

**MINISTRY OF LABOUR AND EMPLOYMENT**

**NOTIFICATION**

New Delhi, the 23rd April, 2018

**G.S.R. 413(E).** —The following draft of the certain rules further to amend,-

- (i) the Payment of Wages (Mines) Rules, 1956, the Payment of Wages (Railways) Rules, 1938 and the Payment of Wages (Air Transport Services) Rules, 1968, in exercise of the powers conferred by section 26 read with section 24 of the Payment of Wages Act, 1936 (4 of 1936);
- (ii) the Minimum Wages (Central) Rules, 1950, in exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (11 of 1948);
- (iii) the Maternity Benefit (Mines and Circus) Rules, 1963, in exercise of the powers conferred by section 28 of the Maternity Benefit Act, 1961 (53 of 1961);
- (iv) the Payment of Bonus Rules, 1975, in exercise of the powers conferred by the Payment of Bonus Act, 1965 (21 of 1965); and
- (v) the Industrial Dispute (Central) Rules, 1957, in exercise of the powers conferred by the Industrial Disputes Act, 1947 (14 of 1947),

which the Central Government proposes to make, is hereby published, for the information of all the persons likely to be affected thereby, and the notice is hereby given that the said draft rules shall be taken into consideration after expiry of the period of three months from the date on which the copies of the Official Gazette in which this notification is published, are made available to the public;

Objections or suggestions, if any, may be addressed to Shri J.K. Singh, Under Secretary to the Government of India, Ministry of Labour and Employment, Room No. 17, Shram Shakti Bhawan, Rafi Marg, New Delhi – 110001;

The objections or suggestions, which may be received from any person with respect to the said draft rules before the expiry of the period so specified, shall be considered by the Central Government.

**DRAFT RULES**

1. (1) These Rules may be called the Central Labour Laws (Amendment) Rules, 2018.

(2) They shall come into force on the date of their final publication in the official Gazette.

2. In the Payment of Wages (Mines) Rules, 1956, for rule 18, the following rule shall be substituted, namely:-

‘18. Annual Returns.- Every employer shall on or before the 1st day of February in each year upload unified annual returns in Form V on the web portal of the Ministry of Labour and Employment giving information as to the particulars specified in respect of the preceding year:

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

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

3. In the Payment of Wages (Railways) Rules, 1938, for rule 17, the following rule shall be substituted, namely:-

‘17. Annual Returns.- Every employer shall on or before the 1st day of February in each year upload unified annual returns in Form III on the web portal of the Ministry of Labour and Employment giving information as to the particulars specified in respect of the preceding year:

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

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

4. In the Payment of Wages (Air Transport Services) Rules, 1968, for rule 16, the following rule shall be substituted, namely:-

‘16. Annual Returns.- Every employer shall on or before the 1st day of February in each year upload unified annual returns in Form VIII on the web portal of the Ministry of Labour and Employment giving information as to the particulars specified in respect of the preceding year:

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

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

5. In the Minimum Wages (Central) Rules, 1950,-

(a) in rule 21, for sub-rule (4A), the following sub-rule shall be substituted, namely:-

‘(4A) Every employer shall on or before the 1st day of February in each year upload unified annual returns in Form III on the web portal of the Ministry of Labour and Employment giving information as to the particulars specified in respect of the preceding year:

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

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

(b) in Form III, for the word, figures, brackets and letter “Rule 21(4A)(1)”, the word, figures, brackets and letter “Rule 21(4A)” shall be substituted.

6. In the Maternity Benefit (Mines and Circus) Rules, 1963, for rule 16, the following rule shall be substituted, namely:-

‘16. Annual returns.- (1) The employer of every mine or circus shall, on or before the 1st day of February in each year upload a unified annual return in form X online on the web portal of the Ministry of Labour and Employment, giving information as to the particulars specified, in respect of the preceding year:

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

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).

(2) If the employer of a mine or circus to which the Act applies sells, abandons or discontinues the working of the mine or circus, 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 Ministry of Labour and Employment, a further unified return in form X referred to in sub-rule (1) in respect of the period between the end of the preceding year and the date of the sale, abandonment or discontinuance.’

7. In the Payment of Bonus Rules, 1975, for rule 5, the following rule shall be substituted, namely:-

‘5. Annual Returns.- Every employer shall on or before the 1st day of February in each year upload unified annual returns in Form D on the web portal of the Ministry of Labour and Employment giving information as to the particulars specified in respect of the preceding year:

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

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

8. In the Industrial Dispute (Central) Rules, 1957, for rule 56A, the following rule shall be substituted, namely:-

‘56A. Annual Returns.- Every employer shall on or before the 1st day of February in each year upload unified annual returns in Form G1 on the web portal of the Ministry of Labour and Employment giving information as to the particulars specified in respect of the preceding year:

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

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

[F.No. Z-13025/44/2014-LRC]

MANISH GUPTA, Jt. Secy.

**Note.-** 1. The Payment of Wages (Mines) Rules, 1956 was published in the Gazette of India vide S.R.O. 776 dated the 30th November, 1956 and lastly amended vide G.S.R. 351(E) dated the 1st May, 2015.

2. The Payment of Wages (Railways) Rules, 1938 was published in the Gazette of India vide notification No. L.3070 (1) dated the 5th May, 1938 and lastly amended vide G.S.R.353(E) dated the 1st May, 2015.
3. The Payment of Wages (Air Transport Services) Rules, 1968 was published in the Gazette of India vide S.O. 3036/PWA/Air Service Rules 68 dated the 5th August, 1968 and lastly amended vide G.S.R.352(E) dated the 1st May, 2015.
4. The Minimum Wages (Central) Rules, 1950 was published in the Gazette of India vide S.R.O. No.776 dated the 14th October, 1950 and lastly amended vide G.S.R.182(E) dated the 12th March, 2015.
5. The Maternity Benefit (Mines and Circus) Rules, 1963 was published in the Gazette of India vide G.S.R.1642 dated the 5th October, 1963 and lastly amended vide G.S.R.435(E) dated the 29th May, 2015.
6. The Payment of Bonus Rules, 1975 was published in the Gazette of India vide G.S.R.2367 dated the 6th September, 1975 and lastly amended vide G.S.R.1115(E) dated the 6th December, 2016.
7. The Industrial Dispute (Central) Rules, 1957 was published in the Gazette of India vide S.R.O. 770 dated the 10th March, 1957 and lastly amended vide G.S.R.417(E) dated the 25th May, 2015.

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