



**SHREE MALLIKARJUN KHARGE
MINISTER OF LABOUR & EMPLOYMENT
CHAIRS THE 193RD MEETING OF THE
CENTRAL BOARD OF TRUSTEES, EPF**

Shri Mallikarjun Kharge, Union Minister of Labour & Employment chaired the 193rd meeting of the Central Board of Trustees, Employees' Provident Fund in New Delhi today. The 193rd meeting of the Central Board of Trustees, EPF, was the tenth regular meeting of the present Board. The Board deliberated upon the proposal for extension of the tenure of existing fund managers and its concurrent auditor by a period of three months from 1.4.2011 to 30.06.2011 as the process of selection of new fund managers was yet to be completed. It was decided not to extend the tenure of the existing fund managers but to entrust the fund to SBI to manage the funds till new fund managers are selected. The Central Board of Trustees in a special meeting held on 29.07.2008, on the recommendation of the 92nd meeting of Finance & Investment Committee held on 24.07.2008 approved selection of four Fund Managers i.e., HSBC AMC, ICICI Prudential AMC, SBI and Reliance Capital AML for management of CBT, EPF corpus. Initially the term of contract was for two years extendable by another year on mutual consent of EPFO & the Portfolio Managers. The tenure of existing Fund Managers initially started from 17/09/2008 till 16/09/2010 which was extended for another six and half months up to 31.03.2011 by the Central Board of Trustees (CBT) in the 189th meeting of CBT held on 09.04.2010.

The Board also considered an agenda item on election of representatives of employers and employees to the Executive Committee of the

Central Board of Trustees. After deliberations among the employees' and employers'

representatives the members present proposed to the Chairman, CBT three names each for appointment to the Executive Committee, CBT unanimously, as new employees' and employers' representatives. The Board also decided to defer the agenda on the report of the working group on comprehensive amendment to the Employees'

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Provident Fund and Miscellaneous Provision at 1952 as the members needed some more time to send their views on the recommendations to the Chairman, CBT.

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GREAT DEMAND OF JOBS IN AIRLINES

After two years in a slump, the numbers are finally stacking up for India aviation. Airlines flew 520.21 lakh passengers last year – up 18.7% from 2009. This year, they are tipped to exhibit a



20% growth. This will translate into airlines hiring

between 4,500-5,000 staffers across categories this year as they add 20% to their carrying capacity. Government estimates suggest that on an average, every carrier in India will also add 30-40 aircraft per year over the next seven or eight years to its existing fleet, thereby creating more positions in terms of cabin crew and ground staff.



Banks to pay State governments minimum wages

In a bunch of writ petitions before the Bombay High Court, as to whether it is the Central or State as appropriate government for banks, the Inspector under Minimum Wages Act (Central) conceded that the Central Government is not the Appropriate Government qua the petitioners in the Writ Petitions and, therefore, the Regional Labour Commissioner (Central), Mumbai had no authority to pass the impugned orders to apply the minimum rates of wages as fixed and or revised by the Central government.

The above order dated 28.2.2011 removes the controversy amongst banks and the vendors (contractors), where Yes Bank was also a party, since the appropriate authorities under the Minimum Wages Act (Central) have been insisting that the minimum rates of wages by the Central Government be paid. It can, thus, be inferred that even for the establishments like Insurance Companies, Telecom Companies, Air Lines, Railways, etc. etc. where the appropriate government is Central under the Industrial Disputes Act or Contract Labour (R&A) Act, the appropriate government under Minimum Wages Act will be the State and not the Central.



Labour Disputes on Decline

The pick-up in the economy in the year 2010 seems to have spurred a sharply-improving climate on the industrial relations front.

The Economic Survey 2010-11 shows that the year 2010, according to provisions Labour Bureau data, saw the lowest number of strikes and lockouts in the last five years. Strikes came down by half to 79 in 2010, going by provisional estimates, from 157 in 2009. Also, the number of lockouts, at 20 last year, was just a tenth of the 192 reported in the year 2009.

Correspondingly, the mandays lost - the calculation of loss of productivity due to industrial disruptions - came down to around 17 lakh from the 92 lakh days lost in 2009. In the year 2005, the number of strikes were way high at 227, there were 229 lockouts that were recorded and the total productivity lost was pegged at 2.96 crore man-days.

Interestingly, Gujarat - touted as among the most industrial-friendly States - witnessed the highest number of strikes and other forms of labour unrest in recent times on account of various financial and disciplinary issues. "There exist widespread variations among States. The maximum incidences (strikes and lockouts) were recorded in Gujarat", it says.

Interesting Facts

The Sixth Pay Commission's report for Central government employees has introduced a new term, CCL, or child-card leave, as a result a woman can avail 730 days or two years, of CCL for two children apart from 360 days of maternity leave or 180 days, 19 gazetted holidays, and 58 days of casual, privilege and medical leave. Besides that, they can even avail of two years of discretionary study leave.



Incentive scheme for employers

Employers who have a social responsibility to provide employment opportunities to persons with disability, now have an extra reason to do so. The Govt. of India will bear the employer's share of Provident Fund contribution on wages upto Rs. 25,000 per month for three years in case of employment of persons with specified disabilities appointed on or after 1.4.2008. Employers have to take just two easy steps :

- Appoint a person with disability.
- Inform the concerned E.P.F. office in the prescribed proforma with a valid Disability Certificate of the employee.

Human Resources are undoubtedly the Most Powerful Tools for the Economic Development :

Shri Mallikarjun Kharge, Union Minister of Labour & Employment said that Human resources are undoubtedly the most powerful tools for the economic development and competitiveness of the country and therefore Government of India is giving great importance to build human resources by skilling them appropriately, especially to take advantage of demographic profile of country. He was addressing to the Swiss delegation headed by Mr. Johann N. Schneider-Amman, Federal Councilor of Swiss Confederation in New Delhi today. Shri Kharge further said that due to fast adoption of new technologies by industries, it becomes challenging for the training system to keep pace in upgrading the skill levels of the workforce as per the need of world of work. Identifying the emerging skill areas, adopting the technologies in the curriculum and accordingly updating the knowledge and skill levels of trainers is a continuous process. Qualified trainers are the fundamental key to provide quality skill training to attain high standards in vocational competencies. Their training and retraining is critical element of any successful training system.

Labour & Employment Minister expressed happiness that Swiss Indian Chamber of Commerce and Industries (SICC) with the support of OPET is implementing Vocational Education and Training pilot project based on the Swiss dual track vocational education and training system in state of Maharashtra and Karnataka. Initiative taken by the SICC through the above pilot project is unique in the country as under the pilot project trainees are being trained in Swiss companies and trainers have also been trained by them. He noted that initial results are very encouraging. This initiative will contribute to India's future Industrial development in a Global Competitive Environment and it will also have a positive impact on Indo Swiss Trade relation. In addition it will enhance productivity and competitive capacity of both Swiss companies and Indian companies. In his concluding remarks, Shri Kharge said that it is government's endeavor to improve our Vocational Training System by taking advantage of the experiences of Swiss VET system and this is right time to give further boost to this initiative by bringing more and more Swiss and Indian companies on board. Possibilities may be explored for establishing mutual recognition of vocational qualification of both the countries. Possibilities will also be explored for cooperation in trainers' training opportunities.

Office Humor



Interesting Facts

An employee covered under Employees' Provident Fund, despite his 30 years service, gets maximum pension of Rs. 3999 per month inclusive of employer's contribution whereas a govt. employee retiring in 1995 at last drawn salary of Rs. 95,585 got Rs.35,000 first pension but now he gets Rs. 16,000 per month.



9.5 per cent interest on EPF deposits approved

After the approval, the Labour Ministry notified the 9.5 per cent interest rate. The EPFO had been paying 8.5 per cent interest on PF deposits since 2005-06.

In September last year, the EPFO's apex decision making body – The Central Board of Trustees – had decided on a 9.5 per cent rate of return on retirement savings in 2010-11 after it found a surplus of Rs 1,731 crore. In a letter to the Central Provident Fund Commissioner (CPFC), the Labour Ministry sought the crediting of 9.5 per cent interest rate for 2010-11 to the account of each member, but on the condition that the 4.72 crore accounts should be updated within six months. According to sources, the Finance Ministry approved 9.5 per cent interest after the intervention of the Finance Minister, Mr. Pranab Mukherjee.

116 01123317659 SS-II #1616 P.001
No.R-11018/1/2010.SS-II
Government of India
Ministry of Labour & Employment

Shram Shakti Bhawan, Rafi Marg,
New Delhi, dated the March, 2011.

To
The Central Provident Fund Commissioner,
Employees Provident Fund Organisation,
Bhavishya Nidhi Bhawan,
Bhikaiji Cama Place,
New Delhi

Subject:- Declaration of rate of interest on EPF interest for the year 2010-11.

Sir,

The undersigned is directed to refer to CPFC's UO Note No.Invt.1/3(2)/133/1011/ROI/205 dated 13-10-2010 on the subject mentioned above and to convey the approval of the Central Government under para 60(1) of the Employees' Provident Funds Scheme, 1952 to crediting of interest @ 9.5% for the year 2010-11 to the account of each member of the Scheme on the condition that the 4.72 crore Member accounts should be updated within a period of six months and if any shortfall in Interest Suspense Account is noticed, then the same should be adjusted in the interest rate to be fixed for the next year (2011-12).

2. You are, therefore, requested to take necessary action accordingly under intimation to the Ministry.

Yours faithfully,
S.D. Xavier
(S.D. Xavier)
Under Secretary to Govt. of India

Put on website immediately, and inform all offices to take action accordingly. S.D. Xavier 15/3/11

Labour Ministry favours for partial withdrawal from EPF

The Labour Ministry favoured the provision allowing subscribers partial withdrawal of money from Employees' Provident Fund (EPF) to continue and also said there is no move to impose a lock-in period. The Labour Ministry's stand on partial withdrawal came in response to a suggestion by the Finance Ministry that liberal advances and withdrawal from EPF account should be shunned. "Ministry of Labour and Employment has replied to the Ministry of finance mentioning the need for continuation of the provision for partial withdrawal from provident fund account of the subscribers", the Labour and Employment Minister, Mr. Mallikarjun Kharge, said in the Lok Sabha. He said the total number of inoperative accounts was estimated to be around three crore, with Rs.8,318 crore lying in such accounts as of March 31, 2010.

PF trust get one more year for licences

The Budget 2011-12 has allowed firms to obtain the exemption licence from the Employees' Provident Fund Organisation (EPFO) till March 31 next year. The earlier deadline expired on December 31.

Contributions made by employers to PF accounts of employees is exempt upto 12% of salary, and interest credited is fully exempt if it does not exceed the rate notified by the government. In 2006, the finance ministry had directed companies, managing their own retirement funds, to get an exemption licence from the EPFO after satisfying the government that they were following all rules and guidelines. A one-year deadline had been set for obtaining the licence, which was extended several times because of EPFO's inability to deal with the flood of applications. Also, a large number of private trusts didn't apply.

EPF Act to cover municipal workers

Contract workers, employed by Municipal Corporations, will now be given retirement benefits.

The ministry of labour and employment has amended the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 to include municipal corporations and councils under its ambit. Though most employees of municipal corporations and councils are government employees and already enjoy retirement benefits including pension, many workers are hired by these urban local bodies on contractual basis in a number of areas including teaching, construction, sewerage and cleaning.

This is perhaps one of the single largest coverage moves by the labour ministry and will bring a few lakh workers under the Act, which already covers nearly 4.7 crore workers. There are a total of 139 municipal corporations and 1595 municipalities in the country, according to the Thirteenth Finance Commission.

EPFO fund managers to get 3 months' extension

Provident fund body EPFO's fund managers - ICICI Prudential, HSBC, Reliance Capital and SBI - will get three months extension to manage the Rs.3 lakh crore retirement fund till June 30. Although the term of the four fund managers ends on March 31, they will be asked to continue for three more months as the EPFO has not been able to complete the process of appointing new asset management companies.

CII seeks relief for loss making PF companies

Confederation of Indian Industries (CII) has sought a relief from Employees' Provident Fund Organization (EPFO) for loss-making companies that run their own PF trusts.

As per the rule, companies that run their own PF trusts would not get exemption if they are in the red for three consecutive years. Several firms, including a well-known oil company, have urged EPFO to extend the benefit. But, PF officials say, the organization will not accede to the request.

PAY ATTENTION



Employees' Provident Fund Organisation
(A statutory body under Ministry of Labour & Employment, Government of India)
Head Office: Bhavishyanidhi Bhawan, 14, Bhikaiji Cama Place, New Delhi-110066

**ATTENTION:
EMPLOYERS**

- EPF member's accounts are updated on the basis of annual EPF returns (3A, 6A) filed by the employer.
- File EPF returns (3A, 6A) upto the year 2010-11 by 30th April, 2011.
- File annual returns timely and facilitate EPFO to update EPF members' accounts and avoid employee dissatisfaction.
- Now, filing of EPF returns can be done through soft copy, with employer software provided free of cost by EPFO - download it from EPFO website.
- Non-filing of EPF returns is an offence and employers are liable to be prosecuted.

EPFO
Website: www.epfindia.gov.in
davp 23109/11/0001/1112

IMPORTANT GLANCE ON CASE LAWS



■ Even after crossing initial period, a casual employee can't claim permanency

Merely because a temporary or a casual worker has been engaged beyond a period of initial appointment of six months, he would not be entitled to be absorbed in regular service or made permanent if the original appointment was not in terms of the process envisaged by the relevant rules.

Reference - (Union of India & Ors. vs. Vartak Labour Union- 2011 LLR 337)

■ Compensation, not reinstatement, when retrenchment compensation not paid on termination.

When the services of a workman are terminated with payment of retrenchment compensation, he will be paid compensation in lieu of reinstatement since his total service was only for 9½ months.

Reference - New Ambika Sahkari Mandali Ltd. (I.B.P. Dealers) vs. Charansinh Shiv Narayansinh Rajput - 2011 LLR 345)

■ While challenging retrenchment, it is for the workman to prove 240 days' working.

While challenging the illegal retrenchment, it is for the workman to prove having worked for 240 days and in the absence of summoning the record of the Management by the workman in support of his contention, he being not well acquainted with the labour laws, be given an opportunity to summon the record since the doors of justice should not be closed in order to strangulate his neck and to snatch his dry bread which he used to eat without butter.

Reference - Mahesh Kumar Sharma vs. Divisional Forest Officer, General Forest Division, Sheopur and Ors. 2011 LLR 349

■ Workman - not the employer to prove 240 working days.

An appeal has been preferred by the Chief Engineer (Construction), Southern Railway against the judgment of High Court of Karnataka wherein the learned Single Judge, against whose judgment the aforesaid appeal was preferred, had set aside the Award of the Tribunal and held that the services of the respondent were illegally terminated. He was therefore, entitled to reinstatement with full back wages. While affirming the finding of the learned Single Judge that the services of the respondent were illegally terminated, the Division Bench modified the direction with regard to payment of consequential benefits by directing that only 50% of the back-wages from the date of termination till the date of death or date of superannuation of the respondent, whichever is earlier, shall be paid. The dispute was referred to the Central Government Industrial Tribunal-cum-Labour Court, Bangalore.

Before the Tribunal the respondent examined himself as a witness whereas the Railways examined its Office Superintendent. Some documentary evidence was also produced, such as muster rolls. The respondent produced no documentary evidence in support of his case.

The Tribunal also considered the evidence on record and after examining the muster rolls (Exhibits M-1 to M-30) recorded a finding of fact that from 1 st November, 1977 onwards the respondent had not worked even for a single day. Long, thereafter, he set up a claim for reinstatement. The learned Judge further held that since the respondent had been appointed as casual labourer on 16.7.1975 and had continuously worked till end of 1977, it followed that the respondent had put in continuous service as contemplated by **section 25B** of the **Industrial Disputes Act**. Since there was non-compliance of the provisions of **section 25F** of the **Industrial Disputes Act**, the termination of his service was not legally sustainable. Such a contention was not raised before the Labour Court, but the learned Judge recorded the aforesaid finding in his judgment.

While allowing the appeal the Apex Court held that in order to determine whether a workman has worked for 240 days in a year as stipulated by section 25B of the Industrial Disputes Act, the burden of proof lies upon the workman and, as such, when the workman has failed to discharge the burden, he cannot challenge his termination alleging violation of provisions of section 25F of the Industrial Disputes Act providing for retrenchment compensation to a workman at the time of termination hence the Supreme Court set aside the order of the High Court in directing reinstatement with back-wages and upheld the Award of the Labour Court in rejecting the claim of the workman holding that the workman was engaged for project work as a casual labour and was not entitled to even temporary status.

Reference - (Chief Engineer (Construction) vs. Keshava Rao (D), 2005 LLR 446 (SC).)

For filing appeal under Gratuity Act, no extension by such subsequent period of 60 days. And Gratuity Act is special enactment with over-riding effect over the Provident Fund Act. And Gratuity Act will be applicable upon a Library.

Payment of Gratuity Act, being a special enactment providing for benefits to an employee, will be applicable upon a Library. Payment of Gratuity Act provides sixty days for filing appeal before the Appellate Authority against the order of Controlling Authority which can be extended by another sixty days hence the High Court, in exercise of its powers under Article 226 of the Constitution of India, cannot direct the Appellate Authority to extend the period of limitation.

Payment of Gratuity Act is a special enactment and has over-riding effect over the other laws including the Provident Fund Act and hence merely that the establishment is covered by the P.F. Act will not exclude the provisions of the Act.

Reference - (Administrative Officer, T.M.S.S.M. Library and Research Centre, Thanjavur vs. Appellate Authority Under Payment Of Gratuity Act (The Joint Commissioner of Labour) and Others 2011 LLR 351).



Amendment in Employee's State Insurance (Central) Rules, 1950 (w.e.f. 1st April 2011)

MINISTRY OF LABOUR AND EMPLOYMENT NOTIFICATION

New Delhi, the 23rd March, 2011

G.S.R. 229(E).—Whereas certain draft rules further to amend the Employees' State Insurance (Central) Rules, 1950, were published as required under sub-section (1) of Section 95 of the Employees' State Insurance Act, 1948 (34 of 1948), *vide* notification of the Government of India in the Ministry of Labour and Employment, number G.S.R. 223, dated the 29th November, 2010, in the Gazette of India, dated the 4th December, 2010, inviting objections and suggestions from all persons likely to be affected thereby till the expiry of the period of thirty days from the date on which the copies of the Gazette of India in which the said notification was published, were made available to the public;

And whereas, the copies of the said Gazette were made available to the public on 4th December, 2010;

And whereas, no objection or suggestion has been received from any person in this regard;

Now, therefore, in exercise of the powers conferred by Section 95 of the Employees' State Insurance Act, 1948, the Central Government, after consultation with the Employees' State Insurance Corporation, hereby makes the following rules further to amend the Employees' State Insurance (Central) Rules, 1950, namely :—

1. (1) These Rules may be called the Employees' State Insurance (Central) (Amendment) Rules, 2011.
- (2) They shall come into force with effect from the 1st day of April, 2011.
2. In the Employees' State Insurance (Central) Rules, 1950 (hereinafter referred to as the principal rules), in rule 58, in sub-rule (1), in clause (A),—
 - (i) in sub-clause (b), for the words "eighteen years", the words "twenty-five years" shall be substituted;
 - (ii) in sub-clause (c),—
 - (A) the words "until she attains the age of eighteen years or until marriage, whichever is earlier" shall be omitted;
 - (B) for the first proviso, the following proviso shall be substituted, namely :—

"Provided that in the case of legitimate or adopted daughter who is inform and is wholly dependant on the earnings of the insured person at the time of his death, dependants' benefit shall continue to be paid while the infirmity lasts."
3. In the principal rules, in rule 59, for the words "five thousand rupees", the words "ten thousand rupees" shall be substituted.
4. In the principal rules, in rule 61,—
 - (i) in the opening portion, for the words "on attaining the age of superannuation", the words "on attaining the age of superannuation, or retires under a Voluntary Retirement Scheme or takes premature retirement" shall be substituted;
 - (ii) in term (i), after the words "proof of his superannuation", the words "or retirement under a Voluntary Retirement Scheme or as the case may be, premature retirement," shall be inserted.
5. In the principal rules, after rule 61, the following rule shall be inserted, namely :—

"61A. Income limit of dependent parents for eligibility to medical benefit.—The income of dependent parents for eligibility to medical benefit under sub-clause (v) of clause (11) of Section 2 of the Act from all sources should not exceed five thousand rupees in a month."

[F. No. S-38012/3/2010-SS-I]

RAVI MATHUR, Addl. Secy.

Note : The principal rules were published in the Gazette of India, Part II, Section 3, Sub-section (i), *vide* notification number S.R.O. 212, dated the 22nd June, 1950 and last amended *vide* notification No. G.S.R. 224, dated 4th December, 2010.

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Office Humor

Interesting Facts

Reliance Industries Ltd. (RIL) Chief **Mukesh Ambani** has capped his salary for the second straight year at **Rs.15 crore**, less than half of what he is eligible to draw, while the rest of the RIL top brass got a pay hike in FY'10.



Revised minimum wages in Gujarat (w.e.f.01.04.2011 to 30.09.2011)

Govt. of Gujarat has revised salary rate & special allowance according to The Minimum wages Act, 1948. The copy of notification of fresh DA is attached issued by Labour ministry of Gujarat.

ગુજરાત સરકાર
શ્રમ આયુક્ત

2 MAR 2011

સંદર્ભ નંબર:.....

ક્રમાંક: શ.આ.ક/લવ/ખ/ખ.ભ.સજી/૫૦૦૨/૧૧૮

શ્રમ આયુક્તની કચેરી, બી.જી. માળ,
બ્લોક નં.૧૧,૨૨,૧૪, ઉપીબી બલ્ક,
સેક્ટર નં.-૧૧, ગાંધીનગર.
તારીખ- ૧૨/૦૩/૨૦૧૧

પતિ,
શ્રી ગ. રાણા પી.કે. આર.કાંઠા
અમદાવાદ

શ્રમ આયુક્ત
ગુજરાત રાજ્ય, ગાંધીનગર
લઘુતમ વેતન અધિનિયમ, ૧૯૪૮ હેઠળના ખાસ ભથ્થાની જાહેરાત.

લઘુતમ વેતન અધિનિયમ, ૧૯૪૮ હેઠળ સરકારશ્રીએ જે ને વ્યવસાય માટે નિયત કરેલ મૂળ પગારના દર ઉપરાંત જીવન નિર્વાહ માં ઉપર આપવામાં આવેલા ખાસ ભથ્થાના દર દર્શાવેલા તા. ૧-૪-૨૦૧૧ થી તા.૩૦-૯-૨૦૧૧ સુધીના સમય માટેના દૈનિક દર ખાસ ભથ્થાના દર નીચે મુજબ થશેલ છે.

અ.નં.	અનુચિત રોજગારી/વ્યવસાય	ખાસ ભથ્થાના દૈનિક દર (રૂ.) રૂ.પેસા
૧	ખાનગી સલામતી રક્ષક સેવાઓની રોજગારી (વ્યવસાય)	રૂ. ૫૬-૪૦ પેસા
૨	અનુ.નં.૧ અં. અગરબત્તી બનાવવાની રોજગારી સિવાયની દરેક રોજગારી (વ્યવસાય)	રૂ. ૩૯-૪૦ પેસા

આમ દરેક વ્યવસાયમાં આ સમય દરમ્યાનના ખાસ ભથ્થાના દૈનિક દરમાં રૂ. ૧૧-૦૦ પેસાનો વધારો થશેલ છે.

નારાયણ શ્રમ આયુક્ત અને
લઘુતમ વેતન અધિનિયમ, ૧૯૪૮
અન્વયેના સહાય અધિકારી,
ગાંધીનગર

**SALARY RATE ACCORDING TO
THE MINIMUM WAGES ACT, 1948
INCLUDING SPECIAL ALLOWANCE**

**W.E.F. 1st April 2011 TO 30th September 2011
SHOPS AND ESTABLISHMENT**

CLASS OF EMPLOYEES	RATE PER DAY	RATE PER MONTH
CLASS I A	144.70 M.W	3762.20
	39.40 SP.AL	1024.40
	184.10	4786.60
CLASS I B	141.70 M.W	3684.20
	39.40 SP.AL	1024.40
	181.10	4708.60
CLASS II	138.70 M.W	3606.20
	39.40 SP.AL	1024.40
	178.10	4630.60
CLASS III	135.70 M.W	3528.20
	39.40 SP.AL	1024.40
	175.10	4552.60

CLASS I A:-
MANAGER, SECRETARY, HEAD ACCOUNTANT, HEAD CASHIER, OFFICE SUP, SENIOR A/C,
HEAD CLERK, STENO GRAPHER, HEAD SALESMAN

CLASS I B:-
JR.CLERK, BILLCLERK, TYPIST, CASHIER, ACCOUNTANT, SALESMAN, SALES CLERK

CLASS II:-
PACKER, WORKING AS ASSISTANT IN ANY CATEGORY,

CLASS III:-
PEON, WATCHMAN, LABOUR, MESSENGER

Revised minimum wages in UTTERAKHAND (w.e.f.01.02.2011 to 31.07.2011)

राजाज्ञा संख्या 2492/36-1-2000-549 (एस.टी.)-84 दिनांक 15-5-2000 के अनुसार 50 या उससे अधिक कर्मचारियों को नियोजित करने वाले इंजीनियरिंग उद्योगों में 426 अंक के ऊपर अखिल भारतीय उपभोक्ता मूल्य सूचकांक 1982 = 100 के आधार पर जुलाई 2010 से दिसम्बर 2010 के औसत सूचकांक 836 पर निम्न तालिका के अनुसार देय परिवर्तनीय मंहगाई भत्ते की दरें अंकित हैं।
दृष्टांत - 50 से 500 तक व्यक्तियों को नियोजित करने वाले स्थापन के अकुशल कर्मचारियों को औसत 836 पर दिनांक 1-02-2011 से 31-07-2011 तक प्रतिमाह देय मंहगाई भत्ता निम्नलिखित है:-

$$\frac{(836 - 426) \times 2535.00}{426} = 2439.79$$

1- 50 से 500 तक व्यक्तियों को नियोजित करने वाले स्थापन:-

क. सं.	कर्मचारियों की श्रेणी	मासिक मूल न्यूनतम मजदूरी	औसत 836 पर देय दिनांक 1-2-2011 से 31-7-2011 तक
1	अकुशल	2535.00	2439.79
2	अर्द्धकुशल	2785.00	2680.40
3	कुशल	3090.00	2973.94

2- 500 से अधिक व्यक्तियों को नियोजित करने वाले स्थापन:-

क. सं.	कर्मचारियों की श्रेणी	मासिक मूल न्यूनतम मजदूरी	औसत 836 पर देय दिनांक 1-2-2011 से 31-7-2011 तक
1	अकुशल	2660.00	2560.09
2	अर्द्धकुशल	2925.00	2815.14
3	कुशल	3190.00	3070.19

कार्यालय श्रम आयुक्त, उत्तराखण्ड, श्रम भवन, नैनीताल रोड हल्द्वानी।

संख्या ५०७ /4-01/07

दिनांक 17/2/11

प्रतिलिपि निम्नलिखित को इस आशय से प्रेषित कि कृपया अधीनस्थ अधिकारियों को सूचित कर प्रतिपालन कराने का कष्ट करें, तथा श्रमिकों एवं सेवायोजकों व उनके प्रतिनिधियों द्वारा मांगे जाने पर उन्हें उपलब्ध करा दें।

- 1- अपर/उप श्रम आयुक्त, गढ़वाल क्षेत्र, 298, हिमगिरी बिहार, अजबपुर खुर्द, देहरादून।
- 2- उप श्रम आयुक्त, कुमायूँ क्षेत्र, श्रम भवन, नैनीताल रोड, हल्द्वानी।

Shankar
(सू०डी०चौबे)
17.2.11
श्रम आयुक्त उत्तराखण्ड.

Karnataka Labour Welfare Fund amendment notification (w.e.f. Feb. 2011)

KARNATAKA ACT NO.7 OF 2011
THE KARNATAKA LABOUR WELFARE FUND (AMENDMENT) ACT, 2010
Arrangement of Sections

Sections:

1. Short title and commencement
2. Amendment of Section 7A

STATEMENT OF OBJECTS AND REASONS

Amending Act 7 of 2011.- It is considered necessary to amend the Karnataka Labour Welfare Fund Act, 1965 (Karnataka Act 15 of 1965) to increase the ratio of contribution payable to welfare fund from Labourers, Employer and from Government from the existing ratio of 3 rupees : 6 rupees : 3 rupees to the ratio of 6 rupees : 12 rupees : 6 rupees respectively.

Hence the Bill.

[L.A. Bill No. 30 of 2010, File No. Samvyashae 6 Shasana 2010]

[Entry 24 of List III of the Seventh schedule to the constitution of India.]

KARNATAKA ACT NO.7 OF 2011

(First Published in the Karnataka Gazette Extra-ordinary on the Eighth day of February, 2011)

THE KARNATAKA LABOUR WELFARE FUND (AMENDMENT) ACT, 2010

(Received the assent of the Governor on the Fourth day of February, 2011)

An Act further to amend the Karnataka Labour Welfare Fund Act, 1965.

Whereas, it is expedient further to amend the Karnataka Labour Welfare Fund Act, 1965 (Karnataka Act 15 of 1965) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the sixty first year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Labour Welfare Fund (Amendment) Act, 2010.

(2) It shall come into force at once.

2. Amendment of Section 7A.- In the Karnataka Labour Welfare Fund Act, 1965 (Karnataka Act 15 of 1965), in section 7A in sub-section (2) for the words "three rupees, six rupees and three rupees" the words "six rupees, twelve rupees and six rupees" shall respectively be substituted.

By Order and in the name of the Governor of Karnataka

G.K. BOREGOWDA
Secretary to Government,
Department of Parliamentary Affairs and Legislation

Old Slab

Employee Contribution-3/Rs

Employer Contribution-6/Rs

New Slab

Employee Contribution-6/Rs

Employer Contribution-12/Rs

Central Government Revises the National floor level Minimum Wage (NFLMW) from Rs. 100 Per Day to Rs. 115 Per Day Effective from 01.04.2011

The Central Government has revised the National Floor Level Minimum Wage (NFLMW) from Rs. 100/- per day to Rs. 115/- per day effective from 01.04.2011, on the basis of the rise in the All – India Consumer Price Index for Industrial Workers during the period. The NFLMW is a non-statutory measure. Accordingly, all the State Governments/Union Territory Administrations have been requested to fix/revise minimum wages in such a way that in none of the scheduled employments, the minimum wage is less than National Floor Level Minimum Wage of Rs.115/- per day at present.

Further, in order to have a uniform wage structure and to reduce the disparity in minimum wages across the country, a concept of National Floor Level Minimum Wage (NFLMW) was mooted. The NFLMW per day has been revised from time to time primarily taking into account the increase in the Consumer Price Index Number for Industrial Workers. The National Floor Level Minimum Wage had been revised from Rs 80/- per day to Rs 100/- per day w.e.f. 01.11.2009. In the Central Sphere, minimum rates of wages were revised for workers in the Employment of 'agriculture', stone breaking and stone crushing', sweeping and cleaning', watch and ward', 'loading and unloading', 'construction', and 'non-coal mines' w.e.f. 01.10.2010 in the range of Rs.146/- to Rs.310/- per day for different categories of workers in different areas. The Central Government had also notified the Payment of Wages (Nomination) Rules, 2009 defining the procedure for nomination and restricting the nomination by workers to his family members. The Union Government had earlier set up five Regional Committees in order to reduce the regional disparities in the minimum wages of same or similar scheduled employments. The composition of the five Regional Committees is as under:

Region	States/UTs covered
Eastern Region (6)	West Bengal, Orissa, Bihar, Jharkhand, Chhattisgarh and Andaman and Nicobar Islands.
North Eastern Region (8)	Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Tripura and Sikkim.
Southern Region (6)	Andhra Pradesh, Karnataka, Kerala, Tamil Nadu, Puducherry and Lakshadweep.
Northern Region (9)	Punjab, Rajasthan, Himachal Pradesh, Jammu and Kashmir, Haryana, Uttar Pradesh, Uttrakhand, Delhi and Chandigarh.
Western Region (6)	Maharashtra, Gujarat, Goa, Madhya Pradesh, Dadra and Nagar Haveli and Daman and Diu.

The main function of these Committees is to interact periodically with the State Governments/Union Territory Administrations of the different regions so as to deliberate on matter of regional interest as well as bridge the gap in the minimum wages of the same scheduled employment.

Pearls of Wisdom

Nature of duties and not the designation will determine whether an employee is a "workman" or not.

2002 LLR 545(SC)

Refusal by a driver to work on weekly off on emergency duty will justify his dismissal.

1996 LLR 448(Raj.HC)

Termination of a probationer for unsatisfactory work will not be stigmatic.

1996 LLR 448(Raj.HC)

A trade union can be restrained in staging demonstration or dharna within 100 metres of the premises of the Institution.

1996 LLR 448(Raj.HC)



Statutory Compliance May 2011

- ✓ Pay PF before 15.05.2011
- ✓ Pay ESIC before 21.05.2011
- ✓ Pay Profession Tax before 31.05.2011
- ✓ Submit Form No. 5 & 10 under PF Act before 15.05.2011
- ✓ Submit Form No. 12 A under PF act before 25.05.2011
- ✓ Submit Return of Contribution under the Employees State Insurance Act, 1948 before 11.05.2011(Form No.5)

* [Employers employing International Labour to submit the information to the EPFO]

Office Humor



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