



TalEzine - January '23 Monthly Edition

Employees Provident Fund Organisation, head office issued a notification regarding the Instructions in compliance with orders of the Hon'ble Supreme Court judgment.

Vide Notification No: Pension2022/54877/15149

As per the notification, The EPFO Head office issued a notification regarding the Instructions in compliance with orders of the Hon'ble Supreme Court judgment. The instructions are below

- 44 (v) The employees who had retired before 01st September 2014, without exercising any option under paragraph 11(3) of the pre-amendment scheme, have already exited from the membership thereof. They would not be entitled to the benefit of this judgment.
- 44 (vi) The employees who have retired before 1st September 2014, upon exercising the option under paragraph 11(3) of the 1995 scheme, shall be covered by the provisions of paragraph 11(3) of the pension scheme as it stood before the amendment of 2014.
- 44 (ix) We agree with the view taken by the Division Bench in the case of R.C. Gupta (supra) so far as the interpretation of the proviso to paragraph 11(3) (pre-amendments) pension scheme is concerned. The fund authorities shall implement the directives in the said judgment within eight weeks, subject to our directions. Kindly refer to the notification for more detail.

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The Himachal Pradesh Shops and Commercial Establishments Act, 1969

Vide Notification No: Shram (A)4-4/2017

As per the notification, The Government of Himachal Pradesh has exempted all shops and establishments from the operation of Section 8 (Intervals for meals or rest), Section 9 (Opening and Closing hours), and Section 10 (Close day) under the Himachal Pradesh Shops and Commercial Establishment Act, 1969. The exemption is effective from 28th December 2022 till 02nd January 2023. Kindly refer to the notification for more detail.

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EPFO Introduced Unified Portal for Principal employers To Check EPF Compliances

Vide Circular No: F.No. Addl.LC /LAB /EPFO /2022 / 7556-7558

As per the notification, The EPFO has released an advisory to all the principal Employers requiring them to login and regularly check the EPF compliances in respect of contractors and their contract employees through the unified portal, i.e., <https://unifiedportal-emp.epfindia.gov.in>, launched by the EPFO. Kindly refer to the notification for more detail.

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West Bengal's Single Window Silpasathi Portal for Registration And Licensing

Vide notification No: Labr./173/IT & EoDB

As per the notification, The Government of West Bengal has mandated all applications for registrations and licenses, under various labour legislations, to be made through the State Single Window Silpasathi Portal (www.silpasathi.wb.gov.in), with effect from 01st January 2023. Kindly refer to the notification for more detail.

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Enforcement Of Provisions of The ESI Act In The Thiruvallur District Of Tamil Nadu

Vide Notification S.O. 6038(E)

As per the notification, The Government of India has amended the provisions towards Chapter IV (Contribution), Chapter V (Benefits), and Chapter VI (Adjudication of Disputes and Claims) of the ESI Act, 1948, effective from 01st January 2023, in all the areas of Thiruvallur district and already notified areas of said district, in the State of Tamil Nadu Ministry of Labour and Employment, issued a notification regarding the Instructions in compliance with orders of the Hon'ble Supreme Court judgment. Kindly refer to the notification for more detail.

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Enforcement Of Provisions of The ESI Act in The Chamba, Kullu, Hamirpur, Kinnaur, And Lahaul & Spiti Districts Of Himachal Pradesh

Vide Notification S.O. 6039(E)

As per the notification, The Government of India has implemented the provisions towards Chapter IV (Contribution), Chapter V (Benefits), and Chapter VI (Adjudication of Disputes and Claims) of the Employees' State Insurance Act, 1948 (ESI Act), effective from 01st January 2023, in all the areas of Chamba, Kullu, Hamirpur, Kinnaur, and Lahaul & Spiti districts in the State of Himachal Pradesh. Kindly refer to the notification for more detail.

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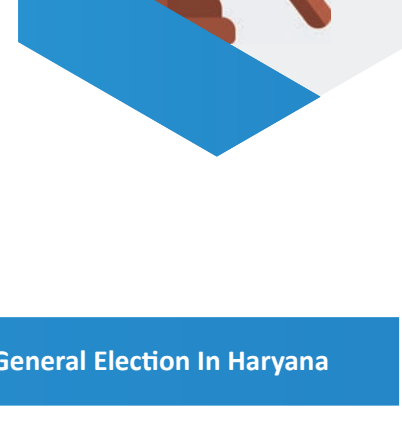


Enforcement of Provisions of the ESI Act In The Sehore, Shajapur, And Guna Districts Of Madhya Pradesh

Vide Notification S.O. 5878(E)

As per the notification, The Government of India has implemented the provisions towards Chapter IV (Contribution), Chapter V (Benefits), and Chapter VI (Adjudication of Disputes and Claims) of the Employees' State Insurance Act, 1948 (ESI Act), effective from 01st January 2023, in all the areas of Sehore, Shajapur and Guna districts in the State of Madhya Pradesh. Kindly refer to the notification for more detail.

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Exemption Of the Factories Act, 1948 On Account of General Election In Haryana

Vide notification No. FW/Election,2022/3648

As per the notification, The Government of Haryana has exempted the workers enrolled as voters in the State of Haryana, Sonapat district, from the operation of Section 52(1) of the Factories Act, 1948, for the week commencing from 11th December 2022, till 17th December 2022, on account of the General Elections for Panch Ward No. 5, Gram Panchayat Rukhi Khas, Block Gohana, District Sonapat to be held on 13th December 2022. Such workers shall not be required to work on election day. Kindly refer to the notification for more detail.

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Change Of Domain Name of ESIC Website

Vide Notification F. No. Z-11/13/1/2022-PR

As per the notification, The Employees' State Insurance Corporation (ESIC), informed that the domain name of the ESIC website had been changed to www.esic.gov.in. Kindly refer to the notification for more detail.

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Circular On Corrections of Member Profile Under Employees Provident Fund

Vide Circular No. AP/RO/GNT/Profile/2022-23

As per the Circular, The EPFO has issued guidelines for the employers and employees submitting joint applications for correcting the member's profile. Kindly refer to the notification for more detail.

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Revision of Labour Welfare Fund Contribution In Tamil Nadu

Vide Notification No: G.O.MS.No. 161

As per the notification, The Government of Tamil Nadu has revised the contribution rate, under the Tamil Nadu Labour Welfare Fund Act, 1972, to 20/- for employees and 40/- for employers, effective from 02nd December 2022. Kindly refer to the notification for more detail.

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Instruction to Employer Registered Through MCA Portal To Comply with The ESI Act

Vide Notification No. 13/MC/Coord

As per the notification, The Haryana State Insurance Corporation has instructed all employers registered through the Ministry of Corporate Affairs (MCA) Portal to comply with various applicable provisions of the Employees' State Insurance Act, 1948 (ESI Act), from the date of reaching the threshold limit of employees. Kindly refer to the notification for more detail.

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Last date for payment of contributions under the Karnataka Labour Welfare Fund Act, 1965

As per the Press note, The Government of Karnataka has issued a notice regarding the last payment date by establishments to remit contributions as per the Karnataka Labour Welfare Fund Act 1965. Therefore factory and establishment will contribute Rs. 20/- from each employee and Rs. 40/- from the employer for each employee, i.e., a total of Rs. 60/- to be remitted through online payment only. Last date for payment of contribution is 15th January 2023. Delay in payment of Contributions will attract penal interest at the rate of 12% for the first 3 months and after 3 months 18% on the amount due, and inspections by the Welfare Commissioner and Labour department Officers to Initiate Legal Proceedings for non-payment of contribution. Kindly refer to the notification for more detail.

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MoLE notified regarding New Labour Code

As per the Press note, The Government has formulated four Labour Codes, namely, the Code on Wages, 2019. The Industrial Relations Code, 2020, the Code on Social Security, 2020, and the Occupational Safety, Health and Working Conditions Code, 2020, published these Codes in the Official Gazette for general information. The four Labour Codes envisage strengthening the protection available to workers, including unorganized workers, in terms of statutory minimum wage, social security, and healthcare workers. Kindly refer to the notification for more detail.

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SEZ Units may permit all employees to work from home or any place outside the Special Economic Zones

Vide Notification No: G.S.R. 868(E)

As per the notification, The Central Government has permitted the complete work from home option to employees of IT units in a special economic zone till December 2023 and also amended the Special Economic Zones (SEZs) regulations to permit IT/ITES units in SEZs to allow 100% of their employees to work from home (WFH) till 31st December 2023. Kindly refer to the notification for more detail.

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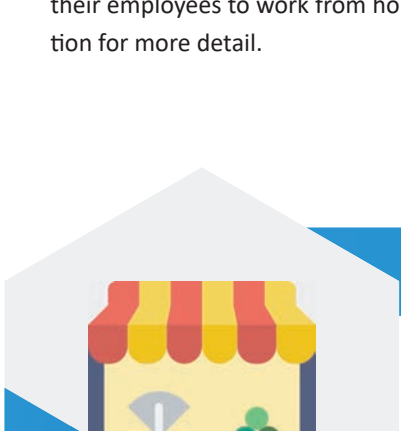


Chhattisgarh Shops and Establishments (Regulation of Employment and Conditions of Service) Rules, 2021

Vide Notification No: F 10-12/2017/16

As per the notification, The Government of Chhattisgarh has issued the Chhattisgarh Shops and Establishments (Regulation of Employment and Conditions of Service) Rules, 2021. As per the amendment it notifies below, Labour Identification number, the online application of registration certificate, women's safety, and basic requirements of employees. Kindly refer to the notification for more detail.

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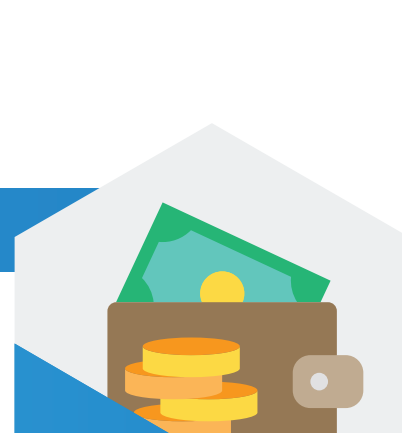


The Kerala Minimum Wages Notification (Oct 2022)

Vide notification No. DES/859/2022-P3(1)

As per the notification, The Government of Kerala has revised the Consumer Price Index (Cost of Living Index) Numbers, updating the rate of variable dearness allowance for all the industries in the State of Kerala, with effect from 01st October 2022. Kindly refer to the notification for more detail.

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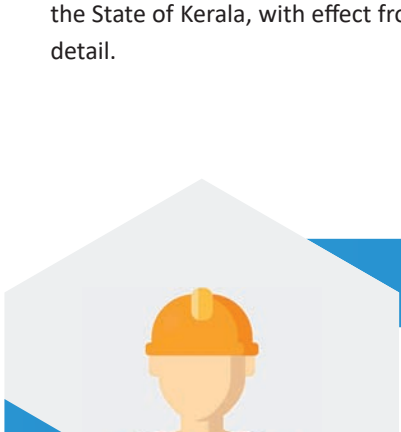


The Tripura Minimum Wages Notification (Oct 2022)

Vide notification No. No.F.22(74)-LAB/ENF/MW/SHOPS/2022/7957-81

As per the notification, The Government of Tripura has released the revised, Minimum Wages effective from 1st October 2022. Kindly refer to the notification for more detail.

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Minimum Wages Notification

Minimum Wages 2022-2023						
State	Class	Minimum Wages				With Effect From
		Zone I (INR)	Zone II (INR)	Zone III (INR)	Zone IV (INR)	
Tripura	Skilled	8739				01-Oct-22
	Semi Skilled	7814				01-Oct-22
	Unskilled	7123				01-Oct-22
Kerala	Highly Skilled	13820				01-Oct-22
	Skilled	13400				01-Oct-22
	Semi Skilled	13190				01-Oct-22
	Unskilled	12980				01-Oct-22

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Sources:

Government Notifications, Press Releases, Labour Department Announcements through Circulars.

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