the facts of the case, the decision of the competent authority, the grounds of appeal and the relief sought.
- (iii) There shall be appended to the Memorandum of Appeal, a certified copy of the findings of the Competent Authority, certificate of the Competent Authority regarding depositing of the gratuity as per second proviso of sub-section (8) of section 56 and direction for payment of gratuity.
- (iv) On receipt of the copy of Memorandum of Appeal, the competent authority shall forward records of the case to the appellate authority.
- (v) Within fourteen days of the receipt of the copy of the Memorandum of Appeal, the opposite party shall submit their comments on each paragraph of the memorandum with additional pleas, if any, to the appellate authority with a copy to the appellant.
- (vi) The appellate authority shall record its decision after giving the parties to the appeal a reasonable opportunity of being heard. A copy of the decision shall be given to the parties to the appeal by electronically or speed post or in person and a copy thereof shall be sent to the competent authority returning his records of the case.
- (vii) The competent authority shall, on receipt of the decision of the appellate authority, make necessary entry in the records of the case maintained by him.
- (viii) On receipt of the decision of the appellate authority, the competent authority shall, if required under that decision, modify his direction for payment of gratuity and issue a notice to the employer concerned in **Form-X** specifying the modified amount payable and directing payment thereof to the applicant, under intimation to the competent authority within fifteen days of the receipt of the notice by the employer. A copy of the notice shall be endorsed to the appellant employee, nominee or legal heir, as the case may be, and to the appellate authority.
- (ix) The time limit for disposal of appeal shall not exceed 90 days from the date of filing of appeal. In case of non-appearance by either of the parties, a maximum of three opportunities may be given before disposal.

(13) Application for recovery of gratuity:

Where an employer fails to pay the gratuity due under the Code in accordance with the notice by the competent authority under sub-rule (11) or sub-rule (12), as the case may be, the employee concerned, his nominee or legal heir, as the case may be, to

- whom the gratuity is payable may apply to the competent authority in duplicate in **Form-XI** for recovery thereof under section 129 of the Code.
- Manner of obtaining an insurance from an establishment by the employer under sub-section (3) and sub-section (4) of section 57
17. (1) Registration of Establishment for the Purpose of Compulsory Insurance under sub-section (3) of section 57:-
 - (i) Every employer other than an employer or an establishment or class of establishments or for different areas belonging to, or under the control of, the Central Government or a State Government, shall, subject to the provisions of sub-section (1) and (2), be liable to obtain insurance under section 57 of the Code shall, within sixty days and register the establishment with the authority notified by the Government for the purpose of compulsory insurance.
 - (ii) An employer seeking registration of an establishment for compulsory insurance shall submit an application in **Form-XII** electronically.
 - (iii) On receipt of the application, the registering authority shall verify the particulars furnished and, upon being satisfied that the establishment fulfils the requirements under the Code and these rules, register the establishment and issue a certificate of registration electronically.
 - (iv) The employer shall intimate any change in the particulars furnished at the time of registration to the registering authority within thirty days from the date of such change.
 - (v) The employer shall maintain the certificate of registration and produce the same for inspection whenever required by an Inspector-cum- Facilitator.
 - (2) Composition and Constitution of the Board of Trustees of the Approved Gratuity Fund under sub-section (4) of section 57:-
 - (i) Every employer maintaining an approved gratuity fund shall constitute a Board of Trustees for the administration and management of such fund.
 - (ii) The Board of Trustees shall consist of such number of trustees as may be specified in the trust deed, subject to the condition that—
 - (a) the employer shall nominate representatives to represent the employer; and
 - (b) the employees shall be represented by trustees nominated or elected in such manner as may be provided in the trust deed;
 - (c) the number of trustees representing the employees shall not be less than one-third of the total strength of the Board of Trustees.
 - (d) the employer shall appoint one of the trustees as the Chairperson of the Board:

Provided that the appointment of the Chairperson shall not affect the rights and obligations of the employee representatives in the administration of the gratuity fund.

- (iii) The Board of Trustees shall meet at least once in every financial year and shall be responsible for—
 - (a) proper administration and management of the approved gratuity fund;
 - (b) ensuring that the assets of the fund are maintained at a level sufficient to meet the gratuity liability;
 - (c) maintenance of accounts and records of the fund; and
 - (d) compliance with the provisions of the Code and the rules made thereunder.
- (iv) Any vacancy arising in the office of a trustee shall be filled in the same manner in which the original trustee was appointed or nominated.
- (3) Recovery of Gratuity payable to an employee under sub-section (4) of section 57:-

If the amount of gratuity payable under this Act is not paid by the employer, within the prescribed time, to the person entitled thereto, the competent authority shall, on an application made to it in this behalf by the aggrieved person, issue a certificate for that amount to the Collector, who shall recover the same, together with compound interest thereon at such rate as the Central Government may, by notification, specify,] from the date of expiry of the prescribed time, as arrears of land revenue and pay the same to the person entitled thereto:

Provided that the competent authority shall, before issuing a certificate under this section, give the employer a reasonable opportunity of showing cause against the issue of such certificate:

Provided further that the amount of interest payable under this section shall in no case exceed the amount of gratuity payable under this Chapter.

Qualification and experience of officers to be appointed under section 58

- 18. The appropriate Government shall, by notification in the Official Gazette, appoint one or more Gazetted Officers selected through the recruitment process conducted by the Assam Public Service Commission in the Labour Department having adequate experience in labour administration, industrial relations, or labour law, to act as the Competent Authority for the purposes of implementation and enforcement of the provisions of this Chapter, and may by general or special order regulate the local limits of their jurisdiction and the functions to be performed by them.

CHAPTER VI

MATERNITY BENEFIT

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| Authority to whom an appeal may be preferred under sub-section (3) of section 72 | 19. | <p>(1) An appeal may be preferred under sub-section (3) of section 72 to the Labour Commissioner against a order of Inspector cum facilitator.</p> <p>(2) A complaint under sub-section (1) of section 72 shall be in writing in Form-XIII.</p> |
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When a complaint referred to in section 72 is received by an Inspector-cum-Facilitator, he shall examine the relevant records maintained by the employer in this behalf, examine any person employed in the establishment and take down necessary statement for the purpose of the enquiry and if he is satisfied that the maternity benefit or the amount has been improperly withheld or the woman has been discharged or dismissed from duty or on account of her absence from work in accordance with the provisions of Chapter VI may pass such order as he deems just and proper according to the circumstances of the case. He shall direct the employer to make the payment to the woman or to the person claiming the payment under section 63, as the case may be, immediately or within a period of 30 days:

Provided that the time limit for disposal of complaint shall not exceed 60 days from the date of filing of complaint. In case of non-appearance by either of parties, a maximum of three opportunities may be given before disposal of the complaint.

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| <p>(3) An appeal against the decision of the Inspector-cum-Facilitator under sub-section (2) of section 72 shall lie to the Authority.</p> <p>(4) The aggrieved person shall prefer an appeal in writing to the Authority in Form-XIV and file other supporting documents.</p> <p>(5) When an appeal is received, the Authority shall call from the Inspector-cum-Facilitator before a fixed date, the record of the case. The Authority shall, if necessary, also record the statements of the aggrieved person and of the Inspector-cum-Facilitator and seek clarification if any is required.</p> <p>(6) Taking into account the documents, the evidence produced before him and the facts presented to him or ascertained by him, the Authority shall give his decision within a period of 90 days from filing of appeal before him. In case of non-appearance by either of the parties, a maximum of two opportunities may be given before disposal of the appeal.</p> |
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CHAPTER VII

EMPLOYEES COMPENSATION

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| Expenditure of the funeral under sub-section (7) of section 76 | 20. | If the injury of the employee results in his death, the employer shall, in addition to the compensation under sub-section (7) of section 76, deposit with the Competent Authority an additional sum of money as notified by the Government from time to time, within twenty-four hours of such incident towards funeral expenses of the deceased workman to the eldest surviving dependant(s) of the employee who |
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met with fatal /injury which resulted in death excluding the transport charges of the body or where the employee did not have a dependant or was not living with his dependant at the time of his death, to the person who actually incurred such expenditure.

Conditions for
review under
sub-section (1)
of section 79

21. (1) Conditions when application may be made without medical certificate:
 Application for review of half-monthly payment under sub section (1) of section 79 may be made without being accompanied by a medical certificate,-
 - (i) by the employer, on the ground that since the right to compensation was determined, the employee's wages have increased;
 - (ii) by the employee's on the ground that since the right to compensation was determined, his wages have diminished;
 - (iii) by the employee's on the ground that the employer, having commenced to pay compensation, has ceased to pay the same, notwithstanding the fact that there has been no change in the employee's condition such as to warrant such cessation;
 - (iv) either by the employer or by the employee's on the ground that the determination of the rate of compensation for the time being in force was obtained by fraud or undue influence or other improper means;
 - (v) either by the employer or by the employee's on the ground that in the determination of compensation there is a mistake or error apparent on the face of the record.
- (2) Procedure on application for review:
 If, on examining an application for review by an employer in which the reduction or discontinuance of half monthly payments is sought, it appears to the Competent Authority that there is reasonable ground for believing that the employer has a right to such reduction or discontinuance, he may at any time issue an order withholding the half monthly payments in whole or in part pending his decision on the application.
- (3) Procedure on application for commutation:
 - (i) Where application is made to the Competent Authority under this rule for the redemption of a right to receive half-monthly payments by the payment of a lump sum, the Competent Authority shall form an estimate of the probable duration of the disablement and shall award a sum equivalent to the total of the half-monthly payments which would be payable for the period during which he estimates that the disablement shall continue, less one half per cent of that total for each month comprised in that period:

Provided that fractions of a rupee included in the sum so computed shall be disregarded.
 - (ii) When, in any case to which sub-rule (1) applies, the Competent Authority is unable to form an approximate estimate of the probable duration of the-disablement, he may from time to time, postpone a decision not exceeding one month at a time:

Provided that, the number of such postponements shall not exceed three.

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| Maintenance of notice book under sub-section (4) of section 82 | 22. | Every employer shall maintain a Notice Book in accordance with sub-section (4) of section 82 in Form-XV at their premises in which employees are employed. |
| Interval of medical examination under sub-section (1) of section 84 | 23. | An employee who is in receipt of a half monthly payment shall not be required to submit himself for medical examination elsewhere other than at the place where he is residing for the time being more than twice in the first month following the accident or more than once in any subsequent month. |
| Form of statement for furnishing the circumstances of the death of the employee under sub-section (1) of section 88 | 24. | The statement for furnishing the circumstances attending the death of the employee as required under sub-section (1) of section 88 shall, be submitted in Form-XVI . Where a competent authority receives information from any source that an employee has died as a result of an accident arising out of and in the course of his employment, he may send by speed post or where possible, electronically a notice to the employee's employer requiring him to submit, within thirty days of the service of the notice, a statement, in Form-XVI , giving the circumstances attending the death of the employee, and indicating whether, in the opinion of the employer, he is or is not liable to deposit compensation on account of the death and a copy of such notice shall also be sent by the competent authority in the same manner to the dependents of such employee ascertained by the competent authority. |
| Manner of recording Memorandum in a register by the Competent Authority as per sub-section (1) of section 89 | 25. | <p>(1) Memorandum of agreement sent to the Competent Authority under sub-section (1) of section 89 shall, unless the Competent Authority otherwise directs, be in duplicate, and shall be in as close conformity as the circumstances of the case admit with (Form-XVII or Form-XVII-A or Form-XVII-B as the case may be).</p> <p>(2) On receiving a memorandum of agreement, the Competent Authority shall, for taking decision to record memorandum or refusing to record, shall issue notice to parties to agreement in Form-XVIII fixing date and place of hearing that in default of objections he proposes to record the memorandum on the date so fixed. The notice under this sub-rule may be sent personally or through speed post/speed post or electronically:</p> <p>Provided that the notice may be communicated orally to any parties who are present at the time when notice in writing would otherwise issue.</p> <p>(3) On the date so fixed, the competent authority, after hearing the parties to agreement shall take decision to record or refuse to record the memorandum:</p> <p>Provided that the issue of a notice under rule (1) shall not be deemed to prevent the competent authority from refusing to record the memorandum on the date so fixed even if no objection be made by any party concerned.</p> <p>(4) If on such date the Competent Authority decides that the memorandum ought not to be recorded, he shall inform the</p> |

parties present of his decision and of the reasons thereof and if any party desiring the memorandum to be recorded is not present, he shall send information to that party in **Form-XVIII-A**.

- (5) If, on receiving a memorandum of agreement, the Competent Authority considers that there are grounds for refusing to record the same, he shall fix a date for hearing the party or parties desiring the memorandum to be recorded and shall inform such party or parties and, if he thinks fit, any other party concerned, of the date so fixed and of the grounds on which he considers that the memorandum should not be recorded.
- (6) If the parties to be informed are not present, a written notice shall be sent to them in **Form-XIX** or **Form XIX-A** as the case may be and the date fixed in such notice shall be not less than seven days after the date of the issue of the same.
- (7) If, on the date fixed under sub-rule (1) above, the party or parties desiring the memorandum to be recorded, show adequate cause for proceeding to record the same, the Competent Authority may, if information has already been given to all the parties, concerned, record the agreement. If information has not been given to all such parties he shall proceed in accordance with rule 24.
- (8) If in any case Competent Authority refused to record a memorandum of agreement he shall briefly record his reasons for such refusal and he shall not pass any order directing the payment of any sum or amount over and above the sum specified in the agreement, unless opportunity has been given to the party liable to pay such sum to show cause why it should not be paid.
- (9) Where the agreement is for the redemption of half-monthly payments by the payment of a lump sum, and the Competent Authority considers that the memorandum of agreement should not be recorded by reason of the inadequacy of the amount of sum as fixed in the agreement, he shall record his estimate of the probable duration of the disablement of the employee.
- (10) In recording a memorandum of agreement, the Competent Authority shall cause the same to be entered in a register in **Form-XX** and shall cause an endorsement to be entered under his signature on a copy of a memorandum to be retained by him in the following terms, namely:-

“The memorandum of agreement bearing Serial No. of 20..... in the prescribed register **Form-XX** has been recorded on this..... day..... of

(Signature) Competent authority”.

Qualification and experience of Competent Authority under sub-section (1) of section 91

26. The Government may, by notification, appoint any person who is or has been a Gazetted Officer in the rank of the Assistant Labour Commissioner or Labour Officer having experience with Government service for not less than five years.

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|---|-----|--|
| Manner of dealing with by or before the Competent Authority under sub-section (1) of section 92 | 27. | <p>(1) On receipt of the application, the Competent Authority shall verify the jurisdiction as per the parameters specified in clauses (a), (b) and (c) of sub- section (1) of section 92 of the Code.</p> <p>(2) If it appears to the Competent Authority on receiving application that it should be presented to another Competent Authority, he shall return it to the applicant after endorsing upon it the date of the presentation and return, the reason for returning it and designation of the Competent Authority to whom it should be presented.</p> <p>(3) If at any stage of case it appears to Competent Authority the application should be entertained by another Competent Authority, he shall send the file of the case to that authority and who has the jurisdiction, and inform to applicant and other parties as per the procedure defined in sub-section (4) of section 93 of the Code. The Competent Authority to whom the case has been transferred, shall continue to proceed as if the previous proceedings were done before him, provided he is satisfied that it will not cause prejudice to the concerned parties.</p> |
| Time limit for disposal of application and cost under sub-section (4) of section 93 | 28. | <p>(1) Time Limit :-
The Competent Authority shall dispose off the matter relating to compensation under this Code within a period of three months from the date of reference and intimate the decision in respect thereof within the said period to the employee. The authority may extend the time-limit to another one month if it so required.</p> <p>(2) Incidental Costs :-
Any party to the dispute who desires to get certified copies of decision, decree, or other document may get decision, decree, or other document on payment of cost at the following rate :-</p> <p>(i) The fee for the copies of any document of record or statement or order or decree may be notified by the Government from time to time.</p> <p>(ii) The cost of service or summons or notices or expenses of witness or the cost payable in respect of any matter not referred before shall be such amount as may be specified in each case by the competent authority and such amount or any other sum of money payable under this rule shall be paid in such manner and within such time as may be notified by Government.</p> <p>(iii) The competent authority may, whenever it finds either on applications of applicant or otherwise that the applicant is unable to pay the cost it may exempt the applicant from the payment of cost.</p> <p>(iv) Any person who is not a party to the dispute, may get the certified copy of order, decree or other documents except the confidential documents, on payment of the fees prescribed in above mentioned clauses.</p> |
| Manner of authentication of Memorandum by Competent Authority under section 97 | 29. | <p>(1) Evidence:-</p> <p>(i) After framing of issues, parties may submit their evidence on affidavit, on which opposite party shall have right to cross examination.</p> |

- (ii) On application by any party to the proceedings and on deposit of fees and expenses fixed by the Competent Authority, the Competent Authority may summon any witness whose evidence, he thinks necessary for just decision of the case.
 - (iii) The evidence of all witnesses shall be recorded in the presence of competent authority and shall be authenticated by his signature and seal.
- (2) Provisions of Code of Civil Procedure, 1908 to apply:-
- Save as otherwise expressly provided in the Act or these rules the Code of Civil Procedure, 1908 shall apply to proceedings before Competent authorities, in so far as they may be applicable thereto:
- Provided that,-
- (i) for the purpose of facilitating the application of the said provisions the Competent Authority may construct them with such alternations not affecting the substance as may be necessary or proper to adapt them to the matter before him;
 - (ii) the Competent Authority may, for sufficient reasons, proceed otherwise than in accordance with the said provision, if he is satisfied that the interests of the parties will not thereby be prejudiced.
- (3) Manner and Time limit for filing a claim:-
- No claim for compensation shall be entertained by a Competent Authority unless notice of the accident has been given in the manner provided in the Code within two years of the occurrence of the accident or, in case of death, within two years from the date of death.

CHAPTER VIII

FINANCE AND ACCOUNTS

Holding of
property etc., by
Social Security
Organisation under
sub-section
(1),(2),(3) and (4)
of Section 120

30. (1) Acquisition, Management and Disposal of Property:-
- (i) A Board may acquire movable or immovable property only where such acquisition is necessary for the purposes of the Code, funds are available, and the proposal has been approved by a resolution of the Board. Acquisition by way of gift, grant, lease, allotment or transfer from Government or a local authority may be accepted by Board resolution without valuation. No encumbered or disputed property shall be acquired except with prior approval of the State Government. Movable property shall be acquired in accordance with the applicable financial rules.
 - (ii) Every Board shall ensure that its property is used only for the purposes of the Code, properly maintained and insured, periodically verified, and that all title documents are kept in safe custody. No immovable property shall be leased, mortgaged or otherwise encumbered beyond the specified period without prior approval of the Government.

- (iii) No immovable property shall be sold or transferred except with the approval of the Board, on valuation by two Government-approved valuers, through public auction or e-auction, and with prior approval of the Government, on such limit as may be specified. Transfer to the Central Government, the State Government, a local authority or another Social Security Organisation may be made at concessional value or free of cost with such approval.
- (iv) Sale proceeds shall form part of the Fund of the Board and may be utilised only for the purposes of the Code.
- (v) Unserviceable, obsolete or surplus movable property may be disposed of in accordance with the applicable financial rules and prior approval of the State Government shall be obtained where the value of a single lot exceeds rupees ten lakh, or such other limit as may be specified.

(2) General conditions for investment :-

- (i) The Board shall invest its surplus funds only in—
 - (a) Central or State Government securities;
 - (b) Government-recognised debt or gilt schemes investing predominantly in Government securities;
 - (c) bonds, debentures or deposits of public sector undertakings, financial institutions, scheduled commercial banks, State Government undertakings, or other body corporates having a minimum credit rating of "AA" or its equivalent assigned by a Securities and Exchange Board of India-registered credit rating agency;
 - (d) term deposits with nationalised —banks empanelled by the Board with the approval of the State Government; and
 - (e) such other instruments as the Government may permit by order.
- (ii) The Board shall not invest in equity shares, derivatives or other speculative instruments.

Conditions for re-investment

- (i) Investments not required for the Board's expenses under the Code shall ordinarily be re-invested within thirty days of maturity.
- (ii) Where re-investment is made in a different instrument, reasons shall be recorded.
- (iii) Where investments are not re-invested, the proceeds shall be credited to the Board's account, used only for the purposes of the Code, and reported to the Board.

Conditions for realisation before maturity

- (i) No investment shall be realised before maturity except—
 - (a) to meet the Board's expenses under the Code where no other liquid funds are available;
 - (b) to prevent likely loss, for reasons recorded in writing; or
 - (c) on the direction of the Government in the interest of Board or its beneficiaries.
 - (iii) The proceeds of every realised investment shall be credited forthwith to the account of the Board.
- (3) Terms for which loans may be raised :-
- (i) No Board shall raise a loan except for the following purposes, namely:—
 - (a) creation of a capital asset connected with the objects of the Board;
 - (b) meeting a temporary working capital shortfall pending realisation of cess, contribution or other dues;
 - (c) refinancing or repaying an existing loan raised under these rules; or
 - (d) any other purpose approved by the Government:
Provided that no loan shall be raised to meet recurring administrative expenditure or revenue deficit.
 - (ii) Measures for Discharge of Loans :
Every Board raising a loan shall maintain a Loan Repayment Reserve Fund and credit thereto, monthly or quarterly, sufficient amounts to meet the principal and interest due under the approved repayment schedule. The Fund shall be used only for repayment of the loan.
 - (iii) Constitution of Fund :-
 - (i) A Board may establish a provident fund or other employee benefit fund only with the prior written sanction of the Government.
 - (ii) The Government may modify the proposal, including the contribution rate or employee coverage, based on the Board's financial position.
 - (iii) No benefit fund may be established or continued if its recurring cost is likely to impose a disproportionate financial burden on the Board.

Conditions and
manner of
writing off
irrecoverable
dues under
section 121

31. In case the amount of contribution, Cess, interest, and damages due to the respective Board has become irrecoverable, the said Board or any other officer authorized by them in this behalf may sanction the writing off of the said amount, subject to the following conditions, namely:-

- (1) Establishment has been closed for more than five (5) years and the whereabouts of the employer cannot be ascertained, despite all possible efforts;
- (2) Decree obtained by the said Board could not be executed successfully for want of sufficient assets of the defaulting employer; or
- (3) Claim for contribution is not fully met by-
 - (a) the Official Liquidator in the event of factories/establishments having gone into liquidation; or
 - (b) the Competent Authority of payments in the event of unit being nationalized or taken over by the Government.
- (4) Manner of writing off:
 - (i) The Board shall send the matter for writing off Losses to the competent Authority at the district level for adjudication.
 - (ii) The Competent Authority shall after due verification submit a detailed report with relevant documents for writing off of loss within 45 days in the prescribed **Form XXI** to the Advisory Committee under the Board as prescribed in rule 52 for writing off of losses electronically.
 - (iii) The Advisory Committee within 30 days of the receiving of the report may submit the final report to the respective Board within the stipulated time period, recording reasons thereof.
 - (iv) The Advisory Committee shall also try to find alternative scopes for recovery.
 - (v) Finally, the Member Secretary of the respective Board with the consent of the Chairperson as the case may be and with the approval of Government may grant the writing off of losses.
 - (vi) The Board shall dispose such application within 60 days from the date of receipt of the application/report from the Committee.

- Constitution of Advisory Committee under clause (f) sub-section 2 of section 156
32. The State Government may, by notification, constitute with effect from such date as may be specified therein the following Advisory Committee to advise the board in the matter of writing of losses within the specified time line.
- One representative not below the rank of Secretary, Labour Welfare Department, One representative from the Commissionerate of Labour not below the rank of Deputy Labour Commissioner, One representatives of Finance Department not below the rank of Joint Secretary, Senior Financial Advisor, Labour Welfare Department, Assam and one Special Invitee may be notified by the Government, if so required.

CHAPTER IX

SOCIAL SECURITY AND CESS IN RESPECT OF BUILDING AND OTHER CONSTRUCTION WORKERS

- Time limit for payment of cess and rate of interest of Proceeds of Cess under section 101
33. Every employer shall within sixty days from the date of commencement of his work shall deposit the cess.
- Further, if any employer fails to pay any amount of cess payable under section 100, within the time limit, as may be specified in assessment order, such employer shall be liable to pay interest on the amount of cess, to be paid, at the rate of one percent per month or part thereof comprised in the period from the due date until the date of actual payment.
- Fees for Appeal under section under sub-section (2) of section 105
34. (1) Every appeal shall be accompanied by a non-refundable fee equivalent to one per cent of the total cess amount, but not less than rupees twenty five thousand of the total cess amount as notified by the Government from time to time, whichever is higher.
- (2) The fee so realised under sub-rule (2) shall be deposited in the Building and Other Construction Workers' Welfare Fund established under sub-section (1) of section 108 of the code.
- Management, utilization of cess
35. (1) The proceeds of cess collected under section 100 shall be credited to the Assam Building and Other Construction Workers' Welfare Board and shall be utilised only for the purposes specified under the Code.
- (2) The Board shall manage and maintain the proceeds of cess in such manner as may be directed by the Government.
- (3) The Board shall invest the proceeds of cess, in accordance with the directions of the Government, ensuring safety and reasonable returns.
- (4) The Board shall maintain ring fenced public accounts and ensure timely transfer, reconciliation, utilisation and reporting of the proceeds of cess in such manner as may be directed by the Government.

- Administrative and Financial Powers of the Secretary under clause (w) of sub-section (2) of Section 154
36. The Secretary of the Board shall have the following administrative and financial powers for the smooth functioning of the Board:
- (1) The Secretary cum Chief Executive Officer shall, with the approval of the Chairperson, issue notice to convene meetings of the Board and keep record of minutes of the meeting and shall take necessary steps for carrying out the decision of the Board.
 - (2) The Secretary cum Chief Executive Officer shall have the power to, in any financial year; incur expenses towards salaries, allowances and other remuneration to its members, officers and other employees and for meeting the other administrative expenses, not exceeding five per cent. of its total expenses, to be sanctioned and drawn under the signature of the Secretary, subject to post facto approval of the Board.
 - (3) The Secretary may also exercise such other administrative and financial powers other than those specified in sub-rule (3), as may be delegated to him, from time to times by the Board on recommendation of the Chairperson.
 - (4) The Board may, from time to time, delegate, subject to such conditions as it may deem fit, administrative, and financial powers to any other Officer under the control and supervision of the Board to the extent considered necessary for its efficient functioning.

CHAPTER X

AUTHORITIES, ASSESSMENT, COMPLIANCE AND RECOVERY

- Form and manner of maintenance of records and registers and other particulars and details under clause (a), manner and form for display of notices at the work places of the employees under clause (b), and the manner and period of filing returns to the officers or authority under clause (d) of section 123
37. (1) The employer of every establishment shall maintain -
- (i) Register of employees in **Form XXII**;
 - (ii) Register of attendance-cum-Muster Roll in **Form-XXIII**;
 - (iii) Register of wages, overtime and deduction in **Form XXIV**;
 - (iv) Register of women employees in **Form XXV**;
 - (v) Number of hours of work and number of days for which work performed by employees;
 - (vi) Details as to cess paid in respect of Building and Other Construction Works.
- (2) Registers under this Chapter shall be maintained electronically or otherwise.
- (3) Every employer shall produce records, registers on demand before the Inspector-cum-facilitator or any authorized person in that behalf by the Government.

- (4) Every employer shall issue Wage Slips, electronically or otherwise to the employees under clause(c) of section 123 before 24 hours of payment of wages in **Form XXVI**.

- (5) Manner and form for display of notices :-

Notices shall be displayed in such a way that it shall be clearly visible to all the employees and shall be written in Assamese, English and official languages as applicable in the locality.

- (a) Records kept under the provisions of Chapter V of the Code and the rules framed there under shall be preserved for a period of three calendar years from the date of their preparation.
- (b) All registers and other records required to be maintained under this Code and under this rules shall be maintained complete and up-to-date and unless otherwise provided for, shall be kept at an office or the nearest convenient building within the precincts of the work place or at a place within a radius of three kilometres.
- (c) The required records and registers shall be maintained legibly in Assamese, English and official languages applicable in the locality.
- (d) Every such register shall be serially page marked and well bound.
- (e) In any register or record which an employer is required to maintain under these rules, the entries relating to any day shall be made on that very day and shall be authenticated by the employer or the manager, as the case may be, by putting his signature against them:

Provided that in case the employer or the manager is absent on any day the entries shall be authenticated by such person as may be authorised to do so by the employer.

- (6) Annual returns -

- (i) The employer to which the provisions of Chapter V and Chapter VI of the Code applies, on or before the 28th or 29th day of February in each year shall electronically upload a unified annual return in **Form-XXVII** on the web portal of the Government, giving information as to the particulars specified, in respect of the preceding year:

Provided that during inspection, the Inspector-cum-Facilitator may require the production of accounts, books, register and other documents maintained in electronic form or otherwise.

Explanation:- For the purposes of this sub-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).

- (ii) If the employer to which the Code applies sells, abandons or discontinues the working of the establishment, then, he shall, within one month of the date of such sale or abandonment or four months of the

date of such discontinuance, as the case may be, upload online, on the web portal of the Government, a further unified return in Form **Form-XXVII** referred to in clause (1) in respect of the period between the end of the preceding year and the date of the sale, abandonment or discontinuance.

Labour Case
Management
Information
System

38. The Government may, for the purposes of effective implementation of the provisions of the Code, by notification-

- (1) Develop, establish or adopt a Labour Case Management Information System as an online platform for the electronic filing, registration, submission, tracking and monitoring of grievances, disputes and claims arising under the Code, and for facilitating their time- bound redressal in such manner as may be specified.
- (2) The Labour Case Management Information System referred to in sub-rule (1) may be developed and maintained by the Government either by itself or through any authorised agency, as it deems fit.
- (3) The Government may, where it considers expedient, integrate such system with, or onboard the same onto, any portal or digital platform developed, notified or prescribed by the Central Government, subject to such terms and conditions as may be specified.
- (4) The manner of electronic filing, processing, disposal, and all ancillary procedures relating thereto, including authentication, data management and user access, shall be such as may be specified by the Government by order or notification.
- (5) The use of such system by employers, employees, beneficiaries and other stakeholders shall be in such manner and subject to such conditions as may be specified by the Government.

CHAPTER XI

OFFENCES AND PENALTIES

Form and
manner of
application for
compounding of
offences under
sub-section (4)
of section 138

39. (1) The Government may appoint any person not below the rank of Labour Officer of the Labour Welfare Department for the purposes of compounding of offences.
- (2) The officer authorized by the Government by notification for the purposes of compounding of offences under sub-section (1) of section 138 shall issue electronically or by speed post a notice for compounding the offences in **Form-XXVIII** which are compoundable under section 138.
- (3) The person so noticed may apply in Part III of the **Form-XXVIII** to the officer electronically or speed post and deposit the entire compounding amount by electronic transfer or otherwise, within fifteen days of the receipt of the notice under sub-rule (1).
- (4) The Compounding Officer shall issue a composition certificate in Part IV of **Form-XXVIII** electronically or registered or speed post within ten days of receipt of the composition amount, to such person from whom such amount has been received in satisfaction of the composition notice.

- (5) If a person so noticed as in sub- rule (1) fails to apply along with the deposit of the compounding amount within the prescribed time, the prosecution shall be instituted before the competent Court or the offence in respect of which the compounding notice was issued, against such person.
- (6) For the compounding of an offence after the institution of prosecution in a competent court in respect therefore, the provisions of sub-section (6) of section 138 shall apply.

CHAPTER XII

SOCIAL SECURITY FUND

Sources of funds and manner of administering and expending of funds under sub-section (5) of section 141

40. (1) Sources of Fund:-
There shall be established by the Government a Social Security Fund for the welfare of the unorganised workers in which there shall be credited the amount received from —
 - (i) whole funds from the Central Government, or
 - (ii) partial funds from the Central Government and the State Government;
 - (iii) amount received for implementation of the scheme notified by the Central Government;
 - (iv) amount received for implementation of the scheme notified by the State Government;
 - (v) contribution / donation or any other financial support from employer, their association or from Corporate Social Responsibility Fund as to determined by the Government by general or special order;
 - (vi) contribution amount received for registration, renewal etc. of the beneficiaries;
 - (vii) interest accrued on Security money collected from the establishments under Assam Occupational Safety Health and Working Conditions Rules, 2026 and any other labour law enacted by the state legislature;
 - (viii) interest accrued on unclaimed amount presently lying in the official accounts with all Competent Authorities as notified by the Government under the provisions of the Code;
 - (ix) any other source(s) for initial funding/ replenishing the Social Security Fund from time to time through notification;
 - (x) income generated by way of tax, cess or duty levied by the Government;
 - (xi) any penalty on cess in any scheme under the unorganized social security board at a rate as notified by the Government;
 - (xii) any other sources as ascertained by the Government from time to time;

- (xiii) any amount collected through compounding of offences.

(2) Expenses of Fund:-

- (i) The establishment and the manner of administering and expending of the social security fund shall be for the schemes under section 109 (2) and any other schemes as may be notified by the Government from time to time.
- (ii) The collected fund shall be administered and expended through Assam Unorganized Workers' Social Security Board in the manner as notified by the Government.
- (iii) Directions of the Government, if any shall be complied by the said Board designated for the administration of the Social Security Fund.
- (iv) The records of accounts of Social Security Fund shall be maintained by the Board, in such register or Form as notified by the Government and shall be updated on monthly basis. The State Board may also operate one Nationalized Bank Account for Unorganised Social Security Fund as and when required.
- (v) The accounts of the Social Security Fund shall be audited by Accountant General (A&E), Assam.

CHAPTER XIII

EMPLOYMENT INFORMATION AND MONITORING

Manner and form for reporting vacancies to Career Centre under sub-section (2) of section 139

41. (1) The employer in every establishment in public sector in the State or area thereof or in private sector or every establishment pertaining to any class or category of establishments in private sector shall, before filling up any vacancy in any employment in that establishment, report that vacancy or cause to be reported to such Career Centre (Regional) from such date as may be specified in the notification by the Government,
- (2) The Government shall provide for mechanism (including digital) for receipt of vacancies reported by the employers. Career Centre to which the vacancies are reported, shall provide a unique vacancy reporting number for the vacancy reported and convey it to the employer in writing, through email or digitally or through any other such media immediately but in any case not later than three working days from the date of receipt of reporting of Vacancies.
- (3) The vacancies shall be reported in writing or through valid official email or digitally to the Career Centre in the format given at **Form- XXIX** furnishing as many details as practicable, separately in respect of each type of vacancy:

Provided that any change in the particulars already furnished to the Career Centre under clause (a) of sub-rule(3), shall be reported in writing or through official email or digitally as the case may be, to the specified Career Centre.

(4) Time limit in the reporting of vacancies:

Vacancies, required to be reported to the Career Centre (Regional), shall be reported at least fifteen days (15 days) before the last date of receipt of the applications of the prospective candidates for purpose of appointment or taking interview or test against the vacancies reported.

(5) Maintenance of records:

The employers in every establishment in the public sector in the State or area thereof or in every establishment in private sector or every establishment pertaining to any class or category of establishment in private sector shall maintain records manually or electronically or digitally about,-

- (i) total number of employees (regular, contractual or fixed term employment) on 31st March of every year;
- (ii) persons recruited during the year ending on 31st March;
- (iii) occupational details of its employees on 31st March of every year;
- (iv) vacancies for which suitable candidates were not available during the year ending on 31st March; and
- (v) approximate number of vacancies likely to occur during the next financial year.

(5) Submission of returns:

As per clause (iii) sub-section (2) of section 139 of the Code, the employer shall furnish to the concerned Career Centre (Regional, yearly returns in form **EIR (Employment Information Return)** as given at **Form - XXX**. Yearly returns shall be furnished manually or, electronically, or digitally, as the case may be, as specified by the Government in notification, within thirty days (30 days) of the due date namely 31st March of the year.

Misuse of
benefits under
section 148

42. In case any establishment or any other person is found to have misused any benefit provided to him under the Code or rules, regulations or schemes made or framed there under the Government may by notification specify the duration of time during which such establishment or other person, as the case may be, shall be deprived from receiving such benefit:

Provided that no such order shall be passed unless an opportunity of being heard is given to such establishment or such person, as the case may be.

Repeal and
saving

43. The Payment of Gratuity (Assam) Rule, 1972, the Assam Maternity Benefit Rules, 1965, the Building and other Construction Workers (Regulation of Employment and conditions of service) Assam Rules, 2007 and Unorganised Workers Social Security Assam Rules, 2008 are hereby repealed:

Provided that, the said repeal shall not affect:-

- (a) the previous operation of the said rules or anything duly done or suffered there under; or
- (b) affect any right, liability or obligation acquired, accrued or incurred under the said rules.

FORM NO I
[See rule 11 (2)(i)]
APPLICATION FOR CASH AWARD

Application No.& Date..

District...

Name of Examination passed.....

Year :

**Passport size
Photo of
Applicant 2
copies**

- (1) Name of Applicant Student :
 (2) Male/Female :
 (3) Address in Full :
 (4) Age & Date of Birth of the Student :
 (5) Name of father/Mother :
 (6) Registration No. & date of Father/Mother :
 as beneficiary in the Assam Building &
 Other Construction Workers' Board.
 (7) Identity card No. & date of father/Mother :
 Of Beneficiary.
 (8) Particulars of payment of monthly :
 contribution
 (a) Date of 1st Payment of contribution :
 (b) Date of last payment of contribution :
 (c) Name of the Branch of Bank where :
 remitted the contribution
 (9) Whether the applicant is S.C/S.T./O.B.C :
 (10) Name & Address of School, where :
 from passed the exam.
 (11) Year of Study Month & year of passing Exam :
 Registration No. Roll No.
 (12) Marks obtained in the examination :

Subject	Marks obtained	Maximum Marks
---------	----------------	---------------

- (13) Name & Address of the Bank with A/c :
 No. where the Cash Award to be deposited

The facts mentioned are true to my knowledge & information

Place:

Date:

Signature/Thumb impression of the Applicant

AFFIDAVIT OF THE PARENT

I, Sri/Smti.... am a registered member of Assam Building & Other Construction Workers' Welfare Board and my Registration No & date is... and in the respect my Identity Card No. & Date..an attested copy of which is submitted herewith for your kind information. The applicant Sri/Smti...is my son/daughter. The facts mentioned in the application are true, if they are found to be not true later, all the money received from the Board will be remitted back. I, hereby agree that the decision taken by the Secretary of the Board in this regard will be final.

Place..

Date..

Signature of Parent

LIST OF NECESSARY DOCUMENTS TO BE SUBMITTED

- (a) Attested Copy of Identity Card of Father/ Mother :
- (b) Attested Copy of Pass Certificate from the Head :
of the Institution
- (c) Attested Copy of the mark sheet of the Exam :
- (d) Copy of the Pay Slip of the A/c Pay Book where :
by deposited the last contribution
- (e) Caste Certificate :

FORM NO. II

[See rule 11 (2)(ii)]

APPLICATION FOR ONE TIME EDUCATIONAL ASSISTANCE

Application No.& Date..

District...

Name of course.....

Year.....

- (1) Name & Full Address of Applicant :
 (2) Male/Female :
 (3) SC/ST/OBC :
 (4) Name of college and affiliated University/Board :
 where admitted
 (5) Name & Year of course :
 (6) Date of admission to the course :
 (7) Age & Date of Birth of the Students :
 (8) Details of qualifying examination passed :
 Name of Exam Name of affiliated University/Board :
 Month & Years passing qualifying exam
 (9) Marks scored in the qualifying Examination :

Subject	Marks scored	Maximum Marks	Percentage
(10) (a) Name of parents of Applicant	:	:	
(b) Registration No. & Date of Parent	:	:	
(c) Identity Card No. & Date of Parent	:	:	
(d) Whether Father & Mother both are registered beneficiary under the Welfare Board	:	:	
(e) Date of payment of 1 st contribution	:	:	
(f) Date of payment of last contribution	:	:	
(g) No. of total subscription paid	:	:	
(h) Total amount of contribution paid	:	:	
(i) Has the membership been ceased if so due to def...period of revival	:	:	
(j) Full Address of the Parent	:	:	
(11) Name of the Branch of the Bank and A/c No. of the applicant where the money to be deposited	:	:	

The facts mentioned above are true to my knowledge & belief. If selected for the scholarship, I promise that I will abide by the condition stipulated in the scheme of financial assistance for education.

Place..

Date..

Name & Signature of the Applicant

AFFIDAVIT OF THE PARENT

I, Sri/Smti..... S/o, D/o..... address solemnly affirm the following

My son/daughter Sri/Smti..... is studying for (Name & year of course).....

I am registered member of the Board since (Month & Year). with Registration No.... dt... and my Identity Card No. in that respect is.

3) If any of the above facts are found to be wrong later, the scholarship amount granted to the student will be remitter back by me. The decision of Member Secretary of the Board in this regards will be applicable to me and will be final and I agree with the decision.

I also agree to recovery any amount of default due to me.

Place..

Date..

Name & Signature of Parent

(To be signed before MLA/MP/Panchayat President/Gazetted Officer)

I certify that Sri/Smti..... who has signed above has put the signature in my presence.

Place..

Date..

Attesting Officer

Name & Designation

I, Sri/Smti....Head of ... hereby certify that Sri/Smti....is a year student of ... course, I have examined the application submitted by the student and I am convinced that it is correct. This institution is affiliated to the....University/Board.

Place..

Date..

Signature of Head of Institution

Name & Official Designation

FORM NO. III
[See rule 11 (3) (ii)]
APPLICATION FOR MEDICAL ASSISTANCE UNDER EMPLOYMENT INJURY/MAJOR
AILMENTS

Application No.& Date..

District...

- (1) Name & Full Address of the Applicant :
- (2) Age & Date of Birth :
- (3) Registration No. & Date :
- (4) Identity Card No. & Date :
- (5) Date of Payment of 1st Contribution :
- (6) Date of Payment of last contribution before Submission of Application :
- (7) Total amount of contribution remitted :
- (8) Details regarding disease/surgery/employment injury:
- (9) Disability if any, due to disease/surgery/employment Injury; Details thereof. :
- (10) Period of treatment:
 - (a) Place of treatment:
 - (b) If treated as indoor patient in Govt. Hospital (Y/N):
- (11) Date of admission in the Hospital :
- (12) Date of discharge from the Hospital :
- (13) Details of medical benefits received if any earlier, in this regard. :
- (14) Name of the Bank & A/c No. of the Applicant :
- (15) List of documents to be submitted :
- i) Attested copy of Identity Card :
- ii) Last Contribution deposit slip of A/c Pay Book :
- iii) Injury report from the Employer/Principal Employer/Local Police Authority :
- iv) All documents of treatment related to major ailments/injury in the Hospital. :
- v) Photograph of the body part of person effected due to injury :
- vi) Percentage of Disability Certificate from the Appropriate Authority :

UNDERTAKING

The facts mentioned above are true to my knowledge & information

Place..

Date..

Signature/Thumb impression of the Applicant

FORM IV
[See rule 12]
Appeal to Employees' Insurance Court

To,

The Authority,
(Appointed under the Code on Social Security, 2020)
(Address)

Sir,

I,the undersigned ,employee of.....
(Name and full address of the establishment).

*Feel aggrieved by the order of under sub-section7(a) of Section 37 for the reasons attached here to, prefer this second appeal under sub-section7 (b) of section 37and request that the saidbe ordered

A copy of the order of.....in this behalf is enclosed.

Date.....

Signature or thumb impression of the Aggrieved person

Signature of an Attester in case the person is not able to sign and affixes thumb impression.

FORM-V**[See rule 15(1),15(1)(ii),15(2),15(3),15(4)]****Nomination/Fresh Nomination/Modification of Nomination (Section-55)****(Strike out the words not applicable)**

To.....

(Give here name or description of the establishment with full address)

I, Shri/ Shrimati/Kumari..... (Name in full here) whose particulars are given in the Statement below, hereby nominate the person(s) mentioned below/ have acquired a family within the meaning of clause (33) of section 2 of Code on Social Security, 2020 with effect from the (date here) in the manner indicated below and therefore nominate afresh the person(s) mentioned below to receive the gratuity payable after my death as also the gratuity standing to my credit in the event of my death before that amount has become payable, or having become payable has not been paid and direct that the said amount of gratuity shall be paid in proportion indicated against the name(s) of the nominee(s).

or

I, Shri /Shrimati / Kumari..... (Name in full here) whose particulars are given in the statement below, hereby give notice that the nomination filled by me on date and recorded under your reference No.....dated..... shall stand modified in the following manner-

2. I hereby certify that the person(s) mentioned is/are a member(s) of my family within the meaning of clause (33) of section 2 of the Code on Social Security, 2020.

3. I hereby declare that I have no family within the meaning of clause (33) of section 2 of the said Code.

4 (a) My father/mother/parents is/are not dependent on me.

(b) My husband's father/mother/parents is/are not dependent on my husband.

5. I have excluded my husband from my family by a notice dated the..... to the competent authority in terms of clause (33) of section 2 of the said Code.

6. Nomination made herein invalidates my previous nomination.

Nominee(s)

Sl. No.	Name in full with full address of nominee(s)	Relationship with the employee	Age of nominee	Proportion by which the gratuity will be shared
1.				
2.				
3.				
So on				

Manner of acquiring a "Family"

(Here give details as to how a family was acquired, i.e., whether by marriage or parents being rendered dependent or through other process like adoption)

Statement

Name of employee in full

Sex

Religion

Whether unmarried/married/widow/widower
 Department/Branch/Section where employed
 Post held with Ticket No. or Serial No., if any
 Date of appointment
 Permanent address:

Village..... Thana..... Sub-division..... Post Office
 Pin-Code..... District..... State..... Email-ID.....
 Mobile Number.....

Place:

Date:

Signature/Thumb impression of the Employee

DECLARATION BY WITNESSES.

Nomination signed / thumb impression before me.

Name in full and address of witnesses. Signature.

1.	1.
2.	2.

Date:

CERTIFICATE BY THE EMPLOYER

Certified that the particulars of the above nomination have been verified and recorded in this establishment. Employer's Reference No., if any

Signature of the employer/Officer authorised

Designation

Date: Name and address of the establishment or rubber stamp thereof.

Acknowledgement by the Employee

Received the duplicate copy of nomination in Form-XIII filed by me and duly certified by the employer.

Date:

Signature of the Employee

FORM- VI**[See rule 16 (1)(i), (ii), (iii)]****Application for Gratuity by an Employee/Nominee/Legal Heir (Section-56)**
(Strike out the words not applicable)

To,

(Give here name or description of the establishment with full address)

Sir/Madam,

I, (name of employee/nominee/legal heir) /nominee of
late..... (Name of the employee)/ as a legal heir of
late.....(Name of the employee), beg to apply for payment of gratuity to
which I am entitled under sub-section (1) of
section 53 of the Code on Social Security, 2020 on account of

- (a) my superannuation/retirement/resignation after completion of not less than five years of continuous service/total disablement due to accident/total disablement due to disease/ on termination of contract period under fixed term employment with effect from the.....

or;

- (b) death of the aforesaid employee while in service/superannuation on.....after completion of..... years of service/total disablement of the aforesaid employee due to accident or disease while in service with effect from the.....

or;

- (c) death of aforesaid employee of your establishment while in service/superannuation on.....(date) without making any nomination after completion of years of Service/total disablement of the aforesaid employee due to accident or disease while in service with effect from.....

Necessary particulars relating to my appointment are given in the statement below.

- (1) Name of employee in full, (if, the gratuity is claimed by an employee)
(a) Marital status of employee(unmarried/married/widow/widower)
(b) Address in full of employee

Or;

- (2) Name of nominee/legal heir, (if the gratuity is claimed by nominee/legal heir)
(a) Name of Employee
(b) Marital status of nominee/legal heir(unmarried/married/widow/widower)
(c) Relationship of nominee/legal heir with the employee
(d) Address in full of nominee/legal heir
(e) Date of death and proof of death of the employee
(f) Reference No. of recorded nomination if available

- (3) Department/Branch/Section where last employed

- (4) Post held by employee.

- (5) Date of appointment.

- (6) Date and cause of termination of service

- (7) Date of Death

- (8) Total period of service of the employee

- (9) Total wages last drawn by the employee.

- (10) Total gratuity payable to the employee/ share of gratuity claimed by a nominee/legal heir.

- (11) Payment may please be made by crossed bank cheque/credit in my bank account
No..... (Bank details to be provided)

1. Name of the account holder.

2. Bank branch.

3. Account No and IFSC Code.

4. Other details

Yours faithfully,

Signature/Thumb-impression of the
Applicant employee/nominee/legal heir

Place:

Date:

FORM-VII**[See rule 16(2)(i)(a), (b),(ii), (iv) and (v)]****Notice for Payment/Rejecting claim of Gratuity (Section-56)**

(Strike out the words not applicable)

To,

.....

(Name and address of the applicant employee/nominee legal heir)

You are hereby informed that

- (a) *as required under sub-clause (ii) of clause (a) of sub-rule (2) of rule 33 of the Social Security (Central) Rules, 2026, that your claim for payments of gratuity as indicated on your application in Form-XIII under the said rules is not admissible for the reasons stated below:
Reasons (Here specify the reasons); or

- (b) *as required under sub-clause (i) of clause (a) of sub-rule (2) of rule 33 of the Social Security (Central) Rules, 2026 that a sum of Rs.(Rupees.....) is payable to you as gratuity/as your share of gratuity in terms of nomination made byonand.....recorded in this.....as a legal heir ofan employee of this establishment

2. *Please call at.....on.....(Here specify place).....(date) at.....(time) for collecting your payment of gratuity crossed cheque.

3. Amount payable shall be sent to you through demand draft or shall be credited in your bank account as desired by you.

4. Brief statement of calculation

- a) Date of appointment.
- b) Date of termination/superannuation/resignation/ disablement/death.
- c) Total period of service of the employee concerned:
years..... months.
- d) Wages last drawn:
- e) Proportion of the admissible gratuity payable in terms of nomination/as a legal heir:
- f) Amount payable:

Place:

Date:

Signature of the Employer/authorized officer.

Name or description of establishment or

Rubber stamp thereof

FORM- VIII
[See rule 16(3)(i)(c)]
Application for Direction (Section-56)

Before the Competent Authority for Chapter V under the Code on Social Security, 2020

Application No.

Date

BETWEEN

(Name in full of the applicant with full address)

AND

(Name in full of the employer concerned with full address)

1. The applicant is an employee of the above-mentioned employer/a nominee of late.....an employee of the above-mentioned employer/a legal heir of late.....and employee of the above-mentioned employer, and is entitled to payment of gratuity under section 53 of the Code on Social Security, 2020 on account of his own/aforesaid employee's superannuation on.....(date)/his own retirement/aforesaid employees' resignation on.....(date) completion of.....years of continuous service/his own/aforesaid employees' total disablement with effect from(date) due to accident/disease death of aforesaid employee on.....

2. The applicant submitted an application under Rule..... of the Social Security (Central) Rules, 2026 on the but the above-mentioned employer refused to entertain it/issued a notice dated the..... under clause of sub-rule of ruleoffering an amount of gratuity which is less than my due/issued a notice datedthe under clause..... of sub-rule.....of rule..... rejecting my eligibility to payment of gratuity. The duplicate copy of the said notice is enclosed.

3. The applicant submits that there is a dispute on the matter (specify the dispute).

4. The applicant furnishes the necessary particulars in the annexure hereto and prays that the Competent Authority may be pleased to determine the amount of gratuity payable to the petitioner and direct the above-mentioned employer to pay the same to the petitioner.

5. The applicant declares that the particulars furnished in the annexure hereto are true and correct to the best of his knowledge and belief.

Date:

Signature/Thumb impression of the applicant.

ANNEXURE

1. Name in full of applicant with full address
2. Basis of claim (Death/Superannuation/Retirement/Resignation/Disablement of Employee/Completion of contract period under Fixed Term Employment)
3. Name and address in full of the employee
4. Marital status of the employee (unmarried/married/widow/widower)
5. Name and address in full of the employer
6. Department/Branch/Section where the employee was last employed (if known)
7. Post held by the employee with Ticket or Sl. No., if any (if known)
8. Date of appointment of the employee (if known)

9. Date and cause of termination of service of the employee (Superannuation / retirement / resignation / disablement / death/Completion of contract period under Fixed Term Employment)
10. Total period of service by the employee
11. Wages last drawn by the employee
12. If the employee is dead, date and cause thereof
13. Evidence/witness in support of death of the employee
14. If a nominee, No. and date of recording of nomination with the employer
15. Evidence/witness in support of being a legal heir if a legal heir
16. Total gratuity payable to the employee (if known)
17. Percentage of gratuity payable to the applicant as nominee/legal heir
18. Amount of gratuity claimed by the applicant.

Place:

Date:

Signature/Thumb-impression of the applicant

FORM – IX**[See rule 16(5)(i)]****Notice for Appearance before the Competent Authority/Summon (Section-56)
(Strike out the words and paragraph not applicable)**

To,

(Name and address of the employer/applicant)

Whereas Shrian employee under you/a nominee(s)/legal heir(s) of Shri.....an employee under the above mentioned employer, has/have filed an application under sub-rule (4) of rule 33 of the Social Security (Central) Rules, 2026 alleging that-

(A copy of the said application is enclosed, if, summon is issued then copy of application is not required)

Now, therefore, you are hereby called upon/summoned to appear before the Competent Authority at..... (place) either personally or through a person duly authorized in this behalf for the purpose of answering all material questions relating to the application on the day of20..... at O' clock in the forenoon/afternoon in support of/to answer the allegation; and as the day fixed for your appearance is appointed for final disposal of the application, you must be prepared to produce on that day all the witnesses upon whose evidence, and the documents upon which you intend to rely in support of your allegation/defense.

Take notice that in default of your appearance on the day before-mentioned, the application will be dismissed/heard and determined in your absence.

Whereas your attendance is required to give evidence/you are required to produce the documents mentioned in this list below, on behalf of in the case arising out of the claim for gratuity by..... Form..... and referred to this Authority by an application under section 56 of the Code on Social Security, 2020, you are hereby summoned to appear personally before this Authority on the day of20..... at 'O' clock in the forenoon/afternoon and to bring with you for to send to this Authority) the said documents.

List of documents-

- 1.
- 2.
3. so on

Given under my hand and seal, thisday of20.....

Competent Authority

under the Code on Social Security Code, 2020

Note:

1. The portion not applicable to be deleted.
2. The summons shall be issued in duplicate. The duplicate is to be signed and returned by the persons served before the date fixed.
3. In case the summons is issued only for producing a document and not to give evidence it will be sufficient compliance to the summons if the documents are caused to be produced before the Competent authority on the day and hour fixed for the purpose.

FORM – X**[See rule 16(11), (12)(viii)]****Notice for Payment of Gratuity as Determined by Competent/Appellate Authority (Section-56)**
(Strike out the words and paragraph/s not applicable)

To,
(Name and address of employer)

1. Whereas Shri/Smt./Kumari of an employee
..... (address) under you/ a nominee(s)/legal
heir(s) of late..... an employee under you, filed an
application under section 56 of the Code on Social Security, 2020, before me;
Or;

Whereas a notice was given to you on requiring you to make payment of
Rs..... to Shri/Smt./Kumari.....as gratuity under the Code
on Social Security, 2020.

2. And whereas the application was heard in your presence on..... and after the hearing have
come to the finding that the said Shri/Smt./Kumari..... is entitled
to a payment of Rs..... as gratuity under the Code on Social Security, 2020;
Or;

3. Whereas you/the applicant went in appeal before the appellate authority, who has decided that an
amount of Rs..... is due to be paid to Shri/Smt./Kumari as gratuity due
under the Code on Social Security, 2020.

Now, therefore, I hereby direct you to pay the said
sum of Rs..... to Shri/Smt./Kumari..... within thirty
days of the receipt of this notice with an intimation thereof to me.

Given under my hand and seal, thisday of.....20.....

Competent Authority

under the Code on Social Security Code, 2020

Copy to:

1. The Applicant- He is advised to contact the employer for collecting payment.
2. The Appellate Authority if applicable.

FORM – XI
[See rule 16(13)]
Application for Recovery of Gratuity (Section-56)
Before the Competent Authority for Chapter V under the Social Security Code, 2020

Application No.

Date

BETWEEN

(Name in full of the applicant with full address)

AND

(Name in full of the employer/Trust/Insurer concerned with full address)

The applicant is an employee of the above-mentioned employer/a nominee of late.....an employee of the above mentioned employer/a legal heir of latean employee of the above-mentioned employer, and you were pleased to direct the said employer in your notice dated theunder sub-rule (11) or sub-rule (12) of rule 33 of the Social Security (Central) Rules, 2020 for payment of a sum of Rs..... as gratuity payable under the Code on Social Security, 2020.

The applicant submits that the said employer failed to pay the said amount of gratuity to me as directed by you although I approached him for payment.

The applicant therefore prays that a certificate may be issued under section 129 of the Code for recovery of the said sum of Rs. due to me as gratuity in terms of your direction.

Signature/Thumb-impression of applicant.

Place:

Date:

Note.—Strike out the words not applicable.

FORM – XII**[See rule 17(1)(ii)]****Application for Registration of an Establishment under sub-section (3) of Section 57.**

1. Name of the Establishment	
2. Address of the establishment	
3. Name of the employer	
4. Address of the employer	
5. No. of employees insured	
6. Details of the Insurance Company	
(a) No. of Insurance Policy	
(b) Date of commencement of insurance policy	
(c) Terms of Insurance policy (copy of the insurance policy to be enclosed	
(d) Details of employees insured details of employees shall be furnished in Form-III	
7. If the employer had already established an Approved Gratuity Fund before notification of the rules, details of board of trustees of the gratuity fund may be furnished:	
(a) Date of constitution of the board of Trustees	
(b) Names and addresses of the Board of Trustees	

Place:
Date:

SIGNATURE OF THE EMPLOYER

Name:

Designation:

Address:

FORM – XIII**[See rule 19(2)]****Complaint to the Inspector-cum-Facilitator (Section-72)**

To,

The Inspector-cum-Facilitator

(Under the Code on Social Security, 2020),

Sir/Madam

I..... (Name of woman) employed in..... (name and full address of the establishment) or I, (name), a person nominated under Section 62 by or a legal representative of (name of woman) employed in (name and full address of the establishment) having fulfilled the conditions laid down in the Code on Social Security, 2020 and the Rules thereunder, am entitled to Rs..... being maternity benefit and/or Rs..... being the medical bonus and/or Rs..... being wages for leave due under Section 65 but the same has been improperly withheld by the employer/discharged or dismissed during or on account of her absence from work in accordance with the provisions of this Chapter VI of Code on Social Security, 2020.

You are therefore requested, to direct the employer to pay the amount to me/ to set aside the discharge or dismissal done by the employer.

Signature or thumb impression of the Woman/ nominee/ legal representative

Date.....

Signature of an attester in case the woman/ nominee/ legal representative is unable to sign and affixes thumb impression.

Full address of the women/nominee/ legal representative

FORM – XIV
[See rule 19(4)]
Appeal under (Section 72)

To,

The Authority,
(Appointed under the Code on Social Security, 2020)
..... (Address)

Sir/Madam,

I..... the undersigned, woman employee of..... (name and full address of the establishment)

* Feel aggrieved by the order of Inspector-cum-Facilitator under sub section (2) of Section 72 for the reasons attached hereto, prefer this appeal under sub-section (3) of section 72 and request that the said employer be ordered to pay the above mentioned amount to me. A copy of the order of Inspector-cum-Facilitator in this behalf is enclosed or,

* Shri....., Inspector-cum-Facilitator, having directed under the sub-section (2) of section 72 to pay the maternity benefit or other amount being.....(Nature of amount) to which..... (Name of woman) is said to be entitled / to set aside my discharge or dismissal during or on account of absence from work in accordance with the provision of this Chapter V of the Code on Social Security, 2020 *(Strike out the unnecessary portion)*.

I prefer this appeal under sub-section (3) of section 72. In view of the facts mentioned in the memorandum attached hereto and the documents filed herewith it is submitted that the woman is not entitled to the maternity benefit or the said amount and hence the order of the Inspector-cum-Facilitator in the copy of which is enclosed, may be set aside.
(Strike out the unnecessary portion).

Date:

Signature or Thumb impression of the woman/ aggrieved person.

Signature of an attester in case the woman is

not able to sign and affixes thumb impression

Full address of the nominee/ legal representative

FORM – XV
[See rule 22]
Notice Book under Section 82(4)

Name of the Establishment.....
 Nature of business.....
 Date of opening.....
 Registration no (if any).....
 Name of the employer/occupier.....

Date and time of accident	**Short detail of Accident	Name of the injured person	Nature of Injury	Whether the accident took place in course of duty	Whether accident resulted in death/ total disablement/ partial disablement/ temporary disablement	Amount of Compensation paid to employee or his dependent	Amount of Compensation deposited to competent authority	Date of deposit of compensation	Date of payment	Remarks
1	2	3	4	5	6	7	8	9	10	11

** Including date and time of Notice.

FORM – XVI
[See rule 24]
STATEMENT OF FATAL ACCIDENTS Section 88(1)
(Strike out the unnecessary portion).

To,
 The Competent Authority,

Sir/Madam

1. I have the honour to submit the following report of an accident which occurred in (date), at (here enter details of premises) and which resulted in the death of the workman/workmen of whom particulars are given in the statement annexed.

2. The circumstances relating to the death of the workman/workmen were as under: -

- (a) Time of accident.
- (b) Place where the accident occurred.
- (c) Manner in which deceased was/were employed at the time.
- (d) Cause of the accident.
- (e) Any other relevant particulars.

3. I am responsible for payment of compensation.

4. The establishment is not responsible for payment of compensation due to the reasons mentioned below

.....

.....

Statement

Name	Sex	Age	Salary/Wage of the employee	Nature of employment	Full postal address	Remarks
1	2	3	4	5	6	7

(Signature and designation of person making the report)

FORM – XVII
[See rule 25(1)]
MEMORANDUM OF AGREEMENT Section 89(1)

It is hereby submitted on the day of _____ 20 _____ personal injury was caused to _____ resident at _____ by accident arising out of and in the course of employment in _____. The said injury has resulted in temporary disablement to the said employee whereby it is estimated that he will be prevented from earning more than of previous/any wages for a period of _____ months. The said employee has been in receipt of half-monthly payments, which have continued from the _____ day _____ of 20 _____ until the continued from the day _____ of 20 _____ until the _____ day of _____ 20 _____ amounting to Rs. _____ in all. The said employee's monthly wages are estimated at Rs. _____. The employee is over the age of 15 years /will reach the age of 15 years on _____.

It is further submitted that the employer of the said employee has agreed to pay, and the said employee has agreed to accept, the sum of Rs.in settlement of all and every claim under the Code on Social Security, 2020, in respect of all disablement of a temporary nature arising out of the said accident, whether now or hereafter to become manifest. It is therefore requested that this memorandum be duly recorded.

Dated.....20 _____
 Employer.....

Signature of _____

Witness.....

Signature of Employees.....

Witness.....

Note. -- An application to register an agreement can be presented under the signature of one party: provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible.

Receipt (to be filed in when the money has actually been paid).

In accordance with the above agreement, I have this day received the sum of Rs. _____.

Dated.....20 _____

Employee.....

The money has been paid and this receipt is signed in my presence.

Witness.....

Note. -- This form may be varied to suit special cases, e.g., injury by occupational disease, agreement when employee is under legal disability, etc.

FORM – XVII-A
[See rule 25(1)]
MEMORANDUM OF AGREEMENT

It is hereby submitted that on the _____ day of _____ 20 _____ personal injury was caused to _____ residing at _____ by accident arising out of and in the course of his employment in _____. The said injury has resulted in permanent disablement to the said employee of the following nature, namely: --

The said employee's monthly wages are estimated at Rs. _____. The employee is over the age of 15 years/ will reach the age of 15 years on _____.

The said employee has, prior to the date of the agreement, received the following payments, namely: -

Rs. _____ on _____ Rs. _____ on _____

Rs. _____ on _____ Rs. _____ on _____

Rs. _____ on _____ Rs. _____ on _____

It is further submitted that the employer of the said employee has agreed to pay, and the said employee has agreed to accept, the sum of Rs. _____ in full settlement of all and every claim under the Code on Social Security, 2020, in receipt of the disablement stated above and all disablement now manifest. It is therefore requested that this memorandum be duly recorded.

Dated 20.

Signature of employer

.....

Witness.....

Signature of Employee

Witness.....

Note. -- Application to register an agreement can be presented under the signature of one party: provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible.

Receipt (to be filled in when the money has actually been paid)

In accordance with the above agreement, I have this day received the sum of Rs. _____.

Dated.....20.

Employee

The money has been paid and this receipt signed in my presence.

Witness

Note. -- This form may be varied to suit special cases, e.g. injury by occupational disease, agreement when employee is under legal disability, etc.

FORM – XVII-B
[See rule 25(1)]
MEMORANDUM OF AGREEMENT

It is hereby submitted that on the _____ day of _____ 20____ personal injury was caused to _____ residing at _____ by accident arising out of said in the course of employment in _____. The said injury has resulted in temporary disablement to the said employee, who is at present in receipt of wages amounting to Rs. _____ per month/no wages.

The said employee's monthly wages prior to the accident are estimated at Rs. _____. The employee is subject to a legal disability by reason of.....

It is further submitted that the employer of the employee has agreed to pay and on behalf of the said employee has agreed to accept half-monthly payments at the rate of Rs. _____ for the period of the said temporary disablement. This agreement is subject to the condition that the amount of the half-monthly payments may be varied in accordance with provisions of the said Code on account of an alteration in the earnings of the said employee during disablement. It is further stipulated that all rights of commutation under sub section 1 of Section 89 of the said Code are unaffected by this agreement it is therefore requested that this memorandum be duly recorded.

Dated20

Signature of employer.....

Witness

Signature of employee.....

Witness

Note. -- An application to register and agreement can be presented under the signature of one party: provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible.

Receipt (to be filled in when the money has actually been paid).

In accordance with the above agreement, I have this day received the sum of Rs.....

Employee

Dated 20

The money has been paid and this receipt signed in my presence.

Witness.....

Note. -- This form may be varied to suit special cases, e.g., injury by occupational disease, etc.

FORM XVIII
[See rule 25(2)]
RECORD OR REFUSE TO RECORD MEMORANDUM Section 89(1)

Whereas an agreement to pay compensation is said to have been reached between and and whereas has/have applied for registration of the agreement under Section 89 of the Code, notice is hereby given that said agreement will be taken into consideration on 20 and that any objections to the registration of the said agreement should be made on that date. In the absence of valid objections, it is my intention to proceed to the registration of the agreement.

Dated 20

Competent Authority

FORM XVIII-A
[See rule 25(4)]

Take notice that registration of the agreement to pay compensation said to have been reached between you on the 20 has been refused for the following reasons namely:

.....
.....

Dated 20

Competent Authority

FORM XIX
[See rule 25(6)]

Whereas an agreement to pay compensation is said to have been reached between _____ and _____ whereas _____ has/have applied for registration of the agreement under Section 89 of the Code and whereas it appears to me that the said agreement ought not to be registered for the following reasons namely:

.....
.....

An opportunity will be afforded to you of showing cause on _____ 20 _____ why the said agreement should be registered. If no adequate cause is shown on that date, registration of the agreement will be refused.

Dated 20

Competent Authority

FORM XIX-A
[See rule 25(6)]

Whereas an agreement to pay compensation is said to have been reached between _____ and _____ whereas _____ has/have applied for registration of the agreement under Section 89 of the Code and whereas it appears to me that the said agreement ought not to be registered for the following reasons, namely:

.....
.....

An opportunity will be afforded to the said _____ of showing cause on _____ 20 _____ why the said agreement should be registered. Any representation, which you have to make with regard to the said agreement, should be made on that date. If adequate cause in them shown, the agreement may be registered.

Dated 20

Competent Authority

FORM XX
[See rule 25(10)]
Registration of Agreement for year 20 Section 89 (1)

Sl. No.	Date of Agreement	Date of registration	Employer	Employee	Initials of Competent Authority	Reference to orders rectifying the register

FORM – XXI
[See rule 31(4)(ii)]
REPORT FOR WRITE OFF OF LOSS

Name of Officer:

1. Amount of Involved:
 2. Brief circumstances lending the loss:
- Findings of the Investigating officer:

3. Amount recovered (if any):
4. Amount propose for write off (2-4):

Signature of the Investigating Officer

Views on proposed write off:

Signature of the Authority

FORM-XXII**[See rule 37(1)(i)]****EMPLOYEE REGISTER Section 123**

(The register can also be maintained electronically capturing, inter-alia the following details)

Name of Establishment:		
Name of the Employer/owner:		
Labour Identification Number (LIN) / Registration Number of Establishment		
To be maintained for all employees of the establishments		
1	Employee Code:	
2	Name:	
3	Surname:	
4	Gender:	
5	Father's/Spouse's Name:	
6	Date of Birth:	
7	Place of Birth:	
8	Nationality:	
9	Education level:	
10	Date of Joining:	
11	Designation:	
12	Category(unskilled, semi-skilled, skilled or highly skilled):	
13	Type of employees/worker(Full time, part-time, casual, contract, apprenticeship, traineeship & other)	
14	Mobile Number:	
15	Universal Account Number(UAN):	
16	PAN:	
17	PPF No.	
18	Name of the Nominee:	
19	EPS/NPS Number:	
20	Details of Family:	
21	Details of posting:	
22	Scale of Pay:	
23	Promotion:	
24	ESIC Insurance No.	
25	Aadhaar Number:	
26	Bank A/c No.	
27	Bank Name:	
28	Branch with IFSC Code:	
29	Present address:	
30	Permanent address:	
31	Service Book No.	
32	Date of Exit:	
33	Reason for Exit:	
34	Mark of Identification:	
35	Photo:	
36	Specimen Signature/Thumb Impression :	
37	Remarks:	

FORM XXIII
[See rule 37(1)(ii)]
ATTENDANCE REGISTER-CUM-MUSTER ROLL

(The attendance register-cum-muster roll can also be maintained electronically capturing, inter-alia the following details)

															For the Month of _____ , Year 20.....														
Name of Establishment:																													
Name of the Employer/owner:																													
Labour Identification Number (LIN)/Registration Number of Establishment																													
1.	Serial Number																												
2.	Employee Code:																												
3.	Name of the employee:																												
4.	Designation:																												
5.	Shift:																												
6.	Place of work/department/section																												
7.	Date and timings of In and Out																												
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15														
	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31													
8.	Total number of days worked:																												
9.	Total number of extra hours worked:																												
10.	In case of tour or assignments outside the Work place suitable entries may be made																												
11.	Signature of Register keeper																												

FORM – XXIV
[See rule 37(1)(iii)]
REGISTER FOR WAGES, OVERTIME AND DEDUCTIONS

(The register can also be maintained electronically capturing, inter-alia the following details)

1	Serial Number	
Name of Establishment:		
Name of the Employer/owner:		
Labour Identification Number (LIN)/Registration Number of Establishment		
Wage Period from dd/mm/yyyy to dd/mm/yyyy (Monthly/Fortnightly/Weekly/Daily/Piece Rated)		
2	Employee Code Number:	
3	Name:	
4	Designation:	
5	Rate of Wage:	
	Basic:	
	DA:	
	Other allowance:	
	Total:	
6	No. of days worked:	
7	Over time hours worked:	
8	Amount of Wages Earned:	
	Basic:	
	DA:	
	Other allowance:	
	Payment of overtime:	
	Total wages earned:	
9	Deductions:	
	EPF:	
	ESIC:	
	Society:	
	d) IncomeTax:	
	e) Insurance:	
	Others:	
	g) Recovery of Fine:	
	Recovery of Damaged/Losses:	
	Total Deductions:	
10	Net Payment:	
11	Receipt by Employees/Bank Transaction ID	
12	Date of Payment:	
13	Signature, Name & Designation of Employer/Representative:	
14	Remarks:	

FORM XXV
[See rule 37(1)(iv)]
REGISTER OF WOMEN EMPLOYEES

Name of establishment:

1. Serial Number.
2. Name of woman and her father's (or, if married, husband's) name:
3. Date of appointment:
4. Nature of work:
5. Dates with month and year in which she is employed, laid off and not employed.

Month	No. of days employed	No. of days laid off	No. of days not employed	Remark
a	b	c	d	e

6. Date on which the woman gives notice under Section 62.
7. Date of discharge/dismissal, if any:
8. Date of production of proof of pregnancy under Section 62.
9. Date of birth of child:
10. Date of production of proof of delivery/miscarriage/Medical Termination of pregnancy/ tubectomy operation/death/ adoption of child:
11. Date of production of proof of illness referred to in Section 65:
12. Date with the amount of maternity benefit paid in advance of expected delivery:
13. Date with the amount of subsequent payment of maternity benefit:
14. Date with the amount of bonus, if paid, under Section 64:
15. Date with the amount of wages paid on account of leave under Section 65(1) & 65(3):
16. Date with the amount of wages paid on account of leave under Section 65(2) and period of leave granted:
17. Name of the person nominated by the woman under Section 62:
18. If the woman dies, the date of her death, the name of the person to whom maternity benefits and/or other amount was paid, the amount thereof, and the date of payment.
19. If the woman dies and the child survives, the name of the person to whom the amount of maternity benefit was paid on behalf of the child and the period for which it was paid.
20. Signature of the employer of the establishment authenticating the entries in the register of women employees.
21. Remarks Column for the use of the Inspector-cum-Facilitator.

FORM-XXVI
[See rule 37(4)]
Wage Slip

Name of the Establishment:				
	Address:		Period:	
1	Name of the Employee:			
2	Father's/Spouse's Name:			
3	Designation:			
4	UAN:			
5	Bank Account Number:			
6	Wage period:			
7	Rate of wages payable	a) Basic	b) D.A.	c) other allowances
8	Total attendance/unit of work done:			
9	Over time wages			
10	Gross wages payable			
11	Total deductions	a) PF	b) ESI	c) Others
12	Net wages paid			

FORM-XXVII
[See rule 37(6)(i), (ii)]
Unified Annual Return Section 123

A. General Part:

(a) Name of the establishment:.....

Address of the establishment:

House No. /Flat No.....Street No. /Plot No.....

Town.....District.....State.....Pin code

(b) Name of the employer :.....

Address of the employer:

House No. /Flat No.....Street No. /Plot No.....

Town.....District.....State.....Pin code.....

E-mail ID.....Telephone Number.....Mobile number.....

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

.....

Address:

House No. /Flat No.....Street No./Plot No.....

Town.....District.....State.....Pin code.....

.

E-mail ID.....Telephone Number.....Mobile Number.....

B. Employer's Registration/License number under the Codes mentioned in column (2) of the table below:

S.No.	Name	Whether Registration obtained (Yes/No)		If yes (registration No.)
(1)	(2)	(3)		(4)
1.	The Code on Occupational Safety Health and working condition code 2020.			
2.	The Code on Social Security 2020.			
3.	Any other State Labour Law for the time being in force that requires registration.			

C. Details of Employer, Contractor and Contract Labour:

1.	Name of the employer in the case of a contractor's establishments	
2.	Date of commencement of the establishment.	
3.	Number of Contractors engaged in the establishments during the year.	
4.	Total number of days during the year on which Contract Labour was employed.	
5.	Total number of man-days worked by Contract Labour during the year.	
6.	Name of the Manager or Agent (in case of mines)	
7.	Address House No. /Flat No.....Street No/Plot No.....	

Town.....District.....State.....Pin code.....
Email ID.....Telephone Number.....Mobile Number.....

D. Working hours and weekly rest day: (if there are more than one establishment we may provide option in the form).

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

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

Sl. No.	Males	Females	Adolescents (between the age of 14 to 18 years)	Total

F. Wage rates (category Wise):

Category	Rates of Wages	No. of workers							
		Regular				Contract			
		Male	Female	Children	Adolescents	Male	Female	Children	Adolescents
Highly Skilled									
Skilled									
Semi-Skilled									
Un-skilled									

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	Numbers of workers	Granted leave with wages

H. Details of Various Welfare amenities provided under the statutory schemes:

Sl. No.	Nature of various Welfare Amentias	Statutory (specify the statute)

I. Maternity Benefit under the Code on Social Security, 2020:

(a) Details of establishment, medical and para-medical 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)	Is Medical Officer at (the mines or circus)?		
3(iii)	If apart time, how often does he/she pay visit to establishment?		
3(iv)	Is there any Hospital?		
3(v)	If so, how many beds are provided?		
3(vi)	Is there a lady Doctor?		
3(vii)	If so, what is her qualification?		
3(viii)	Is there a qualified mid-wife?		
3(ix)	Has any Creche been provided?		
(b) Leave Granted under the Code on Social Security,2020			
1	Total number of female employees in the establishment		
2	Total number days of leave granted		
3	Number of employees granted maternity leave/benefited By ESI		

Declaration

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

Place

Date

Signature

FORM-XXVIII
[See rule 39(2),(3),(4)]

Notice to the Employer for an offence committed under the provisions of the Code for the first time for compounding of offences under sub-section (1) of Section 138

Notice No.....

Date:

To:

.....(Employer/Establishment)
 (Name and registration number)
(Address)

On the basis of records and documents produced before me, the undersigned has reasons to believe that you, being the employer of the establishment.....(Registration No.....), have committed offence for the violation of provision of the Code or the Schemes or the Rules or the Regulations framed there under as per the details given below:-

PART-I

1.	Name of the Person:	
2.	Name and Address of the Establishment:	
3.	Registration No. of the Establishment:	
4.	Particulars of the offence:	
5.	Provisions of the Code/Scheme/Rules/Regulations Under which the offence is committed:	
6.	Compounding amount required to be paid to wards Composition of the offence:	
7.	Name and Details of Account for depositing the Amount specified in Column 6:	

PART-II

In view of the above, you have an option to pay the entire amount mentioned in column 6 in Part-I within fifteen days from the date of issue of this notice and return the application duly filled in Part –III of this notice.

In case the said amount is not paid within the specified time, necessary action for filing of prosecution shall be initiated without giving any further opportunity in this regard.

(Signature)

(Name and designation of Officer)

Date:

Place:

PART-III

Application under sub-section (4) of section 138 for Compounding of Offence

To,

Name and Designation of Officer,

Ref: Notice No.....

Date:

The undersigned has deposited the entire amount as specified in Column 6 of Part-I and the details of payment are given below with a request to compound the offences mentioned in Part-I.

8. Details of the compounding amount deposited (Copy of electronically generated receipt to be attached):

9. Details of the prosecution, if filed for the violation of above-mentioned offences may be given:

10. Whether the offence is first offence or the applicant had committed any other offence prior to this offence, if committed, then, full details of the offence:

11. Any other information which the applicant desires to provide:

Date:

Signature of the applicant

Place

PART-IV

Composition Certificate

To:

.....(Employer/Establishment)

.....(Name and registration number)

.....(Address)

Ref: Notice No.....

Date:

This is to certify that the offence under sub-section.....of section 133-in respect of which Notice No. Dated:was issued to Sri.....(Applicant), the employer of(name and Registration Number of establishment) has been compounded on account of remission of full amount of Rs..... (Rupees
 _____) towards the composition of offences to the satisfaction of the said Notice.

Date:

Place:

(Signature)

Name and Designation of the Officer

FORM-XXIX
[See rule 41(3)]
Form for Reporting Vacancies to Career Centres
(Separate forms to be used for each type of posts)

1	Particulars of the employer: Name: Address with pin code: Telephone No. : Mobile No.: Email address : Name & Type of Establishment: (Central Government, State Government, PSU, Autonomous, Private, etc) Registration No of establishment under Code: Economic activity details:		
2	Particulars of the indenting Officer: Name: Designation: Telephone No. : Mobile No.: Email address :		
3	Particulars of vacancy(ies): (a) Designation/nomenclature of the vacancy(ies) to be filled (b) Description of duties of the post (job role/functional role)		
	(c) Qualifications/Skills required (educational, technical, experience)	Essential	Desirable/Preferable
	(i) Educational Qualifications (ii) Technical Qualifications (iii) Skills (iv) Experience		
	(d) Age Limits, if any (Age as on last date of application)		
	(e) Preferences (such as Ex-servicemen, persons with disabilities, women, etc) if any		
	(f) duration of employment (i) 3-6 months (ii) 6-12 months (iii) 12 months and more	Number of Posts	
4	Whether there is any obligation for arrangement for giving reservation/ preference to any category of persons such as Scheduled Caste(SC), Scheduled Tribe(ST), Economically Weaker Sections(EWS), Other Backward Classes(OBC), Ex-serviceman and persons with disabilities (pwd) , etc, in filling up the vacancies: Yes/No (if yes, give the number of vacancies to be filled by such categories of persons as detailed below)		
5	Category	Number of vacancies to be filled	
		Total	*By Priority candidates *(Applicable for

			Central Government vacancies)
	(a) Scheduled Caste (b) Scheduled Tribe (c) OBC (d) EWS (e) Ex-Serviceman (f) Persons with disabilities (pwd) (g) women (h) Others(specify)		
6	Pay and Allowances: For Government vacancies: Mention pay level/pay scale of the post with basic pay/pay per month with other details if any For others: Mention minimum total emoluments per month with other details, if any.		
7	Place of work (Name of the town/village and district, pin code ,etc. in which it is situated)		
8	Mode of Application(email, online, in writing, etc) and Last date for receipt of applications.		
9	Particulars of officer to whom the applications be sent/candidates should approach(Mention Name, designation, email id, address , telephone No., website address in case of online)		
10	Mode of Recruitment {Through Career Centre, Placement Agency , self-management, any other mode(specify) }		
11	Would like to prefer submission of list of eligible candidates registered with Career Centre		
12	Any other relevant information		
13	Name, address, email id of the Career Centre		
14	Date of receipt of Vacancies		
15	NIC Code of the establishment/		
16	NCO Code of the post		
17	Unique Vacancy ID(number)		

FORM-XXX**[See rule 41(5)]****Form EIR (Employment Information Return)**

Yearly Return to be submitted to the Career Centre (Regional) for the Year ended.....

Name & Address of the Employer		
Whether – Head Office		
Branch Office		
Type of Establishment (Public/ Private Sector)		
Nature of business/ Principal activity		
Establishment Registration No. under the Code		

1. (a) EMPLOYMENT

Total number of manpower of establishment including working proprietors/partners//contingent paid and contractual workers, out-sourced workers excluding part-time workers and apprentices. (The figures should include every person whose wage or salary is paid).

Category	On the last working day of the previous Year	On the last working day of the Year under report
MEN		
WOMEN		
Other (Transgender)		
TOTAL :		
PWD (persons with disabilities)		
out of above total		

2. Number of vacancies* occurred and reported to Career Centre during the year and the number of vacancies filled during the year

Occured	Reported		Filled	Source (Career Centre/ NCS Portal/ Govt. Recruiting Agencies/ Private Placement Organisations/ others)
	Career Centre (Regional)	Central Centre (Central)		
1	2	3	4	5

*As per provisions of Code on Social Security, 2020(Chapter XIII) and Rules made there under,

3. MANPOWER SHORTAGES:

Vacancies/posts remained unfilled because of shortage of suitable applicants.

Name of the occupation or designation of the post	Number of unfilled vacancies/posts		
	Skill/ qualifications (educational / technical/ experience) prescribed	Essential	Desirable
1	2	3	4

(Please list any other occupations also for which this establishment had any difficulty in obtaining suitable applicants recently.)

4. Estimated Manpower Requirement by Occupational Classification during the next calendar year (Please give below the number of employees in each occupation separately).					
Occupation	Number of employees Please give as far as possible approximate number of vacancies in each occupation you are likely to fill during the next financial year due to retirement/ expansion or re-organisation.				
Description	Men	Women	Others (transgender)	Total	PWD (persons with disabilities out of total)
1	2	3	4	5	6
Total					

* In the column (description) -Use exact terms such as Engineer (Mechanical), Assistant Director (Metallurgist); Research Officer (Economist); Supervisor (Tailoring), Inspector (Sanitary), Superintendent (Office), Manager(Sales), Manager (Accounts), Executive (Marketing), Data Entry Operator.....so on.

Signature, Name & Designation of Authorised Signatory
of establishment/ employer with seal & date

NARSING SAMBHAJI PAWAR,
Secretary to the Government of Assam,
Labour Welfare Department.