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# புதுச்சேரி மாநில அரசிதழ்

## La Gazette de L'État de Poudouchéry

### The Gazette of Puducherry

#### PART - II

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#### GOVERNMENT OF PUDUCHERRY LABOUR DEPARTMENT

(G.O. Ms. No. 12/AIL/Lab./G/2019, Puducherry, dated 11th November 2019)

#### NOTIFICATION

The Draft of the following rules further to amend the Puducherry Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2001, which the Lieutenant-Governor, Puducherry has proposed to make in exercise of the powers conferred under section 62 of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act 27 of 1996), is hereby published as required under sub-section (1) of section 62 of the said Act for information of all persons likely to be

affected thereby and notice is hereby given that the said Draft Rules will be taken into consideration on the expiry of forty-five days from the date of publication of this notification in the Official Gazette.

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

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

#### **Draft Rules**

1. *Short title and commencement.*— (1) These rules may be called the Puducherry Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Amendment Rules, 2019.

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

2. *Amendment of rule 23.*— (1) In the Puducherry Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2001, (hereinafter referred to as the said rules), for sub-rule (1) of rule 23, the following shall be substituted namely:-

“(1) The application referred to in sub-section (1) of section 7 of the Act shall be made in Form- I, through the on-line portal of the Labour Department, Puducherry”.

(2) In the said rules, for sub-rule (2) of rule 23, the following shall be substituted, namely:-

“(2) The fees shall be paid by on-line payment through the on-line portal of Government of Puducherry under the relevant head of Account viz., 00-0230-00-800-01-00-01-Labour and Employment, Other Receipts, Collection Registration fees building construction workers, for the registration of the establishment.”

(3) In the said rules, the sub-rule (3) of Rule 23 shall be deleted.

(4) In the said rules, the sub-rule (4) of rule 23 shall be re-numbered as sub-rule (3).

3. *Amendment to rule 25.*— (1) In the said rules, in sub-rule (2) of rule 25, after the expression “the change which has occurred”, the expression “through the on-line portal of the Labour Department, Puducherry” shall be inserted.

(2) In the said sub-rule of rule (25), in the proviso clause, the following shall be substituted, as follows:-

“Provided that the Registering Officer shall not carry out any amendment in the register in Form-II through the on-line portal of the Labour Department, Puducherry, unless the appropriate fees have been paid by the employer by on-line payment through the on-line portal of Government of Puducherry under the relevant head of Account viz., 00-0230-00-800-01-00-01-Labour and Employment, Other Receipts, Collection Registration fees building construction workers”.

4. *Amendment to rule 26.*— (1) In the said rules, in sub-rule (3) of rule 26, the word “written”, shall be deleted.

(2) After the expression “Form- IV”, the expression “through the on-line portal of the Labour Department, Puducherry” shall be inserted.

5. *Amendment to rule 27.*— In the said rules for rule 27, the following shall be substituted, namely:-

“27. The fees to be paid by on-line payment through the on-line portal of Government of Puducherry under the relevant head of Account viz., 00-0230-00-800-01-00-01-Labour and Employment, Other Receipts, Collection Registration fees building construction workers, for grant of a certificate of registration under rule 24”.

6. *Amendment to rule 243.*— (1) In the said rules, for the expression, “shall send annually a return relating to such establishment in duplicate in Form XXV annexed to these rules” the expression “shall submit the Combined Annual Return in Form XXV under these rules, through on-line portal of the Labour Department, Puducherry” shall be substituted.

(2) In the said rules, for the Form XXV, the following Form shall be substituted, namely:-

FORM XXV

(See rule 243)

COMBINED ANNUAL RETURN OF EMPLOYER

(TO BE SENT TO THE REGISTERING OFFICER)

Year ending 31st  
December.....

1	Full name and full address of the establishment of the building and other construction work (Place, Post Office, District)	
2	Name and permanent address of the establishment	
3	Name and address of the employer	
4	Nature of building and other construction work carried on	
5	Full name of the Manager or person responsible for supervision and control of the establishment	
6	Number of building workers ordinarily employed	
7	Total number of days during the year on which building workers were employed	
8	Total number of man-days worked by building workers during the year	
9	Maximum number of building workers employed on any day during the year	
10	The number of accident(s) that took place during the year as under  (a) The total number of accidents	

	<p>(b) The number of accidents resulting in disablement of building workers for less than 48 hours, the number of building workers involved and the number of mandays lost.</p> <p>(c) The number of accidents resulting in disablement of building workers beyond 48 hours but not resulting in any permanent partial or permanent total disablement, the number of building workers involved, and the number of mandays lost on account of such accidents.</p> <p>(d) The number of accidents resulting in permanent partial or total disablement, the number of building workers involved and the number of mandays lost on account of such accidents.</p> <p>(e) The number of accidents resulting in death of building workers and the number of resultant deaths.</p>	
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The Chief Inspector or Inspectors appointed by the Government under the Act shall direct the owners of establishments registered under this Act, to send the copies of Annual Returns submitted by the employers of registered establishment in respect of the Government to the Chief Inspectors of Building and Other Construction Work of Inspections by virtue of provisions of section 60 of the Act.

The Chief Inspector or Inspectors appointed under this Act by the Government shall direct the owners of such establishments as are registered under this Act by registering officers appointed by the Government to send copies of the Annual Returns to the Director-General by virtue of provisions of section 60 of the Act.

11. Change, if any, in the management of the establishment, its location, or any other particulars furnished to the Registering Officer in the application for Registration indicating also the dates.

## 12. (i) Particulars of Maternity Benefits:

	No. of employees received	Total amount paid
Miscarriage		
Confinement		
Illness		
Medical Bonus		
Total		
(ii)	Number of women who gave notice under section 6 of the Maternity Benefit Act, 1961:	
(iii)	Number of women who were granted permission to absent on receipt of notice of confinement:	
(iv)	Claims for maternity benefit rejected:	Number Amount not paid
(v)	Claims for medical bonus rejected:	Number Amount not paid
(vi)	Cases in which leave for miscarriage was applied for but was rejected:	Number Amount not paid
(vii)	Cases in which additional leave for illness under section 10 was applied for, but, was rejected:	Number Amount not paid
(viii)	Cases in which payment was made to persons other than the woman concerned:	Number Amount not paid
(ix)	Women deprived of maternity benefit and or medical bonus under proviso to sub-section (2) of section 12 of the Maternity Benefit Act, 1961:	Number Amount not paid
(x)	Cases in which payment was made on the order of the Appellate Authority or Inspector:	Number Amount not paid
(xi)	Number of cases where prenatal confinement and postnatal care was provided by the Management free of charge under section 18 of the Maternity Benefit Act, 1961:	

13. (i) Particulars of deductions made from salary in respect of persons whose wages are not more than the wages specified by Central Government under sub-section (6) of section 1 of the Payment of Wages Act, 1936 (Central Act 4 of 1936):-

	Number of employees involved	Total amount of deductions made
Fines		
Damages/Loss		
Breach of Contract		
Others		
Total		

(ii) Details of number of persons earning not more than the wages specified by Central Government under section 6 of the Payment of Wages Act, 1936 (Central Act 4 of 1936):-

Men:

Women:

Adolescent:

(iii) Details of money value concession paid (in Rupees):

(iv) Total wages including deductions under sub-section (2) of section 7 of the Payment of Wages Act, 1936 (Central Act 4 of 1936):-

Basic wages	Dearness allowance	Over time	Non-profit sharing bonus	Other allowances in cash	Arrears of pay in respect of previous year paid during the year.	Total

(v) Total cash value of the wages paid in kind:

## 14. Payment of Bonus paid for the accounting year:

Number of employees eligible for Bonus	Percentage of Bonus declared	Total amount of Bonus paid	Date of payment

## 15. Contract Labour

Name and addresses of contractors	Period of contract	Nature of work	Number of days worked	Number of mandays worked	Maximum number of workers employed by each contractor

## 16. Inter-state Migrant Workmen:

Name and address of the contractors	
Period of contract	
Nature of work	
Maximum number of migrant workmen employed by each contractor	
Number of days worked	
Number of mandays worked	

Place:

Date:

*Employer*

(By order of the Lieutenant-Governor)

**E. VALLAVAN,**

Additional Secretary to Government (Labour).



GOVERNMENT OF PUDUCHERRY  
**LABOUR DEPARTMENT**

(G.O. Ms. No. 13/AIL/Lab./G/2019, Puducherry, dated 11th November 2019)

NOTIFICATION

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

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

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

**Draft Rules**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“74. Register of Contracts.—Every principal employer shall maintain in respect of each registered establishment a Register of Contractors in Form-XII at his option be maintained in electronic form”.

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

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

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

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

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

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

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

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

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

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

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

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

(By order of the Lieutenant-Governor)

**E. VALLAVAN,**

Additional Secretary to Government (Labour).

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