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UNION TERRITORY OF LAKSHADWEEP ADMINISTRATION
Department of Labour, Employment and Training

NOTIFICATION

Kavaratti, the 25th March, 2026

F.No.08/03/2024-LE&T/72 : In exercise of the powers conferred by sub-section (1) of section 154 of the Code on Social Security, 2020 (36 of 2020), and in supersession of all rules on the subject corresponding thereto in force in the Union Territory of Lakshadweep, except as respects things done or omitted to be done before such supersession, the Administrator of the Union Territory of Lakshadweep hereby makes the following rules, namely:—

By order of the Hon'ble Administrator U. T of Lakshadweep.

-Sd/-

Director (Labour Employment & Training)

CODE ON SOCIAL SECURITY (LAKSHADWEEP) RULES, 2025

CHAPTER 1

PRELIMINARY

- 1. Short title, extent and commencement.** - (1) These rules may be called the Code on Social Security (Lakshadweep) Rules, 2025.
 - (2) They extend to the whole of the Union Territory of Lakshadweep.
 - (3) They shall come into force after the date of their final publication in the Official Gazette of Lakshadweep.
- 2. Definitions.** - (1) In these rules, unless the subject or context otherwise requires, —
 - (a) “agency” means any corporation, body or institution, established under an Act of Parliament or Central Public Sector Undertaking or Special Purpose Vehicle as notified by the Government.

- (b) "appeal" means an appeal preferred under sub-section (1) of section 23;
 - (c) "Appellate authority" means the authority specified by the Government under sub-section (8) of section 56 or an officer, senior in rank to the Assessing Officer for the purposes of section 105 of the Code, appointed by the UT of Lakshadweep Administration, as the case may be;
 - (d) "authority" means the authority specified by the UT Administration under sub-section (3) of section 72;
 - (e) "career centre" means that career centre as notified by the Government;
 - (f) "Board" means the Lakshadweep Unorganized Workers Social Security Board and the Lakshadweep Building and Other Construction Workers Welfare Board constituted under sub-section (9) of section 6 of the Code and under sub-section (1) of section 7 of the Code respectively.
 - (g) "cess collector" means an officer appointed by the UT of Lakshadweep Administration for collection of cess under the Code;
 - (h) "chairperson" means the Chairperson of the Lakshadweep Unorganised Workers' Social Security Board, Lakshadweep Building and Other Construction workers' welfare Board as the case may be;
 - (i) "Code" means the Code on Social Security, 2020 (36 of 2020);
 - (j) "form" means a form appended to these rules;
 - (k) "Government" means the Administrator, Union Territory of Lakshadweep
 - (l) "fund" means the Social Security Fund, as the case may be;
 - (m) "member" means a member of the Board;
 - (n) "nomination" means nomination made under section 55 of the code;
 - (o) "schedule" means the schedule of the Code;
 - (p) "section" means a section of the Code;
 - (q) "electronically" means any information submitted by email or uploading on the designated portal or digital payment in any mode for the purpose of Code;
 - (r) "register of women employees" means a register of women employees maintained under rule 55;
 - (s) "specified" means specified by the Government by an order published in the Official Gazette.
- (2) All other words and expressions used in these rules which are not defined therein, but are defined in the Code, shall have their respective meaning as assigned to them in the Code.

CHAPTER- II
SOCIAL SECURITY ORGANISATIONS
PART-I

LAKSHADWEEP UNORGANIZED WORKERS SOCIAL SECURITY BOARD

3. Term of office of members. - (1) A member, other than an ex-officio member, shall hold office for a period not exceeding three years from the date of his nomination.

(2) A member nominated under sub-clauses (i), (ii) and (iv) of clause (d) of sub section (10) of section 6 shall cease to be a member of the Board if he/she ceases to represent the category of interest from which he/she was so nominated:

Provided that out of seven persons nominated under sub-clause (i) of clause (d) of sub-section (10) of section 6, one member shall be a Women member.

(3) A member shall be eligible for re nomination

4. Resignation. -(1) A member of the Board, not being an ex-officio member, may resign his office by a letter in writing addressed to the Chairperson.

(2) The seat of such a member shall fall vacant from the date on which his resignation is accepted or on the expiry of thirty days from the date of receipt of intimation of resignation, whichever is earlier.

(3) The power to accept the resignation of a member shall vest in the Chairperson, who, on accepting the resignation, shall report to the Board at its next meeting.

5. Removal of member. - The Government may remove from office any member of the Board, if, in its opinion, such a member has ceased to represent the interest which he purports to represent on the Board:

Provided that no such member shall be removed unless a reasonable opportunity is given to him of making any representation against the proposed action.

6. Address of the members. - (1) 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.

(2) If a member changes his address, he shall furnish his new address to the Member Secretary of the Board who shall thereupon enter his new address in the official record:

Provided that if a member fails to furnish his new address, the address in the official record shall for all purposes be deemed to be the member's correct address.

7. Manner of filling vacancies. - When a vacancy occurs or is likely to occur on completion of the term of the member in the membership of 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 when a vacancy occurs or is likely to occur due to removal or resignation of a member, the Member Secretary 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 and the person so nominated shall hold office for the remaining term of office of the member in whose place he is nominated.

8. Allowances of members. - (1) The travelling allowance of an official member of the Board shall be governed by the rules applicable to him for journey performed by him on official duties and shall be paid by the authority paying his salary.

(2) The non-official members of the Board shall be entitled to the payment of travelling and daily allowance for attending the meetings of the Board at such rates as decided by the UT of Lakshadweep Administration.

9. 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 that decision of the majority:

Provided that where there is no opinion of majority on a matter and the members of the Board are equally divided, the Chairperson shall have a second or a casting vote.

Explanation. -The expression "Chairperson" for the purpose of the above proviso shall include a member nominated or chosen under sub-rule (2) of rule 10 to preside over a meeting.

10. Meetings. - (1) The Board shall meet at such places and at such time as may be decided by the Chairperson and it shall meet at least once in a quarter of the year.

(2) The Chairperson shall preside over every meeting of the Board in which he is present and, in his absence, he may nominate a member of the Board to preside over such meeting in his place and in the absence of such nomination by the Chairperson, the members of the Board present in such meeting, may choose one member from amongst themselves to preside over the meeting.

11. Notice of meetings and list of business. - (1) Ordinarily, two weeks' notice shall be given to the members of the Board of a proposed meeting:

Provided that the Chairperson, if he is satisfied that it is expedient so to do, may give notice of longer period not exceeding one month for such meeting.

(2) 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.

(3) The Chairperson may at any time call a special meeting of the Board in case of urgency, after informing the members in advance about the subject matter of discussion and the reasons of urgency.

12. Quorum. - (1) No business shall be transacted at any meeting of the Board unless at least one third of total members of the board are present in that meeting which shall include at least one non-official member.

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

(2) The UT Administration may prohibit any member other than ex-officio members, from taking part in the meeting of the Board if: -

- (a) he absents himself from three consecutive meetings of the Board without written information and consent of the Chairperson; or
- (b) In view of the Government, such member ceased to represent the interest which he purports to represent on the Board.

PART II
LAKSHADWEEP BUILDING AND OTHER CONSTRUCTION WORKERS'
WELFARE BOARD

13. Terms and conditions of appointment of the Chairperson and other members of the Board. -(1) The term of office of Chairperson and other members of the Board shall be three years.

(2) The Chairperson and other members of the Board shall be paid such salary and allowances, as may be determined by Government in consultation with the Board.

14. Filling up of casual vacancies. -A member, nominated to fill a casual vacancy, shall hold office for the remaining period of the term of office of the member in whose place, he is nominated.

15. Terms and conditions of appointment of Secretary, other officers and employees of the Board. - The Secretary, other officers and employees of the Board shall be appointed on such terms and conditions and shall be paid such salary and allowances, as may be determined by the Board from time to time with the approval of the Government.

15A. Social security schemes and welfare measures under sub-section (6) of Section 7. (i)

Board with the prior approval of the “Administration of UT of Lakshadweep” shall notify social security schemes and welfare measures prescribed in Clause (c), (d) and (e) of sub-section (6) of Section 7.

(ii) Board shall formulate social security schemes and welfare measures in which eligibility limit, detail of various benefits; application form procedure, determination of competent authority for sanction of benefit and manner of payment and other incidental matters thereto shall be clearly mentioned.

CHAPTER III

EMPLOYEES INSURANCE COURT

16. Appeal: - The Insured Person or the Corporation may file a second appeal to the Employees' Insurance Court by presenting an application within ninety days from the date of receipt of the copy of order of the Medical Appeal Tribunal and other cases related to Insured Person;

Provided that the Employees' Insurance Court may entertain the appeal after the period of ninety days, if it is satisfied that the appellant had sufficient reasons for not presenting the appeal within the prescribed period. The applications to the Employees' Insurance Court, shall be in Form I.

17. Procedure and fees: - (1) The procedure for filing appeal to the Employee Insurance Court, -

(i) An Appeal under section 49 shall be presented in triplicate in Form II and shall contain the following particulars, namely: -

- (a) the name of the Court in which an appeal is filed;
- (b) full name, description including age, occupation and full postal address of applicant and the opposite party;
- (c) where the applicant or the opposite party is a minor or a person of unsound mind, a statement to that effect and the full name, age, occupation and full postal address of his or her guardian, next-of-kin, or any other person authorized to act on his or her behalf;
- (d) the fact constituting the cause of action and the date when it arose;
- (e) the facts showing that court has jurisdiction;
- (f) the relief which the applicant claims;

(ii) every appeal shall be verified in the same manner as a pleading in a Civil Court;

(iii) all the documents on which the appeal is based or has desired by applicant shall be appended to appeal with an accurate list thereof;

- (iv) all appeals shall be entered in a register in Form III to be maintained by the Court.
- (2) Proceeding of Employees Insurance Court. :- (i) Every appeal to the Court shall be filed within three years on which the cause of action arose or as the case may be, the claim becomes due;
- (ii) Where at any stage it appears to the Court that the appeal should be presented to another Court, or should be entertained by another Court, the first Court shall send the appeal or file of 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 appeal or 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 the 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.

Explanation. - For the purpose of this sub-rule, -

(a) the cause of action in respect of a claim for benefit shall not be deemed to arise unless the insured person or in the case of dependents' benefit, the dependents of the insured person claims or claim that benefit in accordance with the regulations made in that behalf within a period of twelve months after the claim became due or within such further period as the Employees' Insurance Court may allow on grounds which appear to it to be reasonable;

(b) the cause of action in respect of a claim by the Corporation for recovering contributions (including interest and damages) from the principal employer shall be deemed to have arisen on the date on which such claim is made by the Corporation for the first time:

Provided that no claim shall be made by the Corporation after five years of the period to which the claim relates;

(c) the cause of action in respect of a claim by the principal employer for recovering contributions from an immediate employer shall not be deemed to arise till the date by which the evidence of contributions having been paid is due to be received by the Corporation under the regulations.

(3) Fees. - (i) The fee payable on an appeal in respect of any matter referred to in section 49 shall be hundred rupees.

(ii) The fee and costs payable in respect of any other matter shall be such as may be prescribed for the time being in force.

- (iii) All fees referred to in this rule shall be collected by way of Court fee stamps

CHAPTER - IV GRATUITY

18. 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. - In the case of nominee, or an heir, who is minor, the competent authority shall invest the gratuity amount deposited with him for the benefit of such minor in term deposit with a 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).]

19. Time, form and manner of nomination by an employee - (1) A nomination shall be in Form-IV and submitted in duplicate by the employee either by personal service, after taking proper receipt or by registered post acknowledgement due or electronically to the employer;

- (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 nomination in Form-IV 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-IV 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-IV duly attested either by the employer or an officer authorised 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-VI** 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, shall bear his thumb impression and shall be submitted by the employee electronically or by registered post acknowledgement due.

(6) A nomination, fresh nomination or notice of modification of nomination shall take effect from the date of receipt thereof by the employer

20. Time within which and the form in which a written application shall be made: -

(1) Application for Gratuity: (i) An employee who is eligible for payment of gratuity under the Code, or any person authorised, in writing, to act on his behalf, shall apply, ordinarily within thirty days from the date the gratuity became payable, in Form-VII 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:

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.

(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-VII 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-VII to the employer.

(iv) Where gratuity becomes payable under the Code before the commencement of these rules, the periods of limitation specified in clauses (a), (b) and (c) sub-rule (1) shall be deemed to be operative from the date of such commencement.

(v) 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.

(vi) An application under this rule shall be presented to the employer either by electronically or personal service or by registered post acknowledgement due.

(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-VIII 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-VIII 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.

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-VIII under sub-clause (i) of clause (a) 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 (a) 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-VIII shall be served on the applicant either by personal service after taking receipt or by registered post with acknowledgement due or electronically.

(v) A notice under sub-section (2) of section 56 shall be in Form-VIII.

(3) Mode of payment of gratuity: The gratuity payable under the Code shall be paid through Demand Draft or by crediting in the bank account of the eligible employee, nominee or legal heir, as the case may be:

Provided that intimation about the details of payment shall also be given by the employer to the competent authority of the area.

(4) 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 34 or to entertain an application sought to be filed under sub-rule (1), or

(b) issues a notice under clause (a) 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) fails to issue notice as required under sub-rule (2) 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-IX 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 (a) 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 registered post acknowledgement due or electronically.

(5) Procedure for dealing with application for direction:

(a) On receipt of an application under sub-rule (4) the competent authority shall, by issuing a notice in Form-X by electronically or registered post acknowledgement 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 authorised representative together with all relevant documents and witnesses, if any.

(b) 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 may be 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.

(c) A party appearing by an authorised representative shall be bound by the acts of the representative.

(d) 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.

(e) 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 clause (e) of sub-rule (5) 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.

Provided further that the time limit for disposal of application for directions shall not exceed ninety days from the date of filing of the application before the Competent Authority. In case of non-appearance by either of the parties, a maximum of three opportunities may be given before disposal 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 authorise 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 in Form-X 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. –
- (a) Subject to the provisions of clause (b) any notice, summons, process or order issued by the competent authority may be served either personally or by registered post acknowledgement due or electronically or in any other manner as prescribed under the Code of Civil Procedure, 1908 (5 of 1908).
- (b) 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 authorised 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 authorised person shall be deemed to be service on such persons.
- (10) Maintenance of records of cases by the competent authority. –
- (a) 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.
- (b) 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.
- (c) 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) Direction for payment of gratuity: If a finding is recorded under clause (d) 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-IX electronically or registered post acknowledgement due 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. –
- (a) 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 registered post acknowledgement due or electronically.
- (b) 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.

- (c) There shall be appended to the Memorandum of appeal a certified copy of the finding of the competent authority and direction for payment of gratuity.
- (d) On receipt of the copy of Memorandum of appeal, the competent authority shall forward records of the case to the appellate authority.
- (e) Within fourteen days of the receipt of the copy of the Memorandum of appeal, the opposite party shall submit his comments of each paragraph of the memorandum with additional pleas, if any, to the appellate authority with a copy to the appellant.
- (f) 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 registered post or in person and a copy thereof shall be sent to the competent authority returning his records of the case.
- (g) 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.
- (h) 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-XI** 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 be endorsed to the appellant employee, nominee or legal heir, as the case may be, and to the appellate authority.
- (i) the time limit for disposal of appeal shall not exceed ninety 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 of the appeal.
- (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-XII for recovery thereof under section 129 of the Code.

21. Manner of registration: -(1) Every Employer of an establishment covered by the Code shall get his/her establishment registered electronically or otherwise with competent authority in Form-XIII within thirty days from the date of notification of the compulsory insurance specified under sub section (1) of section 57 of the Code.

- (2) The Board of Trustees shall include an equal number of representatives of the employer and the employees of the establishment.
- (3) Any amount directed to be paid under sub-section (4) of Section 57 shall be recoverable as an arrear of land revenue.

22. Qualifications and experience of the officer appointed as the competent authority under sub-section (1) of section 58. – The person to be appointed as the competent authority for the purpose of this chapter shall be appointed by the UT Administration by a notification.

CHAPTER V MATERNITY BENEFIT

23. Authority to whom an appeal may be preferred under sub-section (3) of section 72.— (1) Complaint under section 72. —

- (a) A complaint under sub-section (1) of section 72 shall be made in writing in Form-XIV as the case may be.
- (b) 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, 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 specified period.

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

(2) Appeal under section 72. —

- (a) An appeal against the decision of the Inspector-cum-Facilitator under sub-section (2) of section 72, shall lie to the Competent Authority.
- (b) The aggrieved person shall prefer an appeal in writing to the prescribed Authority in Form-XV and file other supporting documents.
- (c) When an appeal is received, the prescribed Authority shall call from the Inspector-cum-Facilitator before a fixed date, the record of the case. The prescribed 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.
- (d) Taking into account the documents, the evidence produced before him and the facts presented to him or ascertained by him, the prescribed Authority shall give his decision within a period of ninety days from filing of the application before him. In case

of non-appearance by either of the parties, a maximum of three opportunities may be given before disposal of the appeal.

(3) Authority to whom an appeal may be preferred:

A person aggrieved by the order of Inspector-cum Facilitator under sub-section (2) of section 72 may appeal the authority appointed by the Administration of Lakshadweep by way of notification for the said purpose.

CHAPTER VI EMPLOYEE'S COMPENSATION

24. Amount to be deposited towards the expenditure of the funeral of the employee with the competent authority by the employer under sub-section (7) of section 76:- If the injury of employee results in death, the employer shall in addition to compensation to be given under the code shall deposit with the competent authority a sum of fifteen thousand rupees or such amount as may be notified by the Government through Gazette notification, for payment of the same to the eldest surviving dependents of the employee towards the expenditure of the funeral of such employee or where the employee does not have any dependent or was not living with his dependent at the time of his death to the person who actually incurred such expenditure.

25. Conditions when application for review is made without certificate of a medical practitioner: - Application for review of half-monthly payment under sub-section (1) of section 79, may be made without being accompanied by a medical certificate; -

- (a) by the employer, on the ground that since the right to compensation was determined, the employee's wages have increased;
- (b) by the employee, on the ground that since the right to compensation was determined, his wages have diminished;
- (c) by the employee, 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;
- (d) either by the employer or by the employee, 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;

(e) either by the employer or by the employee on the ground that in the determination of compensation, there is a mistake or error apparent on the face of the record.

26. Class of employers and the form of notice-book under sub-section (4) of section 82: - Every employer to which the Code applies, shall maintain a notice book in accordance with sub-section (4) of section 82 in Form-XVI.

27. Interval for medical examination under the proviso to sub-section (1) of section 84: -A employee who is in receipt of a half monthly payment shall not be required to submit himself for medical examination elsewhere than at the place where he is residing for the time being for more than twice in the first month following the accident or more than once in any subsequent month.

28. Form of statement to be submitted by the employer: - -The statement for fatal accident required under sub-section (1) of section 88 shall, be in Form-XVII.

29. Manner of Recording Memorandum. –

(1) Form of Memorandum- 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-XVIII, or Form-XVIII A, or Form -XVIII B as the case may be.

(2) After 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-XIX, fixing date and place of hearing and in default of objections, he proposes to record the memorandum on the date so fixed. The notice may be sent personally or through registered post or speed post or electronically:

Provided that the notice may be communicated orally to any parties who are present at the time when notice in writing would otherwise issue.

(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:

Provided that the issue of a notice under sub-rule (2) shall not be deemed to prevent the competent authority from refusing to record the memorandum on the date so fixed even if no objection has been made by any party concerned.

(4) If on such date the competent authority decides that the memorandum ought not to be recorded, he shall inform the 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.

(5) Registration of memorandum accepted for record. - 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 register has been recorded this dayof.....

(Signature) Competent Authority

30. Qualifications and experience for competent authority. - The person to be appointed as the competent authority for the purpose of this Chapter shall be appointed by the Administration UT of Lakshadweep by notification as per sub-section (1) of section 91 of the code.

31. Manner in which matters may be dealt with by or before a competent authority under sub-section (1) of section 92 : - (1) On receipt of the application in Form-XXI under section 93(3) of the code the competent authority shall verify the jurisdiction as per the parameters specified in clause (a), (b) and (c) of sub- section (1) of section 92.

(2) If it appears to the competent authority on receiving the 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.

(3) If at any stage of the case it appears to the competent authority the application should be entertained by another competent authority, he shall send file of the case

32. Time-limit for disposal of application and cost incidental to the proceedings under sub-section (4) of section 93: - (1) The competent authority shall dispose the application within six months from the date of receiving the application.

(2) Incidental Costs- (i) Any party to the dispute who desires to get certified copies of decision, decree or other document, may get the same on payment of cost at the following rate, namely: -

(a) The cost for the copies of any document of record or statement or order or decree shall be rupees hundred per copy of the said documents.

(b) The cost of service or summons or notices or expenses of witnesses or the cost payable in respect of any of the matter not referred above shall be such amount as may be ordered in each case by the competent authority.

(c) The competent authority may, whenever it finds either on application of applicant or otherwise that the applicant is unable to pay the costs, it may exempt the applicant from the payment of cost.

(ii) Any person who is not a party to dispute, may get the certified copy of decision, decree or other documents except the confidential documents, on payment of such fees as specified in the preceding clause.

33. Manner of authentication of memorandum under section 97 : - (i) After framing of issues, parties may submit their evidence on affidavit, on which the opposite party shall have right to cross examination.

(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 signatures and seal.

CHAPTER - VII

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

34. Time limit to pay the amount of cess under section 101:- (1) The cess levied under the sub-section (1) of section 100 shall be paid by an employer, within thirty days of the completion of the construction project or within thirty days of the date on which assessment of cess payable is finished; whichever is earlier, to the Cess Collector.

(2) Notwithstanding anything contained in sub-rule (1), where the duration of the project or construction work exceeds one year, cess shall be paid within thirty days of completion of one year from the date of commencement of work and every year thereafter at the notified rates on the cost of construction incurred during the relevant period.

35. Fees for appeal under sub-section (2) of section 105. - An appeal preferred under sub-section (1) of Section 105 shall be accompanied by a non-refundable fee equivalent to half percent, but not exceeding rupees twenty five thousand, of the amount in dispute or penalty or both, as the case may be, under such appeal; which shall be paid and shall be credited to the treasury in the head of the account as may be specified by the UT Administration of Lakshadweep from time to time.

CHAPTER - VIII

FINANCE AND ACCOUNTS

36. Conditions to acquire, hold, sell or otherwise transfer any movable or immovable property (1) The Government shall in consultation with the Lakshadweep Unorganised Social Security Board and Lakshadweep Building and Other Construction workers welfare Board may frame a detailed policy for the purposes specified in Section 120 of the Code

37. Conditions and manner of writing off irrecoverable dues under section 121.- (1) Where the Lakshadweep Unorganised Social Security Board and Lakshadweep Building and Other Construction workers welfare Board is of the opinion that the amount of contribution, cess, interest and damages due to the Board has become irrecoverable, the Board or any other officer authorised by it in this behalf may sanction the writing off of the said amount, subject to the following conditions, namely: —

- (i) establishment has been closed for more than five years and the whereabouts of the employer cannot be ascertained, despite all possible efforts;
- (ii) decree obtained by the Board could not be executed successfully for want of sufficient assets of the defaulting employer; or
- (iii) claim for contribution is not fully complied with by —
 - (a) the Official Liquidator in the event of factories/establishments having gone into liquidation; or

(b) in the event of factories or establishment being nationalised or taken over by the Government.

CHAPTER - IX

AUTHORITIES, ASSESSMENT, COMPLIANCE AND RECOVERY

38. Other powers of Inspector-cum-Facilitator under clause (e) of Sub-section (6) of section 122: - In addition to powers specified in sub-section (6) of section 122, the Inspector-cum-Facilitator may exercise such other powers as the Government may deem fit from time to time.

CHAPTER - X

RECORDS

39. Form and manner for maintenance of records, registers, returns etc; - (1) (a) The employer of every establishment in which women are employed shall prepare and maintain a register of women employees in Form-XXII electronically or in hard copy and shall enter therein particulars of all women workers in the establishment. Further, it shall always be available for inspection under notified inspection scheme for the Inspector-cum- Facilitator.

(b) The employer may enter in the register of women employees such other particulars as may be required for any other purpose of the Code.

(2) (a) The records to be maintained for the purposes of Chapter V of the Code and the rules framed there under shall be preserved for a period of three years from the date of their preparation.

(b) The employer of every establishment in which employees are employed, shall prepare and maintain record and registers as per the record and registers to be maintained under the Code and the rules framed thereunder

(3) (a) The employer to which the provisions of Chapter V of the Code applies, on or before the 1st day of February in each year, upload a unified annual return in Form-XXII online 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).

(b) 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 or intimated by other means to the Labour Department UT Administration of Lakshadweep, further unified return in Form-XXII referred to in clause (a) in respect of the period between the end of the preceding year and the date of the sale, abandonment or discontinuance.

CHAPTER - XI OFFENCES AND PENALTIES

40. The form and manner of making application for the compounding of an offence under sub-section (4) of section 138. - (1) 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 a compounding notice in Form-XXIV for the offences for which are compoundable under section 138.

(2) The person so noticed may apply in Part III of the Form-XXIV to the officer electronically and deposit the entire compounding amount by electronic transfer or otherwise, within fifteen days of the receipt of the notice.

(3) The Compounding Officer shall issue a composition certificate in Part IV of Form-XXIV 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.

(4) If a person so noticed fails to deposit the composition 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.

(5) Composition after institution of prosecution. —

(a) The Court may compound any compoundable offence at any time after filing of a complaint under section 138 of the Code.

(b) The provisions of section 320 of the Code of Criminal Procedure, 1973 shall apply to such compositions.

CHAPTER - XII
EMPLOYMENT INFORMATION AND MONITORING

41. Manner and form of reporting vacancies and form of filing the return by the employer, to the concerned career centre under sub-section (2) of section 139. –

(1) Reporting of Vacancies to Career Centres:

(a) After the commencement of this Code in UT of Lakshadweep or area thereof, the employer in every establishment in public sector in UT of Lakshadweep or area shall, before filling up any vacancy in any employment in that establishment, report that vacancy or cause to be reported to such Career Centre as may be specified in the notification by the Government.

(b) The employer in every establishment 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 from such date as may be specified in the notification by the Government.

(c) the Government shall provide for mechanism (including digital) for receipt of vacancies reported by the employers. Career Centre to which the vacancies are reported, would 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.

Explanation: (1) Establishment in “public sector” means an establishment owned, controlled or managed by -

- (i) the Government or a Department of the Government
- (ii) a Government company as defined in clause (45) of Section 2 of the Companies Act, 2013 (No. 18 of 2013);
- (iii) a corporation (including a co-operative society) or an autonomous organization or an authority or a body established by or under a Central or State Act, which is owned, controlled or managed by the Government; and
- (iv) a local authority.

- (2) “Establishment in private sector” means an establishment which is not an establishment in public sector and with ordinarily 50 or more employees or such number of employees as may be notified by the UT Administration.
- (2) Type of vacancies and respective Career Centre for reporting of vacancies:
- (a) The following vacancies, namely-
- (i) All vacancies in posts of Technical and Scientific nature carrying a minimum pay or pay level or both as notified by the Government, occurring in establishments in respect of which the UT of Lakshadweep Administration is the appropriate Government under the Code; and
- (ii) Vacancies which an employer may desire to be circulated to the Career Centres outside the State or Union Territory in which the establishment is situated shall be reported to such Career Centre as may be specified by the Government by notification.
- (b) Vacancies which have been reported to the Career Centre and for which recruitment is to be made on State / UT or Inter-State or all India basis, shall also be reported to Career Centre or uploaded on a digital portal as specified by the Government by a notification.
- (3) Form and manner of reporting of vacancies:
- (a) The vacancies shall be reported in writing or through valid official email or digitally or otherwise to the Career Centre specified by the Government.
- (b) The vacancies shall be reported in the format given at Form-XXV, furnishing as many details as practicable, separately in respect of each type of vacancy.
- (c) 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, shall be reported at least fifteen 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: - (a) After commencement of this Code in any State / UT or area thereof, the employers in every establishment in the public sector in the UT of Lakshadweep or area 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.
- (b) the UT Government may by notification, require that from such date as may be specified in the notification, the employer 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.
- (6) Submission of returns: An employer shall furnish to the concerned Career Centre yearly returns in form EIR (Employment Information Return) as given at Form-XXVI. Yearly returns shall be furnished manually or, electronically, or digitally, as the case may be, as specified by the UT of Lakshadweep Administration in notification, within thirty days of the due date namely 31st March of the year.
- (7) Declaration of Executive Officer: - The Director of Employment or officer of his equivalent or above rank, controlling the work of Career Centres of the UT of Lakshadweep Administration, will declare in writing an officer looking after the work of Career Centres as “Executive Officer” for each district for the purpose of enforcement /implementation of Chapter XIII (Employment Information and Monitoring) of the Code. He shall be the officer who shall exercise the rights and perform duties referred to in section 139 of the Code, or authorize any person in writing to exercise those rights and perform duties.
- (8) Levy of penalty under the Chapter XIII of the Code: The Director of Employment or an officer of equivalent or above rank, controlling the work of Career Centres of the UT of

Lakshadweep shall be the competent authority to approve institution or sanction the institution of levy of penalty for an offence under the Code as mentioned in section 133.

CHAPTER - XIII **MISCELLANEOUS**

42. Manner of establishment and administration of the Social Security Fund under sub-section (5) of section 141. – The Fund shall be known as the Lakshadweep Social Security Fund and all the expenses towards the scheme(s) notified under sub-sections (2) of section 109 for the Unorganised Workers, shall be met out of this fund. In addition to the source of fund mentioned in clause (i) sub- section (5) of section 141, the amount received from the following sources shall be credited to the Fund namely: -

- (i) the amount given by the Administration of UT of Lakshadweep for the establishment of the fund;
 - (ii) the amount of grant given by the Government of India, Administration of UT of Lakshadweep and other authorities and other statutory bodies;
 - (iii) amount received for registration or renewal of beneficiaries and their contribution;
 - (iv) amount received for implementation of the scheme notified by the Government of India;
 - (v) amount received for implementation of the scheme notified by the Administration of UT of Lakshadweep.
 - (vi) Contribution or donation or any other financial support from employer, their association or from Corporate Social responsibility (CSR) Fund as determined by the Administration of UT of Lakshadweep by general or special order;
 - (vii) any other source which is approved by Government by notification in Official Gazette.
- (2) The fund shall be administered by the Administration of UT of Lakshadweep through an agency designated by Government in the manner, as notified by the Government.
- (3) The directions of Government, if any shall be complied with by the agency designated for the administration of the Lakshadweep Social Security Fund.

(4) The statement of accounts of the Lakshadweep Social Security Fund shall be maintained by the agency, in the form(s) and manner as specified by the Government and shall be submitted to the Administration of UT of Lakshadweep from time to time.

(5) The accounts of the Lakshadweep Social Security Fund shall be audited by the Comptroller and Auditor General of India or any other agency as the Government may notify.

43. Submission of a copy of the Form to the office of the Director General, Labour Bureau. - A copy of Form VIII (notice for Payment or Rejecting claim of Gratuity) shall be shared electronically with the designated authority of Administration of UT of Lakshadweep and the Director General, Labour Bureau.

44. The following rules are hereby repealed: -

- a) The Lakshadweep Building and Other Construction Workers (Regulation of Employment and Conditions of Service), 2011.

Provided that any order issued or any action taken under the aforesaid rules and regulations so repealed, shall be deemed to have been issued or taken under the corresponding provisions of these rules.

FORM I
[See rule 16]
Appeal to Employees' Insurance Court

To

Sir,

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

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

*Feel aggrieved by the order of under sub section 7(a) of section 37 for the reasons attached hereto, prefer this second appeal under sub-section 7(b) of section 37 and request that the said be 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-II
[See Rule 17 (1) (i)]

In the Employees, Insurance Court at

Applicant

(add description and residence) Against

..... Opposite Party (add description and residence) Other Particulars
of Application specified in rule 6(2)

Signature of Applicant

Date (verification by the applicant)

The statement of facts contained in this application is to the best of my knowledge and belief,
true and correct.

Date

FORM III

[See Rule 17 (1) (iv)]

Employee's Insurance Court at Register of proceedings in the year 20.....

| | | |
|----|---|----------------|
| 1 | Date of presentation of application | |
| 2 | No of proceedings | |
| 3 | Name | Applicant |
| 4 | Description | |
| 5 | Place of residence | |
| 6 | Particulars | opposite party |
| 7 | Amount of value, if any | |
| 8 | Place of residence | Claim |
| 9 | Particulars | |
| 10 | Amount or value, if any | |
| 11 | When the cause of action accrued | |
| 12 | Day of parties to appear | appearances |
| 13 | Applicant | |
| 14 | Opposite-party | |
| 15 | Date | final |
| 16 | For whom | |
| 17 | Order | |
| 18 | Date of Decision of appeal, if any | appeal |
| 19 | Judgment in appeal, | |
| 20 | Date of application | executive |
| 21 | against whom | |
| 22 | For what, and amount of money | |
| 23 | Amount of costs | |
| 24 | Date of order transferring to another civil court | |
| 25 | Other remarks, if any | |

FORM-IV**[See Rule 19 (1), (2)]****Nomination***(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 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).

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.

Nominee(s)

| S.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 | | | | |

Statement

1. Name of employee in full
2. Sex
3. Religion
4. Whether unmarried/married/widow/widower
5. Department/Branch/Section where employed
6. Post held with Ticket No. or Serial No., if any
7. Date of appointment
8. Permanent address:

Village..... Thana..... Sub-division.....

Post-Office.....

Pin-Code.....District.....State..... E-mail

ID.....Mobile Number.....

Place:

Date:

Signature/Thumb-impression of
the Employee

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-IV filed by me and duly certified by the employer.

Date:

Signature of the Employee

FORM-V**[See Rule 19 (3)]****Fresh Nomination***(Strike out the words not applicable)*

To.....

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

I, Shri/Shrimati(Name in full here)whose particulars are given in the statement 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).

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 (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.

4. 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.

Nominee(s)

| S.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

1. Name of employee in full
2. Sex

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

Village..... Thana..... Sub-division.....

Post-Office.....

Pin-Code.....District.....State..... E-mail

ID.....Mobile Number.....

Place:

Date:

Signature/Thumb-impression of
the Employee

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 V filed by me and duly certified by the employer.

Date:

Signature of the Employee

FORM-VI**[See Rule 19 (4)]****Modification of Nomination***(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 give notice that the nomination filled by me on date and recorded under your reference No.....dated shall stand modified in the following manner-

Statement

1. Name of employee in full
2. Sex
3. Religion
4. Whether unmarried/married/widow/widower
5. Department/Branch/Section where employed
6. Post held with Ticket No. or Serial No., if any
7. Date of appointment
8. Permanent address:

Village..... Thana..... Sub-division.....

Post-Office.....

Pin-Code.....District.....State..... E-mail

ID.....Mobile Number.....

Place:

Date:

Signature/Thumb-impression of
the Employee

DECLARATION BY WITNESSES

Modification of nomination signed/thumb impressed before me. Name in full and full address of witnesses. Signature of witnesses

1.

2.

Place 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 the notice for nomination in Form-VI filed by me and duly certified by the employer.

Date:

Signature of the Employee

FORM-VII

[(See Rule 20 (1)(i) and (ii) and (iii)]

Application for Gratuity by an Employee/Nominee/Legal Heir*(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 ofyears 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.....

Yours faithfully,

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

Place:

Date:

FORM-VIII

[(See Rule 20(2)(i) (a) and rule 20 (2)(i) (b)]

Notice for Payment/Rejecting claim of Gratuity

(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 35 of the Code on Social Security (Central) Rules, 2020, that your claim for payments of gratuity as indicated on your application in Form-IV 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 35 the Code on Social Security (Central) Rules, 2020 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 thisas a legal heir of an employee of this establishment.

2. *Please call aton.....

(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:

*strike out para, if, not applicable

Place:

Date: LGPKUM-2819/03-26/10

Signature of the Employer/authorised officer.
Name or description of establishment or rubber stamp
thereof.

Copy to: The Competent Authority in case of denial of gratuity.

Copy also to: Office of DG Labour Bureau, Ministry of Labour and Employment, Chandigarh.

FORM-IX
 [(See Rule 20 (4)(i)(c))]
Application for Direction
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)

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 Code on Social Security (Central) Rules, 2020 on thebut the above-mentioned employer refused to entertain it/issued a notice dated the..... under clauseof sub-rule of rule offering 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 – X

[(See Rule 20 (5)(a) & Rule 20(8)]

Notice for Appearance before the Competent Authority/Summon

(Strike out the words 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 35 of the Code on Social Security(Central) Rules, 2020 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/defence.

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. Strike out the words and paragraphs not applicable.
2. The portion not applicable to be deleted.
3. The summons shall be issued in duplicate. The duplicate is to be signed and returned by the persons served before the date fixed.
4. In case the summons is issued only for producing a document and not to given 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 – XI

[[See Rule 20 (11) and (12) (h)]

Notice for Payment of Gratuity as Determined by Competent/Appellate Authority

(Strike out the words 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 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, this day 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.

Note. --- (Strike out paragraphs if not applicable)

FORM – XII
 [(See Rule 20(13)]
Application for Recovery of Gratuity

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)

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 an employee of the above-mentioned employer, and you were pleased to direct the said employer in your notice dated the under sub-rule (11) or sub-rule (12) of rule 35 of Code on Social Security (Central) Rules, 2020 for payment of a sum of Rs as gratuity payable under the Code on Social Security, 2020.

2. 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.

3. 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 XIII

[See rule 21(1)]

Application for Registration of an Establishment under sub-section (3) of Section 57.**A. Establishment Details.**

1. Retrieve details of Establishment through LIN/Registration Number:
2. Name of Establishment:
3. Location and Address of the Establishment:
4. Others details of Establishment:
 - a. Total Number of employees engaged directly in the establishment:
 - b. Total Number of the contract employees engaged:
 - c. Total Number of Inter-State Migrant workers employed:
5. Ownership Type/Sector:
6. Activity as per National Industrial Classification (NIC):
7. Details of Selected NIC Code:
8. Identification of the establishment e-sign/ digital sign of employer/ representative:

B. Details of Employer: -

1. Name & Address of Employer/ Occupier/ Owner/Agent/ Chief Executive-
2. Designation:
3. Father's/ Husband's Name of the Employer:
4. Email Address, Telephone& Mobile No:

C. Manager/ Agent Details

1. Full name & Address of Manager/ Agent or person responsible for supervision and control of the Establishment;
2. Address of Manager/ Agent:
3. Email Address, Telephone& Mobile No:

D. Details of Approved Gratuity Fund/Insurance obtained for liability of payment towards the Gratuity;**E. Others Details: -**

Date: -Place:

Signature/ E-sign/digital sign of employer

FORM – XIV

[See Rule 23 (1)(a)]

Complaint to the Inspector-cum-Facilitator

To,

The Inspector-cum-Facilitator

(Under The Code on Social Security, 2020) Sir,

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.

Date.....

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

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-XV
 [See Rule 23 (2) (b)]
Appeal

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

Sir,

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 (2) of section 68 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 cum Facilitator in this behalf is enclosed; or

*Shri....., Inspector-cum-Facilitator, having directed under 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 provisions of this Chapter V of the Code on Social Security , 2020(Strike out 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 other 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 unnecessary portion.

Date.....

Signature or thumb impression of the
 Women/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 XVI

[See rule 26]

Notice Book of the Accidents

Name of the Establishment.....

Nature of Business

Date of opening.....

Registration no (if any)-.....

Name of the employer/occupier.....

| Date of accident | Short details of accident | Name of injured person | Whether accident resulted in death | Whether accident resulted in total disablement | Whether accident resulted in impartial disablement | Whether accident resulted in temporary disablement | Amount of compensation paid to employee or his dependend | Amount of compensation deposited to competent Authority | Date of payment of deposit of compensation |
|------------------|---------------------------|------------------------|------------------------------------|--|--|--|--|---|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |

To,

Competent Authority,

FORM XVII

[See rule 28]

Statement of Fatal Accidents

Sir,

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

2. The circumstances relating to the death of the employee/employees were as under: -

- a. Time of accident.
- b. Brief History of Accident
- c. Place where the accident occurred.
- d. Manner in which deceased was/were employed at the time.
- e. Cause of the accident.
- f. Accident reported at the local police station (Copy of FIR if any)(Y/N)
- g. Any Other Relevant Information

3. I am responsible for payment of compensation.

4. Details of employee

- a. Name of the employee
- b. Age of the employee
- c. Wages of the employee

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

.....

(Signature and designation of person making the statement)

Name:

Mobile:

Address:

FORM XVIII

[See Rule 29]

Memorandum of Agreement

It is hereby submitted that on the..... day of20..... 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 workman 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.

Dated20..... Signature of employer Witness

Signature of employee

Note- Application to register an agreement can be presented under 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.....

Dated20.... .

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 XVIII-A

[See Rule 29 (1)]

Memorandum of Agreement

It is hereby submitted that on the..... day of.....20personal injury was caused toresiding 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 Act on account of an alteration in the earnings of the said employee during disablement. It is further stipulated that all rights of commutation under Section 7 of the said Act are unaffected by this agreement it is therefore requested that this memorandum be duly recorded.

Dated 20.... .

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.

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

FORM XVIII-B

[See rule 29(1)]

Memorandum of Agreement

It is hereby submitted that on the day of.....20..... Personal injury was caused toresiding at..... by accident arising out of and in the course of his employment in..... The said injury has resulted in death to the said workman. 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..... onRs. on
 Rs.....on Rs on

It is further submitted that the employer of the said employee has agreed to pay, and dependent (s) of 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 death stated above. It is therefore requested that this memorandum be duly recorded.

Dated20..... Signature of

Employer Witness

Witness

Signature or dependent(s)

Note- Application to register an agreement can be presented under 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.... .

Dependent(s) The money has been paid and this receipt signed in my presence.

Witness

FORM XIX

[See rule 29 (2)]

Notice to Parties to Agreement

Whereas an agreement to pay compensation is said to have been reached between andand whereas has/have applied for registration of the agreement under Section 89 of the Code of Social Security, 2020. Notice is hereby given that said agreement will be taken into consideration on, 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

FORM XX

[See rule 29 (5)]

Register of Agreement for year 20.....

| Sr. No. | Date of agreement | Date of registration | Employer | Employee | Initial of competent authority | Reference to orders of Rectifying the register |
|---------|-------------------|----------------------|----------|----------|--------------------------------|--|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

FORM XXI**(See Rule 31(1))****Application for Compensation by employee**

To

Competent Authority for Employee's Compensation.....residing at, applicant,
Versus

residing at, opposite party.

It is hereby submitted that--

(1) The applicant, an employee employed by (a contractor with) the opposite party on the..... day of 20...., received personal injury by accident arising out of and in the course of his employment.

The cause of the injury was (here insert briefly in ordinary language the cause of the injury)

(2) The applicant sustained the following injuries, namely:

(3) The monthly wages of the applicant amount to Rs..... The applicant is over/under the age of 15 years.

(4) (a) Notice of the accident was served on the..... day of

(b) Notice was served as soon as practicable.

(c) Notice of the accident was not served (in due time) by reason of

(5) The applicant is accordingly entitled to receive--

(a) Half-monthly payment of Rs.....from the.....day of20....., to.....day of.....20...

(b) A lump sum payment of Rs.....

(6) The applicant has taken the following steps to secure a settlement by agreement, namely.....but it has proved impossible to settle the questions in dispute because.....

*You are therefore, requested to determine the following questions in dispute, namely--

- (a) whether the applicant is an employee within the meaning of the code;
- (b) whether the accident arose out of or in the course of the applicant's employment;
- (c) whether the whole or any part of the amount of compensation claimed is due;
- (d) whether the opposite party is liable to pay such compensation as is due;
- (e) etc. (as required).

Dated20..... Applicant

FORM – XXII

[(See Rule 39 (1)(a)]

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 XXIII

[(See Rule 39 (3)(a) (b)]

Unified Annual Return**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/Licence number under the Codes mentioned in column (2) of the table below:

| S. No. | Name | Registration | If yes (Registration No.) |
|--------|---|--------------|---------------------------|
| (1) | (2) | (3) | (4) |
| 01. | The Code on Occupational Safety Health and working condition code 2020. | | |
| 02. | The Code on Social Security 2020. | | |
| 03. | Any other Law for the time being in force. | | |

C. Details of Employer, Contractor and Contract Labour:

| | | |
|-----|---|--|
| 01. | Name of the employer in the case of a contractor's establishment. | |
| 02. | Date of commencement of the establishment. | |
| 03. | Number of Contractors engaged in the establishment during the year. | |
| 04. | Total Number of days during the year on which Contract Labour was employed. | |
| 05. | Total number of man-days worked by Contract Labour during the year. | |
| 06. | Name of the Manager or Agent (in case of mines). | |

| | | | | | | |
|-----|---|--|------------|-----------------------|---------------|--------------------|
| 07. | Address House No./Flat No.....Street/Plot No..... Town..... | | | | | |
| | District..... | | State..... | | Pin Code..... | |
| | E-mail ID..... | | | Telephone Number..... | | Mobile Number..... |

D. Working hours and weekly rest day:

| | | |
|-----|---|--|
| 01. | Number of days worked during the year. | |
| 02. | Number of mandays worked during the year. | |
| 03. | Daily hours of work. | |
| 04. | 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.) | Children (below 14 years of age.) | Total |
|---------|-------|---------|--|-----------------------------------|-------|
| | | | | | |

F. Wage rates (Category Wise):

| Category | Rates of Wages | No. of workers | | | | | | | |
|-------------|----------------|----------------|--------|----------|------------|----------|--------|----------|------------|
| | | Regular | | | | Contract | | | |
| | | Male | Female | Children | Adolescent | Male | Female | Children | Adolescent |
| Highly | | | | | | | | | |
| Skilled | | | | | | | | | |
| Skilled | | | | | | | | | |
| Semiskilled | | | | | | | | | |
| Unskilled | | | | | | | | | |

G. (a) Details of Payments:

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

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

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

H. Details of various welfare amenities provided under the statutory schemes:

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

I. Maternity Benefit under the Code on Social Security, 2020:**(a) Details of establishment, medical and para-medical staff:**

| | | | |
|----------|---|--|--|
| 01. | Date of opening of establishment | | |
| 02. | Date of closing, if closed | | |
| 03. | Name of Medical Officer | | |
| 03(i) | Qualification of Medical Officer | | |
| 03(ii) | Is Medical Officer at (the mines or circus)? | | |
| 03(iii) | If a part time, how often does he/she pay visit to establishment? | | |
| 03(iv) | Is there any Hospital? | | |
| 03(v) | If so, how many beds are provided? | | |
| 03(vi) | Is there a lady Doctor? | | |
| 03(vii) | If so, what is her qualification? | | |
| 03(viii) | Is there a qualified mid-wife? | | |
| 03(ix) | Has any crèche been provided? | | |

(b) Leave Granted under the Code on Social Security, 2020

| | | |
|-----|--|--|
| 01. | Total number of female employees in the establishment | |
| 02. | Total number days of leave granted | |
| 03. | 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

Sign. Here

FORM-XXIV

[See Rule 40 (1)]

Notice to the Employer who committed an offence for the first time for compounding of offence under sub- section (1) of section 138 of the Code on Social Security, 2020

Notice No.....

Date:

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 thereunder 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 towards 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 above-mentioned amount 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.

Date:

Place:

(Signature of the Compounding Officer)

PART – III

[See Rule 40 (2)]

Application under sub-section (4) of section 138 for compounding of offence

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.

1. Details of the compounding amount deposited (Copy of electronically generated receipt to be attached):
2. Details of the prosecution, if filed for the violation of above-mentioned offences may be given:
3. 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:
4. Any other information which the applicant desires to provide:

Dated:

Place:

**Signature of the applicant
(Name and Designation)**

PART – IV**Composition Certificate**

[See Rule 40 (3)]

Ref: Notice No.....

Date:

This is to certify that the offence under sub-section of section 133 of the Code in respect of which Notice No. Dated: was issued to Sh..... (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:

**(Signature)
Name and Designation of the Officer**

Place:

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

| | | | |
|----|--|-----------------|----------------------|
| 1 | <p>Particulars of the employer:</p> <p>Name:</p> <p>Address with pin code:</p> <p>Telephone No.:</p> <p>Mobile No.:</p> <p>Email address :</p> <p>Name & Type of Establishment (Central Government, State Government, PSU, Autonomous, Private, etc)</p> <p>Registration No of establishment under Code: Economic activity details:</p> | | |
| 2. | <p>Particulars of the indenting Officer:</p> <p>Name: Designation:</p> <p>Telephone No.:</p> <p>Mobile No.:</p> <p>Email address:</p> | | |
| 3. | <p>Particulars of vacancy(ies):</p> <p>(a) Designation/nomenclature of the vacancy(ies) to be filled</p> <p>(b) Description of duties of the post (job role/functional role)</p> | | |
| | <p>(c) Qualifications/Skills required (educational, technical, experience)</p> | Essential | Desirable/Preferable |
| | <p>(i) Educational Qualifications</p> <p>(ii) Technical Qualifications</p> <p>(iii) Skills</p> <p>(iv) Experience</p> | | |
| | <p>(d) Age Limits, if any (Age as on last date of application)</p> | | |
| | <p>(e) Preferences (such as Ex-servicemen, persons with disabilities, women, etc) if any</p> | | |
| | <p>(f) duration of employment</p> <p>(i) 3-6 months</p> | Number of posts | |
| | <p>(ii) 6-12 months</p> | | |

| | | |
|-----|---|--|
| | (iii) 12 months and more | |
| 4. | <p>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</p> <p>(if yes, give the number of vacancies to be filled by such categories of persons as detailed below)</p> | |
| | Category | Number of vacancies to be filled |
| | (a) Scheduled Caste (b) Scheduled Tribe (c) OBC (d) EWS (e) Ex-Serviceman (f) Persons with disabilities (pwd) (g) women (h) Others(specify) | Total *By Priority candidates *(Applicable for Central Government vacancies) |
| 6. | <p>Pay and Allowances:</p> <p>For Government vacancies: Mention pay level/pay scale of the post with basic pay/pay per month with other details if any</p> <p>For others: Mention minimum total emoluments per month with other details, if any.</p> | |
| 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 | |

Signature,

Name & Designation of Authorised Signatory of establishment/ employer with seal & date
(For Official Use- to be filled by Career Centre)

| | | |
|-----|--|--|
| 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) | |

Signature,

Name & Designation of Authorised Signatory of Career Centre with seal & date

NOTE:

1. Career Centre to which the vacancies are reported, would 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 3 working days from the date of receipt of reporting of vacancies.
2. An employer, if advertises that vacancy in any media or makes recruitment through any agency or any other mode, may invariably quote that unique vacancy reporting number in that advertisement or recruitment process.
3. Any change in the particulars already furnished to the Career Centre, shall be reported in writing or through valid official email or digitally (including through a portal) as the case may be, to the appropriate Career Centre.

FORM-XXVI**[See Rule 41 (6)]****Form EIR (Employment Information Return)**

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

The following information is required to be submitted under the Code on Social Security (Chapter XIII – Employment Information & Monitoring) 2020.

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

(EIR-continued)

| | | | | |
|--|-----------------------------|----------------------------|--------|---|
| 2. Number of vacancies* occurred and reported to Career Centre during the year and the number of vacancies filled during the year | | | | |
| Occurred | Reported | | Filled | Source (Career Centre/ NCS Portal/ Govt. Recruiting Agencies Private Placement Organisations/ others) |
| | Career Centre (Regional) | Career 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-organization. | | | | |
| Description | Men | Women | Others (trans- gender) | 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

To

The Career Centre,

Note: - 1. This return is to be rendered to the Career Centre within 30 days after the end of the financial year concerned by establishments/employers vide their obligation under the Code on Social Security, 2020 (Chapter XIII-Employment Information and Monitoring).

2. The main purpose in obtaining the information from employers is to know (i) the vacancies/employment opportunities available; (ii) type of personnel who are in short supply; and (iii) future job opportunities for providing vocational guidance to the jobseekers and connecting them with the employers. This is helpful in ascertaining the skill needs also. Employers too will be able to call on the Career Centres for getting suitable candidates as per their requirements.

UNION TERRITORY OF LAKSHADWEEP ADMINISTRATION
Department of Labour, Employment and Training

NOTIFICATION

Kavaratti, the 25th March, 2026

F.No.08/02/2024-LE&T/73 : In exercise of the powers conferred by sub-section (1) of section 99 of the Industrial Relations Code, 2020 (35 of 2020), read with the powers delegated by the Ministry of Home Affairs, Government of India, vide Notification S.O. 273(E) dated 16th January, 2023, and in supersession of all rules on the subject corresponding thereto in force in the Union Territory of Lakshadweep, except as respects things done or omitted to be done before such supersession, the Administrator of the Union Territory of Lakshadweep hereby makes the following rules, namely:—

By order of the Hon'ble Administrator U. T of Lakshadweep

-Sd/-

Director (Labour Employment & Training)

INDUSTRIAL RELATIONS (LAKSHADWEEP) RULES, 2025

CHAPTER - I
PRELIMINARY

1. Short title, application and commencement: - (i) These rules may be called The Industrial Relations (Lakshadweep) Rules, 2025.

(ii) These Rules shall extend to whole of the UT of Lakshadweep.

(iii) They shall come into force on the date of their publication in the Official Gazette.

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

(a) "Code" means the Industrial Relations Code, 2020;

(b) "Form" means forms appended to these Rules;

(c) "section" means the section of the Code;

(d) "Government" means the Administration UT of Lakshadweep

(e) “electronically” means any information submitted by email or uploading on the designated portal or digital payment in any mode for the purpose of Code;

(2) The words and expressions used in these rules which are not defined therein, but are defined in the Code, shall have their respective meaning as assigned to them in the Code.

3. Written Agreement for the settlement before the Conciliation Officer under clause (zi) of Section 2: - The Agreement under clause (zi) of Section 2 for written agreement between the employer and worker shall be in the form specified in Form-I and shall be signed by the parties in the agreement and a copy thereof shall be sent to the concerned Conciliation Officer.

CHAPTER - II BI-PARTITE FORUMS

4. Constitution of Works Committee etc. under Section 3: - (1) Every employer to whom an order made under sub-section (1) of section 3 relates, shall forthwith proceed to constitute a Works Committee in the manner as is specified in the following sub-rules: -

(2) The number of members constituting the Committee shall be fixed so as to afford representation to the various categories, groups and class of workers engaged in, and to the sections, shops or departments of the establishment:

Provided that the total number of members of the Works Committee shall not exceed twenty:

Provided further that the number of representatives of the worker in the Works Committee shall not be less than the number of representatives of the employer therein.

(3) Representatives of employer -Subject to the provisions of this rule, the representatives of the employer in the Works Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with, or associated with, the working of the industrial establishment.

(4) Consultation with Trade Union(s)

(a) Where any workers of the industrial establishment are members of a registered Trade Union, the employer shall ask such Trade Union to inform him in writing as to how many of the workers are members of such Trade Union; and

(b) Where an employer has reason to believe that the information furnished to him under clause (a) by the registered Trade Union is false, he may, after informing such Trade Union, refer the matter to the Secretary (Labour), UT of Lakshadweep Administration, who shall, after hearing the parties, shall decide the matter and his decision shall be final.

(5) Group of workers' representatives and officers of the Committee - On receipt of the information called for under sub-rule (4), the employer shall provide for the selection of worker 's representative on the Committee in two following groups, namely: -

(a) Registered Trade Union may choose their representatives as members for works committee in the proportion of their membership and;

(b) Where there is no registered Trade union, workers may choose amongst themselves representatives for works committee.

(i) The Works Committee shall have among its office-bearers a Chairman, a Vice-Chairman, a Secretary and a Joint-Secretary. The Secretary and the Joint-Secretary shall be elected every year.

(ii) The Chairman shall be nominated by the employer from amongst the employers' representatives on the Works Committee and he shall, as far as possible, be the head of the industrial establishment;

(iii) The Vice-Chairman shall be elected by the members, on the Works Committee representing the workers, from amongst themselves:

Provided that in the event of equality of votes in the election of the Vice- Chairman, the matter shall be decided by draw of a lot:

(c) The Works Committee shall elect the Secretary and the Joint Secretary provided that where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be elected from amongst the representatives of the worker and vice versa:

Provided that the post of the Secretary or the Joint Secretary, as the case may be, shall not be held by a representative of the employer or the worker for two consecutive years:

Provided that the representatives of the employer shall not take part in the election of the Secretary or Joint Secretary, as the case may be, from amongst the representatives of the worker and only the representatives of the worker shall be entitled to vote in such elections.

(d) In any election under clause (d), in the event of equality of votes, the matter shall be decided by a draw of lot.

(6) Term of Office: -

(a) The term of office of the representatives on the Works Committee other than a member chosen to fill a casual vacancy shall be three years;

(b) A member chosen to fill a casual vacancy shall hold office for the unexpired term of his predecessor;

(7) Vacancies: - In the event of worker's representative ceasing to be a member under clause (c) of sub-rule (6) or ceasing to be employed in the establishment or in the event of his

resignation, death or otherwise, his successor shall be chosen in accordance with the provisions of this rule from the same group to which the member vacating the seat belonged.

(8) Power to co-opt: - The Works Committee shall have the right to co-opt in a consultative capacity, persons employed in the industrial establishment having particular or special knowledge of a matter under discussion. Such co-opted member shall not be entitled to vote and shall be present at meetings only for the period during which the particular question is before the Works Committee.

(9) Meetings; -

(a) The Works Committee may meet as often as necessary

(b) The Works Committee shall at its first meeting regulate its own procedure.

(10) Facilities for meeting; -

(a) The employer shall provide accommodation for holding meetings of the Works Committee. He shall also provide all necessary facilities to the Works Committee and to the members thereof for carrying out the work of the Works Committee. The Works Committee shall ordinarily meet during working hours of the industrial establishment concerned on any working day and the representative of the worker shall be deemed to be on duty while attending the meeting;

(b) The Secretary of the Works Committee may with the prior concurrence of the Chairman, put up notice regarding the work of the Works Committee on the notice board of the industrial establishment.

(11) Dissolution of works committee:-The Government, or where the power under section 3 has been delegated to any officer or authority under Section 100, such officer or authority may, after making such inquiry as it or he may deem fit, dissolve any Works Committee at any time, by an order in writing, if he or it is satisfied that the Committee has not been constituted in accordance with these Rules or that the Committee has, for any other reason, ceased to function:

Provided that where a Works Committee is dissolved under this Rule the employer may, and if so, required by the Government or, as the case may be, by such officer or authority, shall take steps to re-constitute the Committee in accordance with these rules.

5. Manner of choosing members from the employers and the workers for Grievance Redressal Committee under sub-section (2) of section 4: - (1) The Grievance Redressal Committee shall consist of equal number of members representing the employer and the workers, which shall not exceed ten.

(2) The representatives of the employer shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with or associated with the working of the industrial establishment, preferably the heads of major departments of the industrial establishment.

(3) The representatives of the workers shall be chosen by the registered Trade Union and where a negotiating Council exists, such representatives shall be chosen in the same proportion as the Trade Unions respectively represents in the negotiating Council. In case where there is no registered Trade union the member may be chosen by the workers of the establishment:

Provided that there shall be adequate representation of women workers in the Grievance Redressal Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment:

Provided further that the tenure of the members of the Grievance Redressal Committee shall be co- terminus with the tenure of the members of the registered Trade Union.

Provided further that in the absence of registered Trade Union, the tenure of members of Grievance Redressal Committee shall be for a period of three years from the date of the constitution of the Grievance Redressal Committee.

(4) Where any workers of the industrial establishment are members of a registered Trade Union, the employer shall ask such Trade Union to inform him in writing as to –

- (a) how many of the workers are members of such Trade Union;
- (b) Where an employer has reason to believe that the information furnished to him under clause (a) by the registered Trade Union is false, he may, after informing such Trade Union, refer the matter to the Secretary (Labour) UT of Lakshadweep Administration who shall, after hearing the parties, shall decide the matter and his decision shall be final.

6. Application in respect of any dispute to be filed before the Grievance Redressal Committee by any aggrieved worker under sub-section (5) of section 4: - Any aggrieved worker may file an application stating his dispute therein before the Grievance Redressal Committee giving his name, designation, employee Code, Department where posted, length of service in years, category of worker, address for correspondence, contact number, details of grievances and relief sought. Such application may be sent electronically or otherwise. The Grievance may be raised within one year from the date on which the cause of action of such dispute arises.

7. Manner of filing application for the conciliation of grievance as against the decision of the Grievance Redressal Committee to the conciliation officer under sub-section (8) of section 4: - Any worker who is aggrieved by the decision of the Grievance Redressal Committee or whose grievance is not resolved by the said Committee within thirty days of receipt of the application, may file an application Conciliation Officer within a period of sixty days from the date of the decision of the Grievance Redressal Committee or from the date on which the period specified in sub-section (6) of section 4 expires, as the case may be, to the conciliation officer through the Trade Union, of which he is a member or otherwise:

CHAPTER-III

TRADE UNION

8. Payment of subscription under clause (f) of section 7. -(i) The payment of a subscription shall be from ordinary as well as honorary members of the Trade Union;

(ii) The ordinary as well as honorary members of the Trade Union along with any of the permanent citizen of India living in any part of the country can donate towards the general fund of the union electronically or through crossed cheque or draft payable to the Union;

(iii) The admission subscriptions for the members of the Trade Union shall be Rs. 100/- and monthly subscription shall not be less than Rs. 30/- per member but not more than Rs. 50/- per member or as may be prescribed by Government by notification

9. Safe Custody of the funds of the Trade Union and Annual audit under clause (j) of section 7. -(1) The funds of the registered Trade Union shall be deposited in any scheduled bank in the name of the Union:

Provided that 2% of the total funds available with the Union shall be kept at the disposal of the two executive members i. e. President, Secretary and Cashier for meeting any exigency pertaining to the routine affairs of the said union.

(2) Auditors. -The annual audit of the accounts of any registered Trade Union shall be conducted by an Auditor authorised to audit the accounts of companies under section 144 (1) of the Indian Companies Act, 1913 or under section 8(2) of the Indian Companies (Amendment) Act.

Exception. -Notwithstanding anything contained in these Rules, no person, who, at any time during the year, was entrusted with any part of the funds or securities belonging to the Trade Union shall be eligible to audit the accounts of the Union.

(3) Audit of funds.-The Auditor or Auditors appointed in accordance with these Rules shall be given access to all the books of the Trade Union and shall verify the annual return

with the accounts and vouchers relating thereto and shall thereafter sign the auditor's declaration appended in (Form-II), indicating separately on that Form under his signature or their signatures a statement showing in what respect he or they find the return to be incorrect, unvouched or not in accordance with the Act/Code. The particulars given in this statement shall indicate: -

- (i) every payment which appears to be unauthorised by the Rules of Trade Union or contrary to the provisions of the Act/Code;
- (ii) the amount of any deficiency or loss which appears to have been incurred by the negligence or misconduct of any person;
- (iii) the amount of any sum which ought to have been but is not brought to account by any person.

(4) Audit of separate fund to be constituted under sub-section (2) of section 15. The audit of the separate fund of a registered Trade Union shall be carried out with the audit of the general account of the Trade Union by the same Auditor or Auditors.

10. Application for Registration of Trade Union and declaration to be made by an affidavit under clause (a) of sub-section (1) of section 8: — (1) Every application for registration of a Trade Union shall be made in Form III electronically or otherwise, along with fee payable on registration of a Trade Union of rupees 100/- (One hundred rupees) or as may be prescribed by Government by notification.

(2) An affidavit shall be attached with the application filed for registration under sub rule (1) by the applicant in Form IV. Application shall be enclosed with assets and liability of Trade Union prepared in accordance with double entry book keeping only in instances of cancellation of registration or when the Trade Union has previously existed for a period of more than one year as under Sub-section (2) of Section 8 of the Code.

11. Assets and Liabilities of the Trade Union under sub-section (2) of section 8.- Where a Trade Union has been in existence for more than one year before making application for its registration, the general statement of the assets and liabilities of the Trade Union as required under Sub-section (2) of Section 8 shall be delivered in Schedule- III of Form III to the Registrar together with the application for its registration.

12. Register of Trade Union under sub-section (1) and sub-section (3) of section 9.- The Register of Trade Unions as referred to above shall be maintained in (Form V).

13. Certificate of Registration- (1) The Certificate of Registration issued by the Registrar under sub-section (2) of section 9 shall be in (Form-VI).

- 14. Cancellation/Withdrawal of Registration under sub-section (5) of section 9.-**(1) The Registrar on receiving an application for the cancellation/withdrawal of registration shall, before granting the approval, satisfy himself that the withdrawals or cancellation of registrations was approved by the general meeting of the Trade Union, or if it was not so approved, that it has the approval of the majority of the members of the Trade Union. For this purpose, he may call for such further particulars, as he may deem necessary and may examine any officer of the Union.
- (2) The Registrar can also cancel the registration of Trade Union on receiving the information under sub section (5) (ii) of section 9 regarding contravention by the Trade Union of the provisions of this Code.
- 15. Appeal under sub-section (1) of section 10.** - Any appeal made under sub- section (1) of section 10 of the code must be filed within sixty days of the date on which the Registrar passed the order against which the appeal is made.
- 16. Communications and Notices to a Registered Trade Union under subsection (1) of section 11.-**All the communications and notices to a registered Trade Union shall be sent electronically or through registered post or speed post, or manually under proper receipt.
- 17. Change in the particulars as per sub-section (3) of section 11.-**The Trade Union shall inform the Registrar of any change in the particulars given in the application for registration and in its constitution or rules electronically or through registered post or speed post, or manually under proper receipt.
- 18. (1). Matters to be negotiated by a negotiating Union or negotiating Counsel in an industrial establishment under sub-section (1) of section 14.-** (1) There shall be a negotiating Union or negotiating Counsel as the case may be in an industrial establishment having registered Trade Union for negotiating with the employer of the industrial establishment on the following matters: -
1. Classification of workers, whether permanent, temporary, apprentices, probationers, badlis or fixed term employment;
 2. Manner of intimating to workers periods and hours of work, holidays, pay-days and wage rates;
 3. Shift working;
 4. Attendance and late coming;
 5. Conditions of, procedure in applying for, and the authority which may grant leave and holidays;
 6. Requirement to enter premises by certain gates, and liability to search;
 7. Closing and reporting of Sections of the industrial establishment, temporary

stoppages of work and the rights and liabilities of the employer and workers arising there-from;

8. Termination of employment, and the notice thereof to be given by employer and workers;

9. Suspension or dismissal for misconduct, and acts or omissions which constitute misconduct;

10. Means of redress for workers against unfair treatment or wrongful exactions by the employer or his agents or servants;

11. Any other matter which may be specified by the appropriate Government by notification.

(2) Criteria to recognize Trade Union as sole negotiating Union of the workers under sub-section (2) of section 14.- Where only one Trade Union of workers registered under the provisions of this Code is functioning in an industrial establishment, then, the employer of such industrial establishment shall recognize such Trade Union as sole negotiating Union of the workers subject to the criteria that Trade Union should have fifty-one per cent or more workers of the total employees of the industrial establishment as its member as verified by a committee consisting of equal number of members from the management of establishment and the members of the registered Trade Unions functioning in that establishment, supporting that Trade Union shall be recognized by the employer of the industrial establishment, as the sole negotiating Union of the workers.

(3) Verification of a Trade Union by the employer of the industrial establishment under sub-section (3) and sub-section (4) of section 14.-

(a). If more than one Trade Union of workers registered under this Code are functioning in an industrial establishment, then, the Trade Union having fifty-one per cent or more workers on the muster roll of that industrial establishment, after duly verified by a committee consisting of equal number of members from the management of establishment and the members of the registered Trade Unions functioning in that establishment, supporting that Trade Union shall be recognized by the employer of the industrial establishment, as the sole negotiating union of the workers;

(b). If after verification as mentioned in clause (a), it is established that no such Trade Union has fifty-one per cent or more of workers on the muster roll of that industrial establishment, then, there shall be constituted by the employer of the industrial establishment, a negotiating Council for negotiation on the matters referred to in sub- rule (1) consisting of the representatives of such registered Trade Unions which have the support of not less than

twenty per cent of the total workers on the muster roll of that industrial establishment so verified and such representation shall be of one representative for each twenty per cent and for the remainder after calculating the membership on each twenty per cent.

Provided that an employee can be a member to only one Trade Union at a particular time.

(4) Facilities to be provided by the Industrial Establishment under sub section 7 of section 14.- The industrial establishment shall provide following facilities to a negotiating union or negotiating council :-(i) Office accommodation either inside or outside the company premises;

(ii) May declare the executive members of the negotiating Trade Union and members of the negotiating Council as protected workers.

19. Utilization of the general funds of a Trade Union under sub-section (1) of section 15.-The general funds of a registered Trade Union shall not be spent on any objects other than specified below-

- (a) the payment of salaries, allowances and expenses to office bearers of the Trade Union;
- (b) the payment of expenses for the administration of the Trade Union, including audit of the accounts of the general funds of the Trade Union;
- (c) the prosecution or defence of any legal proceeding to which the Trade Union or any member thereof is a party, when such prosecution or defence is undertaken for the purpose of securing or protecting any rights of the Trade Union as such or any rights arising out of the relations of any member with his employer or with a person whom the member employs;
- (d) the conduct of trade disputes on behalf of the Trade Union or any member thereof;
- (e) the compensation of members for loss arising out of trade disputes;
- (f) allowances to members or their dependants on account of death, old age, sickness, accidents or unemployment of such members;
- (g) the issue of or the undertaking of liability under, policies of assurance on the lives of members, or under policies insuring members against sickness, accident or unemployment;
- (h) the provision of educational, social or religious benefits for members (including the payment of the expenses of funeral or religious ceremonies for deceased members) or for the dependants of members;

- (i) the upkeep of a periodical published mainly for the purpose of discussing questions affecting employers or workmen as such; and
- j) the payment, in furtherance of any of the objects on which the general funds of the Trade Union may be spent, of contributions to any cause intended to benefit workmen in general, provided that the expenditure in respect of such contributions in any financial year shall not at any time during that year be in excess of one-fourth of the combined total of the gross income which has up to that time accrued to the general funds of the Trade Union during that year and of the balance at the credit of those funds at the commencement of that year.

20. Constitution of a separate fund under sub-section (2) of section 15. -(1) A registered Trade Union may constitute a separate fund, from contributions separately levied for or made to that fund, from which payments may be made, for the promotion of the civic and political interests of its members, in furtherance of any of the objects specified in sub-rule (2).

(2) The objects referred to in sub-rule (1) are: -

- (a) the payment of any expenses incurred, either directly or indirectly, by a candidate or prospective candidate for election as a member of any legislative body constituted under the Constitution or of any local authority, before during, or after the election in connection with his candidature or election; or
- (b) the holding of any meeting or the distribution of any literature or documents in support of any such candidate or prospective candidate; or
- (c) the maintenance of any person who is a member of any legislative body constituted under the Constitution or of any local authority; or
- (d) the registration of electors or the selection of a candidate for any legislative body constituted under the Constitution or for any local authority; or
- (e) the holding of political meetings of any kind, or the distribution of political literature or political documents of any kind.

(3) No member shall be compelled to contribute to the fund constituted under sub rule (1) and a member who does not contribute to the said fund shall not be excluded from any benefits of the Trade Union, or placed in any respect either directly or indirectly under any disability or at any disadvantage as compared with other members of the Trade Union (except in relation to the control or management of the said fund) by reason of his not contributing to the said fund and contribution to the said fund shall not be made a condition for admission to the Trade Union.

21. Subscriptions payable by the members of the Trade Union under sub-section (4) of section 15.-The admission subscriptions for the members of the Trade Union shall be Rs. 100/- and monthly subscription shall not be less than Rs. 30/- per member but not more than Rs. 50/- per member.

22. Application for adjudication before Industrial Tribunal under sub-section (1) of section 22.- A registered Trade Union shall apply in writing for adjudication before Industrial Tribunal with regard to any trade dispute for its determination under the provisions of this code in person or through authorized representatives of the Trade Union within a period of sixty days from occurrence of such dispute.

23. Manner of Amalgamation of Trade Unions under subsection (2) of section 24.-(1) Any two or more registered Trade Unions may become amalgamated together as one Trade Union with or without dissolution or division of the funds of such Trade Unions or either or any of them, provided that the votes of at least one half of the members of each or every such Trade Union entitled to vote are recorded, and that at least sixty per cent of the votes recorded are in favour of the proposal.

2. Notice of change of name or amalgamation.- (1) Notice in writing of every change of name and of every amalgamation, signed, in the case of a change of name by the Secretary and by seven members of the Trade Union changing its name, and, in the case of an amalgamation, by the Secretary and by seven members of each and every Trade Union which is a party thereto, shall be sent to the Registrar electronically or otherwise, and where the head office of the amalgamated Trade Union is situated in a different State, to the Registrar of such State.

(2) The Registrar of the State in which the head office of the amalgamated Trade Union is situated shall, if he is satisfied that the provisions of this Act in respect of amalgamation have been complied with and that the Trade Union formed thereby is entitled to registration under section 6, register the Trade Union in the manner provided in section 6, and the amalgamation shall have effect from the date of such registration.

(3) Effects of change of name and of amalgamation. –

(1) The change in the name of a registered Trade Union shall not affect any rights or obligations of the Trade Union or render defective any legal proceeding by or against the Trade Union, and any legal proceeding which might have been continued or commenced by or against it by its former name may be continued or commenced by or against it by its new name.

(2) An amalgamation of two or more registered Trade Unions shall not prejudice any right of any of such Trade Unions or any right of a creditor of any of them.

24. Funds of a dissolved Trade Union under sub-section (2) of section 25.- Where it is necessary for the Registrar under section 25 to distribute the funds of a Trade Union which has been dissolved, he shall divide the funds in proportion to the amounts contributed by the members by way of subscription during their membership.

25. Annual returns under clause (a) sub-section (1) of section 26.-The annual return to be furnished under section 26 shall be submitted to the Registrar by the 15th day of February in each year and shall be in (Form-II).

CHAPTER - IV STANDING ORDERS

26. Manner of forwarding information to certifying officer under sub-section (3) of section 30: - (1) If the employer adopts the model standing order of the Central Government referred to in section 29 with respect to matters relevant to his industrial establishment or undertaking, then, he shall intimate the concerned certifying officer electronically the specific date from which the provisions of the model standing order which are relevant to his establishment have been adopted.

(2) On receipt of information in sub-rule (1) the certifying officer within a period of thirty days from such receipt may give his observation that the employer is required to include certain provisions which are relevant to his establishment and indicate those relevant provisions of the model standing orders which have not been adopted and shall also direct the employer to amend the standing order so adopted, by way of addition, deletion or modification within a period of thirty days from the date of the receipt of such direction and ask for compliance report only in respect of provisions which the certifying officer seeks to get so amended and such report shall be sent electronically by the employer.

(3) If no observation is made by certifying officer within a period of thirty days of the receipt of the information as specified in sub-rule (1) and (2), then, the standing order shall be deemed to have been adopted by the employer.

27. Manner of choosing representatives of workers of the industrial establishment or undertaking for issuing notice by certifying officer where there is no Trade Union operating, under clause (ii) of sub-section (5) of section 30: - Where there is no such Trade Union as is referred to in clause (i) of said sub-section (5), then, the certifying officer shall call a meeting of the workers to choose three representatives, to whom he shall, upon their being chosen, forward a copy of the standing order requiring objections, if any, which the workers may desire to make to the draft standing order to be submitted within fifteen days from the receipt of the notice.

28. Manner of authentication of certified standing orders under sub-section (8) of section 30.- Standing orders or modification in the standing orders, certified in pursuance of sub-section (8) of section 30 or the copies of the order of the appellate authority under sub-section (1) of section 33 shall be authenticated by the certifying officer or the appellate authority, as the case may be, and shall be sent electronically within a week to all concerned, but there shall not be any requirement of certification in cases of deemed certification under sub-section (3) of section 30 and in cases where the employer has certified adoption of model standing orders.

29. Statement to be accompanied with draft standing orders under sub-section (9) of section 30: - A statement to be accompanied with-

- (i) draft standing order shall contain, the particulars such as name of the industrial establishment or undertaking concerned, address, e-mail address, contact number and strength and details of workers employed therein including particulars of Trade union to which such workers belong; and
- (ii) draft modification in the existing standing orders, shall contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provision of standing order in force and proposed modification therein and reasons thereof and such statement shall be signed by a person authorized by the industrial establishment or undertaking.

30. Conditions for submission of draft standing order in similar establishment under sub-section (10) of section 30: - In cases of group of employers engaged in similar industrial establishment may submit a joint draft standing order under section 30 and for the purpose of proceedings specified in sub-sections (1), (5), (6), (8) and (9) thereof after consultation with the concerned Trade union.

31. Manner of disposal of appeal by appellate authority under section 32: -(1) An employer or Trade Union desirous of preferring an appeal against the order of the certifying officer given under sub-section (5) of section 30 shall within sixty days of the receipt of such order shall draw up a memorandum of appeal in tabular form stating therein the provisions of the standing orders which are required to be altered or modified or deleted or added and reasons thereof and shall be filed electronically to the appellate authority.

(2) The appellate authority shall, after giving the appellant and the opposite parties an opportunity of being heard, pass an order within sixty days of the filing of appeal, either confirming the standing orders or directing the employer to modify the standing orders

(3) Where the appellate authority does not confirm the standing order, it shall fix a date for the hearing of the appeal and direct notice thereof to be given –

- (a) where the appeal is filed by the employer or a worker, to Trade Union of the workers of the industrial establishment or to the representative body of the workers concerned or to the employer, as the case may be;
- (b) where the appeal is filed by a Trade Union, to the employer and all other Trade Unions of the workers of the industrial establishment; and
- (c) where the appeal is filed by the representative of the workers, to the employer and any other worker whom the appellate authority joins as a party to the appeal.
- (4) The appellant shall furnish each of the respondents with a copy of the memorandum of appeal.
- (5) The appellate authority may at any stage of the proceeding call for any evidence, if it considers necessary for the disposal of the appeal.
- (6) On the date fixed under sub-rule (2) for the hearing of the appeal, the appellate authority shall take such evidence as it may have called or consider to be relevant if produced and after hearing the parties dispose of the appeal.

32. The language and the manner of maintaining standing order under sub-section

(1) and (2) of section 33: - (1) The standing order finally certified by certifying officer shall be sent electronically except in the case of deemed certification under section 30.

(2) The text of the standing order as finally certified or deemed to have been certified or adopted model standing order under this Chapter shall be maintained by the employer in Hindi or in English or in Malayalam.

33. Register for final certified copy of Standing Order under section 34: - (1) The certifying officer shall maintain electronically, a register of all standing orders certified or deemed to have been certified or adopted model standing orders of all the concerned industrial establishments, inter-alia, containing the details of –

- (i) the unique number assigned to each standing order;
 - (ii) name of industrial establishment;
 - (iii) nature of industrial establishment;
 - (iv) date of certification or deemed certification or date of adoption of model standing order by each establishment or undertaking;
 - (v) the areas of the operation of the industrial establishment; and
 - (vi) such other details as may be relevant and helpful in retrieving the standing orders and create a data base of such of all standing orders.
- (2) The certifying officer shall furnish a copy of the certified standing orders or deemed certifying orders to any person applying there for on payment of two rupees per page of the

certified standing orders or deemed certified standing orders, as the case may be. The payment for such purpose can also be made through electronic mode.

34. Application for modification of Standing Order under sub-section (2) of section

35: - The application for modification of an existing standing order under sub-section (2) of section 35 shall be submitted electronically and contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provisions of standing order in force, and proposed modifications therein, reasons thereof and the details of registered Trade union(s) operating therein, and such statement shall be signed by a person authorized by the industrial establishment or undertaking.

35. Establishments exempt from this chapter under section 39: - The provisions of this chapter shall not apply to establishments wherein less than 500 workers are employed or were employed on any day of the preceding twelve months.

CHAPTER - V NOTICE OF CHANGE

36. The manner of giving of notice for change proposed to be affected under clause (i) of section 40: - (1) Any employer intending to effect any change in the conditions of service applicable to any worker in respect of any matter specified in the Third Schedule to the Code, shall give notice in Form-VII to such worker affected by such change.

(2) The notice referred in sub-rule (1) shall be displayed conspicuously by the employer on the notice board at the main entrance of the industrial establishment and the office of the concerned Manager of the industrial establishment:

Provided that where there is a registered Trade Union or registered Trade Unions relating to the industrial establishment a copy of such notice shall also be served on the Secretary of such Trade Union or each of the Secretaries of such Unions, as the case may be.

CHAPTER - VI VOLUNTARY REFERENCE OF DISPUTES TO ARBITRATION

37. Form of arbitration agreement and the manner thereof under sub-section (3) of section 42: - (1) where the employer and workers agree to refer the dispute to arbitration, the Arbitration Agreement shall be in Form-VIII and shall be signed by the parties to the agreement. The agreement shall be accompanied by the consent either in writing or electronically of arbitrator or arbitrators.

- (2) The Arbitration Agreement referred to in sub-rule (1) shall be signed. -
- (i) In case of an employer, by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other officer of the corporation authorized for such purposes;
 - (ii) In the case of the workers by the officer of the registered Trade Union authorized in this behalf or by three representatives of the workers duly authorized in this behalf at a meeting of the concerned workers held for such purpose;
 - (iii) In the case of an individual worker, an individual worker by the worker himself or by an officer of registered Trade Union of which the worker is a member:

Explanation. - (1) In this rule, the expression 'officer' means any officer of a registered Trade Union or an association of the employer authorized for such purpose;

(2) In this rule "officer" means any of the following officers, namely: -

- a) the President;
- b) the Vice-President;
- c) the Secretary (including the General Secretary);
- d) a Joint Secretary; and
- e) any other officer of the Trade Union authorized in this behalf by the President and Secretary of the union.

38. Manner of issue of notification under sub-section (5) of section 42: - Where an industrial dispute has been referred to arbitration and the UT of Lakshadweep Administration is satisfied that the persons making the reference represent the majority of each party, it shall publish a notification in this behalf in the Official Gazette and electronically or otherwise for the information of the employers and workers who are not parties to the arbitration agreement but are concerned in the dispute and they may present their case before the arbitrator or arbitrators appointed for such purpose.

39. Manner of choosing representatives of workers where there is no Trade Union under sub-section (5) of section 42: - Where there is no Trade Union, the representative of workers to present their case before the arbitrator or arbitrators in pursuance of clause (c) of the proviso to sub-section (5) of section 42, shall be chosen by a resolution passed by the majority of concerned workers in Form-IX authorizing therein to represent the case. Such

workers shall be bound by the acts of representatives who have been authorized to represent before the arbitrator or arbitrators, as the case may be.

CHAPTER VII MECHANISM FOR RESOLUTION OF INDUSTRIAL DISPUTES

40. Terms and conditions of service of the office of the Judicial Member of the Tribunal constituted by the Government and Sub-section (1) of section 44.

(1) The Judicial member shall be appointed by the Government and the person so appointed shall not be qualified for such appointment unless-

- (a) he is, or has been, a Judge of High Court; or
- (b) he has for a period of not less than three years, been a district Judge or an additional Judge;
- (c) Every person appointed as Judicial Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in the (Form-X) annexed to these rules.

(2) The salaries and allowances, resignation removal and other terms and conditions of the Judicial Member so appointed shall be the same as are applicable to them in their respective Cadres of service.

(3) The Government shall fill vacancy under sub-section (9) of section 44 in Industrial Tribunal arising out of retirement, transfer, dismissal or any other reason in accordance with these rules.

41. Terms and conditions of service of the office of the Administrative Member of the Tribunal constituted by the Government and Sub-section (1) of section 44

-(1) The Administrative Member of the Tribunal shall be appointed by the Government from the persons who having held the post not below the rank of Special Secretary or an equivalent rank in the UT of Lakshadweep Administration.

- (a) Every person appointed as Administrative Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in the (Form-X) annexed to these rules.

(2) The salaries and allowances, resignation, removal and other terms and conditions of the Administrative Member so appointed shall be the same as are applicable to them in their respective Cadres of service.

(3) The Government shall fill vacancy under sub-section (9) of section 44 in Industrial Tribunal arising out of retirement, transfer, dismissal or any other reason in accordance with these rules.

42. Manner of holding conciliation proceedings under sub-section (1), full report under sub-section (4), and application and the manner of deciding such application under sub-section (6) of section 53:- (1) Where the Conciliation Officer receives any information about an existing or apprehended industrial dispute and he considers it necessary to intervene in the dispute, he shall give formal intimation to the parties concerned declaring his intention to commence conciliation proceedings with effect from such date as may be specified therein.

(a) The party representing workmen involved in an industrial dispute shall forward a statement of its demands along with a copy of the notice to the Conciliation Officer concerned. The statement shall be accompanied by as many spare copies there of as there are opposite parties.

(b) The party representing workmen, or in the case of an individual workmen, the workman, himself involved in a dispute shall forward a statement of its demands to the Conciliation Officer concerned before such date as may be specified by him for commencing conciliation proceedings. The statement shall be accompanied by as many spare copies thereof as there are opposite parties.

The conciliation Officer shall send to the opposite party concerned a copy of the statement received, as the case may be, who shall file its rejoinder with the Conciliation Officer within a period of one week of its receipt: Provided that the Conciliation Officer may when he considers necessary extend the time limit for the filing of the rejoinder by any party.

(c) The statement of demands submitted by the party representing the workmen, or in the case of individual workman by the workman himself along with a copy of the rejoinder shall be transmitted to the Government by the Conciliation Officer concerned with his report.

(d) Where an employer, or the party representing the workmen, or in the case of individual workman, the workman himself applies to the Government for reference of an industrial dispute to a Labour Court or Tribunal, such application shall be accompanied by a statement of the demands or matters in dispute with as many spare copies thereof as there are opposite parties.

- (e) The statement and every copy thereof required under the said sub-rules to accompany the said statement shall be duly signed, on behalf of the party, by the person making it.
- (2) If no such settlement is arrived at in the conciliation proceeding referred to in sub-rule (1), the conciliation officer shall submit a report electronically or otherwise within seven days from the date on which the conciliation proceedings are concluded.
- (3) The report referred to in sub-rule (2) shall be communicated electronically or otherwise to the parties concerned.
- (4) The report referred to in sub-rule (2) shall contain inter-alia the submissions of the employer, worker or Trade union, as the case may be, and it shall also contain the efforts made by the conciliation officer to bring the parties to the amicable settlement, reasons for refusal of the parties to resolve the dispute and the conclusion of the conciliation officer.
- (5) Any dispute which is not settled during the conciliation proceedings, then, either of the concerned party may make an application in Form-XI, before the Tribunal electronically or otherwise within ninety days from the date of the report under sub-rule (2).
- (6) In case of an industrial dispute which has not been settled during the conciliation proceedings, an application may be made before the Tribunal by either of the parties concerned for adjudication. The Tribunal shall direct the party raising the dispute to file a statement of claim with complete details along with relevant documents, list of supporting documents and witnesses within thirty days from the date on which application is filed. A copy of such statement may be sent electronically or otherwise for service on each of the opposite parties in the dispute.
- (7) The Tribunal after ascertaining that the copies of statement of claim and other related documents are furnished to the other side by the party raising the dispute, the Tribunal shall fix the first hearing as soon as possible and within a period of one month from the date of receipt of the application. The opposite party or parties shall file their written statement together with supporting documents and the list thereof and list of witnesses, if any, within a period of thirty days from the date of first hearing and simultaneously forward a copy thereof to the opposite party or parties for service.
- (8) Where the Tribunal finds that the party raising the dispute, despite its directions, did not forward the copy of the statement of claim and other documents to the opposite party or parties, it shall give directions to the concerned party to furnish the copy of the statement to the opposite party or parties, granting extension of fifteen days for filing the statement, if the

Tribunal finds sufficient cause for not filing the statement of claim and other documents within time.

(9) The evidence shall be recorded either in Tribunal or may be filed on affidavit but in the case of affidavit the opposite party shall have the right to cross-examine each of the deponents filing the affidavit. Where the oral examination of each witness proceeds, the Tribunal shall make a memorandum of the substance of what is being deposed. While recording the oral evidence the Tribunal shall follow the procedure laid down in rule 5 of Order XVIII of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908).

(10) On completion of evidence, arguments may be heard immediately or a date may be fixed for arguments, which shall not be beyond a period of fifteen days from the closure of evidence.

(11) The Tribunal shall not ordinarily grant an adjournment for a period exceeding a week at a time, but not in any case more than three adjournments in all, at the instance of the parties to the dispute, shall be granted:

Provided that the Tribunal for reasons to be recorded in writing, grant an adjournment exceeding a week at a time but not in any case more than three adjournments, at the instance of any one of the parties to the dispute, shall be granted.

(12) In case any party defaults or fails to appear at any stage, the Tribunal may proceed with the case ex-parte, and decide the application in the absence of the defaulting party:

Provided that the Tribunal may on the application of either party filed before the submission of the award, revoke the order that the case shall proceed ex- parte, if it is satisfied that the absence of the party was on justifiable grounds, and proceed further to decide the matter as contested.

(13) The Tribunal shall communicate its award electronically to the parties concerned and the Government within one month from the date of the pronouncement of the award.

(14) The Tribunal may summon and examine any person whose evidence appears to it to be material for deciding the case and shall be deemed to be a civil court within the meaning of sections 345, 346 and 348 of the Code of Criminal Procedure, 1973 (1 of 1974).

(15) Where assessors are appointed to advise a Tribunal under sub-section (5) of section 49 in relation to proceeding before it, the Tribunal shall obtain the advice of such assessors, but such advice shall not be binding on such Tribunals.

(16) A party in an award, who wants to obtain a copy of the award or other document, may obtain a copy of the award or other document after depositing the fee electronically in the Tribunal in the following manner, namely:

- (a) fee for obtaining a copy of an award or the document filed in any proceedings of Tribunal be charged at the rate of Rs. Two per page.
 - (b) For certifying a copy of any such award or order or document, a fee of Re. Two per page shall be payable.
 - (c) Copying and certifying fees shall be payable electronically.
 - (d) Where a party applies for immediate delivery of a copy of any such award or document, an additional fee equal to one-half of the fee leviable under this rule shall be payable.
- (17) The representatives of the parties appearing before a Tribunal shall have the right of examination, cross-examination and of addressing the Tribunal when evidence has been called.
- (18) The proceedings before Tribunal shall be held in open court:
Provided that the Tribunal may direct any proceeding before it to be held by video conferencing.
Provided further that Tribunal may at any stage direct that any witness shall be examined or its proceedings be held in-camera.

CHAPTER - VIII STRIKES AND LOCK-OUTS

43. Number of persons by whom the notice of strike shall be given, the person or persons to whom such notice shall be given and the manner of giving such notice under sub-section (4) of section 62: - The notice of strike referred to in sub-section (1) of section 62 shall be given to the employer of an industrial establishment in Form-XII which shall be duly signed by the President or General Secretary and five elected representatives of the registered Trade Union relating to such industrial establishment endorsing the copy thereof electronically or otherwise to the concerned conciliation officer, and Secretary (Labour), UT of Lakshadweep Administration.

44. Manner of giving notice of lock-out under sub-section (5) and authority under sub-section(6) of section 62: – (1) The notice of lock-out referred to in sub-section (2) of section 62 shall be given by the employer of an industrial establishment in Form-XIII to the President or General Secretary of every registered Trade Union relating to such industrial establishment endorsing a copy thereof to the concerned conciliation officer, and the Secretary (Labour), UT of Lakshadweep Administration electronically.

The notice shall be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

(2) If the employer of an industrial establishment receives from any person employed by him any notice of strike as referred to in sub-section (1) of section 62 then he shall within five days from the date of receiving of such notice, intimate the same electronically or otherwise to the concerned conciliation officer and Secretary (Labour), UT of Lakshadweep Administration.

(3) If the employer gives to any person employed by him a notice of lock-out, then he shall within five days from the date of such notice, intimate electronically or otherwise the same to the concerned conciliation officer and the Secretary (Labour), UT of Lakshadweep Administration.

CHAPTER - IX

LAY-OFF, RETRENCHMENT AND CLOSURE

45. Manner of serving notice before retrenchment of the worker under clause (c) of section 70: - If any employer desires to retrench any worker employed in his industrial establishment who has been in continuous service for not less than one year under him then, such employer shall give notice of such retrenchment, in Form-XIV to the UT of Lakshadweep Administration, and the Secretary (Labour) UT of Lakshadweep Administration through e-mail or, by registered or speed post.

46. Manner of giving an opportunity for re-employment to the retrenched workers under Section 72: - Where any vacancy occurs in an industrial establishment and there are workers of such industrial establishment retrenched within one year prior to the proposal for filling up such vacancy, then, the employer of such industrial establishment shall offer an opportunity at least 15 days before by registered post or speed post and through e-mail to such retrenched workers who are citizens of India. If such workers give their willingness for employment, then, the employer shall give them preference over other persons in filling up of such vacancy.

47. Manner of serving notice by the employer for intended closure under sub-section (1) of section 74: - If an employer intends to close down an industrial establishment he shall give notice of such closure in Form-XIV to the UT of Lakshadweep Administration and a

copy thereof to Secretary (Labour), UT of Lakshadweep Administration, by e-mail or registered post or speed post.

CHAPTER - X
SPECIAL PROVISIONS RELATING TO LAY-OFF, RETRENCHMENT AND
CLOSURE IN CERTAIN ESTABLISHMENTS

48. Manner of making application to the UT of Lakshadweep Administration by the employer for the intended lay-off and the manner of serving copy of such application to workers under sub-section (2) of section 78: - An application for permission under sub-section (1) of section 78 shall be made by the employer in Form- XV stating clearly therein the reasons for the intended lay off and a copy of such application shall be served simultaneously to the worker concerned electronically and by registered post or speed post. Such application shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance of the industrial establishment.

49. Manner for applying for permission from the UT of Lakshadweep Administration to continue the lay-off under sub-section (3) of section 78: - The employer shall in case of an industrial establishment being a mine specified in sub-section (3) of section 78 where the workers (other than Badli workers or casual workers) have been laid-off under sub-section (1) of section 78 for reasons of fire, flood or excess of inflammable gas or explosion, within a period of thirty days from the date of commencement of such lay-off, apply to the UT of Lakshadweep Administration in Form – XV electronically or otherwise and by registered or speed post with a copy to the Secretary (Labour), UT of Lakshadweep Administration for permission to continue the lay-off specifying the number of days; intimating the number of workers to be laid off, the total number of workers employed in the industrial establishment, the date of layoff and the reasons for continuation of such lay off.

50. Time-limit for review under sub-section (7) of section 78: - The UT of Lakshadweep Administration may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (4) of the section 78 within a period of thirty days from the date on which such order is made.

51. Manner of making application to the UT of Lakshadweep Administration by the employer for the intended retrenchment and manner of serving copy of such application

to workers under sub-section (2) of section 79: - An application for permission referred to in sub-section (1) of section 79 shall be made by the employer in Form- XV stating clearly therein the reasons for the intended retrenchment electronically and a copy of such application shall also be sent to workers electronically and by registered post or speed post. Such application shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

52. Time-limit for review under sub-section (6) of section 79: - The UT of Lakshadweep Administration may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (3) of section 79 within a period of thirty days from the date on which such orders is made.

53. Manner of making application to the UT of Lakshadweep Administration by the employer for intended closing down of an industrial establishment and the manner of serving copy of such application to the representatives of workers under sub-section (1) of section 80: - An employer who intends to close down an industrial establishment to which Chapter X of the Code applies shall apply electronically or otherwise in Form XV for prior permission at least ninety days before the date on which intended closure is to become effective to the UT of Lakshadweep Administration, stating clearly therein the reasons for the intended closure of the industrial establishment and simultaneously a copy of such application shall also be sent to the representatives of the workers electronically and by registered post or speed post.

54. Time-limit for review under sub-section (5) of section 80: - The UT of Lakshadweep Administration may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (2) of section 80 within a period of thirty days from the date on which such order is made.

CHAPTER - XI

WORKER RE-SKILLING FUND

55. Manner of utilization of fund under sub-section (3) of section 83: - Every employer who has retrenched a worker or workers under this Code, shall, within ten days, at the time of retrenching a worker or workers shall electronically transfer an amount equivalent to fifteen days of last drawn wages of such retrenched worker or workers in the account

(name of the account shall be displayed on the website of the Labour Department (UT of Lakshadweep Administration) to be maintained by the UT of Lakshadweep Administration. The fund so received shall be transferred by the UT of Lakshadweep Administration to each worker or workers account electronically within forty-five days of receipt of funds from the employer. The employer shall also submit the list containing the name of each worker retrenched, the amount equivalent to fifteen days of wages last drawn in respect of each worker along with their bank account details to enable the UT of Lakshadweep Administration to transfer the amount in their respective account.

CHAPTER - XII

OFFENCES AND PENALTIES

56. Officer for holding enquiry- For the purpose of Section 85 (1), the appropriate Government may, by notification, appoint any officer not below the rank of Under Secretary to the Government of India or an officer of equivalent rank in the Administration of UT of Lakshadweep as the officer appointed for holding enquiry within his jurisdiction.

57. Manner of composition of offence by a Gazetted Officer specified under sub-section (1) of section 89 and the manner of making application for the compounding of an offence specified under sub-section (4) of section 89: -(1) The officer notified by the UT of Lakshadweep Administration for the purposes of compounding of offences under sub-section (1) of section 89 (hereinafter referred to as the compounding officer), shall in the offences in which prosecution is not instituted, if the compounding officer is of the opinion that any offence under the Code for which the compounding is permissible under section 89, he shall send a notice electronically or otherwise to the accused in Form XVI consisting of three parts. In part I of such Form, the compounding officer shall inter- alia specify the name of the offender and his other particulars, the details of the offence and in which section the offence has been committed, the compounding amount required to be paid towards the composition of the offence. Part II of the Form shall specify the consequences if the offence is not compounded and part III of the Form shall contain the application to be filed by the accused if he desires to compound the offence. Each notice shall have a continuous unique number containing alphabets or numeric and other details such as officer sending notice, year, place, type of inspection for the purpose of easy identification.

- (2) The accused to whom the notice referred to in sub-rule (1) is served, may send the part III of the Form duly filled by him to the compounding officer electronically and deposit the compounding amount electronically or otherwise, within fifteen days of the receipt of the notice, in the account specified by the compounding officer in the notice.
- (3) Where the prosecution has already been instituted against the accused in the competent Court, he may make an application to the Court to compound the offence against him and the Court, after considering the application, may allow composition of the offence by the compounding officer in accordance with provisions of section 89.
- (4) If the accused complies with the requirement of sub-rule (2), the compounding officer shall compound the offence for the amount of money deposited by the accused and-
- (a) if the offence is compounded before the prosecution, then no complaint for prosecution shall be instituted against the accused; and
 - (b) if the offence is compounded after institution of prosecution under sub-rule (3) with the permission of the Court, then, the compounding officer shall treat the case as closed as if no prosecution had been launched and will proceed in accordance with composition as under clause (a) and intimate the composition of offence to the competent Court in which the prosecution is pending and after receiving such intimation, the Court shall discharge the accused and close the prosecution.
- (5) The compounding officer shall exercise the powers to compound the offence under this rule, subject to the direction, control and supervision of the Government.

CHAPTER - XIII

MISCELLNEOUS

58. Manner of making complaint by an aggrieved worker under section 91: - (1) Every complaint under section 91 of the Code shall be made electronically and by registered post or speed post in Form-XVII and shall be accompanied by as many copies as there are opposite parties mentioned in the complaint.

(2) Every complaint under sub-rule (1) shall be verified by the worker making the complaint or by authorized representative of the worker proved to the satisfaction of the conciliation officer, arbitrator, Tribunal to be acquainted with the facts of the case.

59. Manner of authorization of worker for representing in any proceeding under sub-section (1) of section 94: - Where the worker is not a member of any Trade Union, then, any member of the executive or other office-bearer of any Trade Union connected with or by

any other worker employed in the industry in which the worker is employed may be authorized by such worker to represent him in any proceeding under the Code relating to a dispute in which the worker is a party in Form-IX.

60. Manner of authorization of employer for representing in any proceeding under sub-section (2) of Section 94: - Where the employer, is not a member of any association of employers, may authorize in Form-IX an officer of any association of employers connected with, or by any other employer engaged in, the industry in which the employer is engaged to represent him in any proceeding under the Code relating to a dispute in which the employer is a party.

61. Collection of Statistics: -The employer shall submit the details of strike, lockout, lay-off, retrenchment and closures, statistics required under these rules electronically in Form and manner from time to time to the Government as well as the Office of Director General, Labour Bureau.

62. Repeal and savings – The Lakshadweep Industrial Employment (Standing Orders) Central (Amendment) Rules, 2020, the Industrial Dispute Act (Lakshadweep Amendment) Regulation, 2025 and any rules framed under the Industrial Dispute Act 1947 by the Administration Union Territory of Lakshadweep are hereby repealed:

Provided that any order issued or any action taken under the aforesaid rules and regulations so repealed, shall be deemed to have been issued or taken under the corresponding provisions of these rules.

Form-I
(See Rule 3)

(Memorandum of settlement arrived at during conciliation/ or settlement arrived at between the employer and his workers otherwise than in the course of conciliation proceeding)

Names of Parties:

..... Representing employer(s)/authorized Agent;

..... Office Bearers of Trade Union;

Short recital of the case

.....

Terms of settlement

.....

Signature of the parties

Witness:

(1)

(2)

*Signature of Conciliation Officer

In case the settlement arrived at between the employer and his workers otherwise than in the course of conciliation proceeding the copy of the memorandum shall be marked to the Secretary (Labour) UT of Lakshadweep Administration.

FORM II

(See rule 9(3) and Rule 25)

Annual Audit Report, Details of Assets and Liabilities and Annual Return to be furnished by the Trade UnionsFor the year ending 31st day of December 20....**PART- A**

1. Name of Union :
2. Address of the Union :
3. Registered Head Office :
4. No. and date of certificate of Registration:
5. Name of Industry/Industrial Establishment:
6. Classification of sector (Please state to which of the following for categories the union belongs) :
 - (a) Public Sector - Central Sphere:
 - (b) Public Sector - State Sphere:
 - (c) Private Sector - Central Sphere:
 - (d) Private Sector - State Sphere:
7. Name of all India Body/Federation to which affiliated :
8. Affiliation No. :
9. Affiliated fees paid during the year :
10. Number and date of receipt of payment of affiliation fee :
11. Membership fee per month :
12. No. of members of books at the beginning of the year :
13. No. of members admitted during the year:
14. No. of members left during the year:
15. No. of members of books at the end of the year (31....20...):
16. No. of members contributing to political fund :
17. No. of members who paid their subscription for the whole year :
18. Whether a copy of the rules of Trade Union corrected upto the date of despatch of this return duly signed by the Secretary of the Union appended or not. :
19. Whether part B of the return overleaf has been duly filled or not.:

Dated thePresident/ Secretary

Note: - If the union falls under more than one category, the membership claimed in each category may be shown separately

PART- B
Statement of Assets and Liabilities

| Liabilities | Rs. Ps. | Assets | Rs. Ps. |
|-------------------------------------|----------------|--------------------------------|----------------|
| Amount of general fund | | Cash - | |
| Amount of political fund | | In hands of Treasurer | |
| Loans from | | In hands of Secretary | |
| | | In hands of | |
| | | In the Bank | |
| | | In the Bank | |
| | | Securities as per list below | |
| | | Un-paid subscription due for - | |
| | | *(a) the year | |
| | | *(b) previous year | |
| | | Loans to- | |
| | | (a) Officers | |
| | | (b) members | |
| | | (c) others | |
| Debts due to- | | Immovable property | |
| Other liabilities (to be specified) | | Goods and Furniture | |
| | | Other assets (to be specified) | |
| Total liabilities | | Total liabilities | |

LIST OF SECURITIES

| Particulars | Face Value | Cost Price | Market price at date on which accounts have been made up | In hands of |
|-------------|------------|------------|--|-------------|
| (1) | (2) | (3) | (4) | (5) |
| | | | | |

GENERAL FUND ACCOUNT

| Income | Rs Ps. | Expenditure | Rs Ps. |
|--|---------------|--|---------------|
| Balance at the beginning of the year | | Salaries, allowance and expenses of Officers | |
| Subscription from the members (including unpaid subscription due for the | | Travelling allowance, salaries, allowances and expenses of establishment | |

| | | | |
|---|--|--|--|
| 1 year) | | | |
| a) Subscriptions received | | | |
| (b) Subscription in arrears for three months or less | | | |
| c) Subscription in arrears for more than three months | | | |
| Donations | | Auditors' fees | |
| Sale of periodicals, books, rules, etc. | | Legal expenses | |
| Interest on investments | | Expenses in conducting trade dispute | |
| Income from Miscellaneous sources (to be specified) | | Compensation paid to members for loss arising out of trade disputes | |
| | | Funeral, old age, sickness, unemployment benefits etc. | |
| | | Educational, Social and religious benefits | |
| | | Cost of publishing periodicals | |
| | | Rents, rates and taxes, Stationery, Printing and postage Expenses incurred under section 15 of the Industrial Relations Code, 2020 (to be specified) | |
| | | Other expenses (to be specified) | |
| | | Balance at the end of year | |
| Total | | Total | |

| POLITICAL FUND ACCOUNT | | | |
|--|-----------|--|-----------|
| Income | Rs | Expenditure | Rs |
| Balance at the beginning of the year | | Payment made an object specified section 15 of the Industrial Relations Code, 2020 (to be specified) | |
| Contribution from.... members atper member | | Expenses of management (to be fully specified) | |
| | | Balance at end of year | |
| Total | | Total | |

Treasurer

AUDITORS' DECLARATION

The undersigned having had access to all the books of accounts of the and having examined the foregoing statements, and verified the same with the accounts vouchers relating thereto, now sign the same as found to be correct duly vouched and in accordance with the law subject to the remarks if any, appended hereto and also certify that the.....Union had properly maintained its membership registers and its accounts and the members had paid their membership subscription to the.....Union as shown in the foregoing statement of the general fund account of the Union, subject to the remarks, if any appended hereto.

Auditor

Auditor

The following changes of [office bearers] have been made during the year.

**[Officer bearers]
Relinquishing Office**

| Name of [Office bearer] | Date of relinquishing office |
|-------------------------|------------------------------|
| | |

**[Office Bearers]
Appointed**

| Name | Date of birth | Private address | Personal occupation | Title or position held in the Trade Union | Date on which appointment in column 5 was taken up | Other offices held in addition to membership of executive with date |
|------|---------------|-----------------|---------------------|---|--|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | |

ELECTIONS

Date of last election office bearers:

Date of next election of Office bearers:

President/ General Secretary

FORM-III

[See rule 10]

Application For Registration of Trade Unions

Dated..... day of20...

1. We hereby apply for the registration of a Trade Union under the name of.....
2. The address of the Head Office of the Union to which all communications and notices may be addressed is.....
3. The Union came into existence on the.....day of.....20....
4. The Union is a Union of employers/ employees/workers engaged in the..... trade/or..... industry/or.....profession or
5. A copy of the rules of the Union duly subscribed as required by section 6 of the Industrial Relations Code 2020 (Central Act 35 of 2020), is appended hereto.
6. The particulars of the office bearers shall be given in Schedule I.
7. The particulars are given in Schedule II showing the provision made in the rules for the matters detailed in section 7 of the Industrial Relations Code, 2020.
8. The particulars required by sub-section (2) of section 8 of the Industrial Relations Code 2020, are given in Schedule III. (To be struck out in the case of Unions which have not been in existence for one year before the date of application)
9. We have been duly authorised to make this application by the resolution in the General body meeting held on ----- at -----

| Sl. No. | Name | Signature | Occupation | Address |
|---------|------|-----------|------------|---------|
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |
| 5 | | | | |
| 6 | | | | |
| 7 | | | | |

To

The Registrar of Trade Unions,

UT of Lakshadweep Administration

SCHEDULE I
LIST OF OFFICE BEARERS

Name of Trade Union-

| Title Held | Name | Age in Years | Address, Phone No. email | Occupation |
|------------|------|--------------|--------------------------|------------|
| | | | | |

The numbers of the rules making provisions for the several matters detailed in column (1) are given in column (2) below

SCHEDULE II
REFERENCE TO RULES

| Matter | Number of Rules |
|---|-----------------|
| 1 | 2 |
| (a) Name of union | |
| (b) The objects for which the union has been established | |
| (c) The purposes for which the general funds of the union shall be applicable | |
| (d) The maintenance of a list of Members. | |
| (e) The facilities provided for the inspection of the list of members by office bearers and members. | |
| (f) The admission of ordinary members. | |
| (g) The admission of honorary or temporary members. | |
| (h) The payment of subscription | |
| (i) The conditions under which members are entitled to benefit assured by the rules. | |
| (j) The conditions under which fines or forfeitures can be imposed or varied. | |
| (k) Provisions for annual general body meeting | |
| (l) The manner in which the rules shall be amended, varied or rescinded. | |
| (m) The manner in which the members of the executive and other officers of the union shall be appointed and removed | |
| (n) The safe custody of the funds | |
| (o) The annual audit of the accounts. | |
| (p) The facilities for the inspection of the account books for officers and members. | |
| (q) The manner in which the Union may be dissolved. | |

SCHEDULE III**STATEMENT OF LIABILITIES AND ASSETS ON THE DAY OF....20...**

(This need not be filled in if the Union came into existence less than one year before the date of application for registration.)

| Liabilities | Rs. P. | Assets | Rs. P. |
|-------------------------------------|---------------|--------------------------------|---------------|
| Amount of general fund | | Cash- | |
| Amount of political fund | | In hands of Treasurer | |
| Loans.... From | | In hands of Secretary | |
| | | In the Bank | |
| | | In the..... Bank | |
| Debts due to | | Securities as per list below | |
| | | Unpaid subscriptions | |
| | | due Loans to- | |
| Other liabilities (to be specified) | | Immovable property | |
| | | Goods and furniture | |
| | | Other assets (to be specified) | |
| Total Liabilities | | Total Assets | |

LIST OF SECURITIES

| Particulars | Face value | Cost Price | Market value |
|--------------------|-------------------|-------------------|---------------------|
| 1 | | | |
| 2 | | | |
| 3 | | | |
| 4 | | | |
| 5 | | | |

Place

Signature

Form IV
(See rule 10(2))
Affidavit for Registration

I,S/o, D/o, W/o Shri / Smt.
..... Address
Occupation Age Years truly
declare in writing that on this date..... in this region / jurisdiction for the
Union under the chairmanship of in which (Name of the Union) has
been registered under the Industrial Relations Code 2020. The name and the registration
details is as follows:

| S.N. | Name | Age | Occupation | Address | Title in the Union |
|------|------|-----|------------|---------|--------------------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

The above-mentioned registrants and their deputation still stand valid and are still valid members of the Union. On this date the executive committee was elected in the general body election dated The above-mentioned persons have filed the application regarding registration. According to my information, the applicant has been included in the list of members, attached membership list is true. I swear and believe that the above statement is true to my information and knowledge.

Signature of the Applicant

Form V

(See rule 12)

Register of Trade Unions

| Name of the Union | Address of Office and Email ID | Date of Registration | Name of Present Officer Bearers | Number of Members | Date of Cancellation | Date of Dissolution | Date of Amalgamation | Name of the Trade Union with which Amalgamated | Date of changing in office bearers | Date of change in rules | Any other Information | Remark |
|--------------------------|---------------------------------------|-----------------------------|--|--------------------------|-----------------------------|----------------------------|-----------------------------|---|---|--------------------------------|------------------------------|---------------|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | (13) |

Form VI

(See rule 13)

Certificate of Registration of Trade Union

(1) Registration No and Date.....

(2) Name of the Trade Union.....

It is hereby certified that the (Name of the Trade Union) has been registered under Sub-section 1 of Section 9 of the Code on this day of.20..... at UT of Lakshadweep given under my seal and designation

Registrar of Trade Union

(SEAL)

FORM-VII

(See Rule 36)

(Notice of change of service conditions proposed by an employer)

Name of employer.....

Address.....

Dated theday of 20.....

In accordance with section 40(1) of Industrial Relation code I/We hereby give notice to all concerned that it is my/our intention to effect the change/changes specified in the annexure, with effect from.....in the conditions of service applicable to workers in respect of the matters specified in the Third Schedule to this code

Signature.....

Designation

ANNEXURE

(Here specify the change/changes intended to be affected)

Copy forwarded to:

1. The Secretary of registered Trade Union, if any.
2. The Secretary (Labour) UT of Lakshadweep.

FORM-VIII
(Agreement for voluntary arbitration)
(See Rule 37)

BETWEEN

..... Name of the parties representing employer (s)

And

.....Representing worker

It is hereby agreed between the parties to refer the following dispute to the arbitration of

..... [here specify the name(s) and address(es) of the arbitrator (s).

- (i) Specific matters in dispute.
- (ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved.
- (iii) Name of the worker in case he himself is involved in the dispute or the name of the union, if any, representing the worker or workers in question.
- (iv) Total number of workers employed in the undertaking affected.
- (v) Estimated number of workers affected or likely to be affected by the dispute.

*We further agree that the majority decision of the arbitrators) shall be binding on us in case the arbitrator(s) are equally divided in their opinion they shall appoint another person as umpire whose award shall be binding on us.

The arbitrator (s) shall make his (their) award within a period of (here specify the period agreed upon by the parties) from the date of publication of this agreement in the Official Gazette by the UT of Lakshadweep Administration or within such further time as is extended by mutual agreement between us in writing. In case, the award is not made within the period afore mentioned, the reference to the arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitrator.

Signature of the parties Representing employer] Representing worker/ workers. Witnesses

i.

ii.

Copy to:

- (i) The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned].
- (ii)The Secretary (Labour and Employment) UTLA.

FORM-IX

(See Rule 39, Rule 58 and Rule 59)

(Authorization by a worker, group of workers, employer, group of employers to be represented in a proceeding before the authority under this Code).

Before the Authority

(Here mention the authority concerned)

In the matter of: (mention the name of the proceeding)

.....Workers

Versus

.....Employer

I/we hereby authorise Shri / Sarva Shri (if representatives are more than one)

1.....2.....3.....to

represent me/us in the above matter.

Dated this.....day of.....20.....

Signature of person(s) nominating the representative(s)

Address Accepted

FORM-X**(See Rule 40 and 41)****Form of Oath of Office for Judicial Member or Administrative Member (whichever is applicable) of National Industrial Tribunal**

I, A, B., having been appointed as Judicial Member/Administrative Member (whichever is applicable) of National Industrial Tribunal (Name of the Tribunal) do solemnly affirm/ do swear in the name of God that I will faithfully and conscientiously discharge my duties as the Judicial Member/Administrative Member of National Industrial Tribunal (Name of the Tribunal) to the best of my ability, knowledge and judgment, without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws of the land.

(Signature)

Place:

Date:

FORM-XI
(See Rule 42)

(Application to be submitted before the Tribunal in the matter not settled by the Conciliation Officer)

Before..... (here mention the name of the Tribunal having jurisdiction over the area)

In the matter of:

..... Applicant

Address.....

Versus

..... Opposite party (ies)

Address.....

The above-mentioned applicant begs to state as follows: - (Here set out the relevant facts and circumstances of the case).

The applicant prays that the instant dispute may please be admitted for adjudication and request to pass appropriate Award.

Date

Place

Form-XII**(See Rule 43)**

(Notice of Strike to be given by Union (Name of Union)/ Group of Workers)

Name of five elected representatives of workers.....

Dated the.....day of.....20.....

To

(The name of the employer). Dear Sir/Sirs,

In accordance with the provisions contained in sub-section (1) of section 62 of the Industrial Relation code I/We hereby give you notice that I propose to call a strike / we propose to go on strike on20....., for the reasons explained in the annexure.

Yours faithfully,
(Secretary of the Union)

Five representatives of the workers duly elected at a meeting held on
(date), vide resolution attached.]

ANNEXURE**Statement of the Case.**

Copy to:

- 1) Secretary (Labour) UT of Lakshadweep Administration

FORM-XIII**(See Rule 44)**

(Notice of Lock-out to be given by an employer of an industrial establishment)

Name of employer

Address..... Dated

the.....day of.....20.....

In accordance with the provisions of 62(6) of this code, I/we hereby give notice to all concerned that it is my/our intention to effect lock out in.,. department(s),section(s) of my/our establishment with effect from for the reasons explained in the annexure.

Signature.....

Designation.....

ANNEXURE

| | |
|-----------|-----------------------------|
| 1. | Statement of Reasons |
|-----------|-----------------------------|

Copy forwarded to:

- (1) The Secretary of the Registered Union, if any
- (2) Secretary (Labour) UT of Lakshadweep Administration
- (3) To the office of DG Labour Bureau.

Form- XIV
(See Rule 45 and 47)

(Notice of Intimation of Retrenchment/ Closure to be given by an employer to the UT of Lakshadweep Administration under the provisions of Chapter IX of the Industrial Relations Code, 2020 and rules made there under)

(To be submitted online. In case of exigencies, on paper in the prescribed format below)

Name of Industrial Establishment /Undertaking/ Employer.....

Labour Identification Number

Dated..... (Note: The intimation for Closure/Retrenchment to the appropriate government shall be served 60 days and 30 days before commencement of Closure/Retrenchment respectively)

To,

The Secretary (Labour & Employment)
UT of Lakshadweep
Kavaratti

1. *(Retrenchment) (a) Under Section 70(C) of this Code, I/ we* hereby intimate you that I*/we* have decided to retrench..... workers** out of a total of Workers** with effect from (DD/MM/YYYY)

or

(Closure) (b) Under Section 74(1) of this Code, I / we hereby intimate you that I*/we* have decided to close down..... (name of the industrial establishment or undertaking) with effect from..... (DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the undertaking is..... (number of workers)

2. The reason for Retrenchment / Closure is
.....
.....

3. * The worker(s)* concerned were given on the..... (DD/MM/YYYY) one month's notice in writing as required under section 70(a)*/ section 75(1)* of this Code.

or

* The worker(s) concerned have been given on the (DD/MM/YYYY) one month's pay in lieu of the notice as required under section 70(a)*/ section 75(1)* of this Code.

4. * I*/We* hereby declare that the worker(s) concerned have been*/will be* paid all their dues along with the compensation due to them under section 70* / section 75* of this Code before or on the expiry of the notice period.

or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I*/we* will pay all the dues along with the compensation due to them under concerned laws.

5. (Retrenchment) I/we* hereby declare that the worker(s) concerned have been* / will be* retrenched in compliance to the Section 71 and section 72 of this Code.

6. I*/ we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details thereof have been Annexed.

7. I*/ we* hereby declare that the above information given by me*/us* in this notice and the Annexures is true, I*/ we* am*/ are* solely responsible for its accuracy and no facts/materials has been suppressed in the matter.

Yours faithfully,

(Name of Employer/ ***Authorized Representative with Seal)

(* Strike off which is not applicable.)

(** Indicate number in figures and words both)

(***Copy of Authorization letter issued by the employer shall be enclosed)

Copy to:

(1) To the Office of DG Labour Bureau, Ministry of Labour and Employment, (Only for statistical purpose.)

(2) Secretary (Labour) UT of Lakshadweep Administration.

(3) To the Registered Unions/ Authorised Representatives of Workers operating in the establishments or undertakings.

FORM – XV**[See Rule 48, 49, 51 and 53]**

[Application for permission of Lay-off/ Continuation of Lay-off/ Retrenchment/ Closure to be given by an employer / Industrial establishment /Undertaking to the UT of Lakshadweep Administration under the provisions of Chapter X of the Industrial Relations Code, 2020 and rules made there under]

(To be submitted online. In case of exigencies on paper in the prescribed format below) Name of Industrial Establishment or Undertaking or Employer.....

Labour Identification Number.....

Dated.....

(Note: The application to the UT of Lakshadweep Administration shall be served as indicated below: Lay-off : at least 15 days before the intended Lay-off Continuation of Lay-off – at least 15 days before the expiry of earlier Lay-off Retrenchment – at least 60 days before the intended date of Retrenchment Closure – at least 90 days before the intended date of Closure)

To,
The Secretary (Labour)
UT of Lakshadweep
Kavaratti

1. *(Lay-off) (a). Under section 78(2) of the Industrial Relations Code, 2020, I*/we* hereby apply for
—permission to lay-off workers** out of total of workers** employed in my*/our* establishment (details to be given in Annex-I) with effect from (DD/MM/YYYY).

or

(Continuation of lay-off) (b) Under section 78(3) of the Industrial Relations Code, 2020, I/we* hereby apply for permission to continue the Lay-offworkers** out of total of laid off workers** in my*/our* establishment (details to be given in Annex-I) with effect from (DD/MM/YYYY).

or

(Retrenchment) (c) Under section 79(2) of the Industrial Relations Code, 2020, I/we* hereby apply for permission for intended retrenchment of..... workers out of total of workers** employed in my*/our* establishment (details to be given in Annex-I) with effect from (DD/MM/YYYY).

or

(Closure) (d) Under section 80(1) of the Industrial Relations Code, 2020, I / we hereby inform you that I*/we* intended to close down the undertaking.....
(name of the industrial establishment or undertaking or employer) (details to be given in Annex-1) with effect from..... (DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the undertaking is (number of workers)

2. * (Lay-off/Continuation of Lay-off) The worker(s) concerned were given on (DD/MM/YYYY)notice in writing as required under section 78(2)*/ section 78(3)* of this Code.

or

(Retrenchment/ Closure) The worker(s) concerned were given on..... (DD/MM/YYYY) one month's notice in writing as required under section 79/ section 80* of this Code.

or

(Retrenchment/ Closure) The worker(s) have been given on (DD/MM/YYYY) one month's pay in lieu of notice as required under section 79/ section 80* of this Code.

3. The details of affected worker(s) is at Annexure II.

4. (Retrenchment) I*/we* hereby declare that the workers concerned will be retrenched in compliance to the Section 71 and section 72 of this Code.

5. *I/We* hereby declare that the worker(s) concerned have been*/will be* paid all the dues and compensation due to them under section 67, read with section 78(10)*/ section 79* / section 80* of this Code before or on the expiry of the notice period.

or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I/we* will pay all the dues along with the compensation due to them under concerned laws.

6. I/ we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details thereof have been Annexed.

7. I/ we hereby declare that the above information given by me/ us* in this notice and enclosures is/ are* true, I/ we am/ are solely responsible for its accuracy and no facts/ materials has been suppressed in the matter.

The permission sought for may please be granted.

Yours faithfully,

(Name of Employer/ ***Authorised Representative with Seal)

(* Strike off which is not applicable.)

(** Indicate number in figures and word both)

(***Copy of Authorization letter issued by the employer shall be enclosed)

ANNEXURE - I

(Please give replies against each item)

| | | |
|---|--|---------------|
| 1 | Name of the undertaking with complete postal address, email, mobile and land line. | |
| 2 | Status of undertaking— (i) Whether Central public sector/State public sector/ etc, (ii) Whether a private limited company/ partnership firm/ partnership firm (ii) Whether the undertaking is Licensed/registered and if so, name of licensing/ registration authority and licence/registration certificate numbers. | |
| 3 | (a) MCA Number (b) GSTN Number | |
| 4 | (i) Annual production, item wise for preceding three years- (ii) Production figures, month-wise, for the preceding twelve months, | |
| 5 | Audit report of establishment/ undertaking including Balance sheets, profit and loss accounts for the last three years. | To be annexed |
| 6 | Names of the inter-connected companies or companies under the same management. | |
| 7 | Details of lay-off/ Retrenchment resorted to in the last three years including the periods of such lay-offs/ Retrenchment the number of workmen involved in each such lay-off/ Retrenchment / continuation of lay off | |
| 8 | Any other relevant details which have bearing on lay-off/ continuation of lay off/ retrenchment/ closure. | |

ANNEXURE - II

(Details of affected workers)

| Sl. No | UAN/ CMPFO | Name of the Worker | Category (Highly Skilled / Skilled/ Semi- skilled / Unskilled) | Date from which in service in/with the said establishment /Undertaking/ Employer | Wage as on date of Application | Remark |
|--------|---------------|--------------------------|--|---|--------------------------------------|--------|
| 1 | | | | | | |
| 2 | | | | | | |
| 3 | | | | | | |

FORM –XVI
(See Rule 57(1))

Notice to the Employer who committed an offence for the first time under this code, for compounding of offence under sub-section (4) of section 89,

The undersigned and the Compounding Officer under sub-section 1 of section 89 of the Industrial Relation Code, 2020 hereby intimates that the allegation has been made against you for committing offence for the violation of various provision of this Code as per the details given below; -

PART - I

1. Name and Address of the offender Employer-.....
2. Address of the Establishment
4. Particulars of the offence
5. Section of the Code under which the offence is committed.....
6. Compounding amount required to be paid towards composition of the offence.....

PART – II

You are advised to deposit the above-mentioned amount within fifteen days from the date of issue of this notice for compounding the offence as per section 89 (1) of the Industrial Relation Code, 2020, alongwith an application dully filled in part – III of this notice.

In case you fail to deposit the said amount within the specified time, no further opportunity shall be given and necessary direction for filing of prosecution under section shall be issued.
(Signature of the Compounding Officer)

Date:

Place:

PART – III

Application under sub-section (4) of section 89 for compounding of offence

- 1.Name of applicant (name of the employer who committed the offence under the Industrial Relation Code2020 to be mentioned.....
- 2.Address of the applicant
- 3.Particulars of the offence.....
- 4.Section of the Code under which the offence has been committed.....
- 5.Details of the compounding amount deposited (electronically generated receipt to be attached)
6. Details of the prosecution, if filed for the violation of above-mentioned offences may be given.....
- 7.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
8. Any other information which the applicant desires to provide.....

Dated:

Place:

Applicant (Name and signature)

FORM –XVII**(See Rule 58)**

(Complaint under Section 91 of the Industrial Relation Code, 2020)

Before the Conciliation officer/ Arbitrator/ Tribunal or, National Tribunal.....

In the matter of :..... Reference No.....

A..... Complainant(s);

Versus

B..... Opposite Party(ies).

Address:

The petitioner(s) begs/beg to complain that the Opposite Party(ies) has/have beengUILTY of a contravention of the provisions of section 90 of the Industrial Relation code, as shown below:

(Here set out briefly the particulars showing the manner in which the alleged contravention has taken place and the grounds on which the order or act of themanagement is challenged.)

The complainant(s) accordingly prays/pray that the Conciliation officer/ Arbitrator/ Industrial Tribunal or National Tribunal may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

The number of copies of. the complaint and its annexure required under rule 91 of the Industrial Relation Code are submitted herewith.

Dated this.....day of.....20. Signature of the Complainant(s)

Verification

I do solemnly declare that what is stated in paragraph above is true to myknowledge and that what is stated in paragraphsabove is stated upon information received andbelieved by me to be true. This verification is signed by me at..... on thedayof.....20.....

Signature

or Thumb impression of the person verifying.