

Government Of Tamil Nadu

ABSTRACT

Acts and Rules – Contract Labour – (Regulation and Abolition) Act, 1970 – Tamil Nadu Contract Labour (Regulation and Abolition) Rules, 1975 – Amendments to the Rules – Preliminary Notification – Published.

LABOUR AND EMPLOYMENT (H2) DEPARTMENT

G.O.(D).No.1138

Dated : 30/08/2004

Read:-

- 1) From the Secretary to Government, Information Technology Department Letter No.765/IT/2002, Dated 09/01/2003.
- 2) From the Commissioner of Labour Letter No.S2/1693/2003, Dated 03/06/2003

ORDER:-

The Draft Information Technology Enabled Service Policy 2002 allows concessions to Information Technology Software Establishments in Tamil Nadu by way of granting exemption from the provisions of various labour enactments. The Government have decided to introduce a system of 'Self Certification' for maintenance and filing of return under the Tamil Nadu Contract Labour (Regulation and Abolition Rules, 1975) which will enable the Information Technology Software Establishments to save time from the cumbersome procedure of maintaining various Registers and filing multiple forms. It has, therefore, been decided to permit Information Technology Software Establishments to self certify that they are maintaining the Registers and forms contemplated under the Tamil Nadu Contract Labour (Regulation & Abolition) Rules, 1975.

2. The appended Notification will be published in the **Tamil Nadu Government Gazette** both in Tamil and English.
3. The Works Manager, Government Central Press, Chennai 600 079 is requested to publish the Notification appended to this order in the **Tamil Nadu Government Gazette**, both in English and Tamil.
4. The Tamil Development, Culture and Religious Endowments (Translation) Department, Secretariat, Chennai 600 009 is requested to send to the Works Manager,

Government Central Press, Chennai 600 079 of the Tamil Translation of the Notification for publication in the **Tamil Nadu Government Gazette**.

(By Order of the Governor)

**M.B.PRANESH
PRINCIPAL SECRETARY TO GOVERNMENT.**

To

The Works Manager, Government Central Press, Chennai 600 079.

**The Tamil Development, Culture and Religious Endowments(Translation)
Department, Chennai-600 009.**

The Commissioner of Labour, Chennai-600 006.

The Executive Director, ELCOT, Chennai-600 034.

The Secretary to Government, Information Technology Department, Chennai-9.

Copy to:

**The Law Department, Chennai-600 009.
SF/SC.**

/Forwarded by order/

SECTION OFFICER.

APPENDIX

NOTIFICATION

The following draft of amendments to the Tamil Nadu Contract Labour (Regulation and Abolition) Rules, 1975, which it is proposed to make in exercise of the powers conferred by section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (Central Act 37 of 1970) is hereby published for information of all persons likely to be affected thereby, as required by sub-section (1) of section 35 of the Said Act.

(2) Notice is hereby given that the draft amendments will be taken into

consideration on or after the expiry of one month from the date of publication of this notification in the Tamil Nadu Government Gazette and that any objection or suggestion which may be received from any person with respect thereto before the expiry of the aforesaid period will be considered by the Government of Tamil Nadu. Objection or Suggestion, if any, should be addressed to the Principal Secretary to Government of Tamil Nadu, Labour and Employment Department, Fort. St.George, Chennai-9 through the Commissioner of Labour, Chennai-600 006.

DRAFT AMENDMENTS

In the said Rules,-

(1) after rule 81, the following rule shall be inserted, namely:-

"81-A Every Principal employer of Information Technology Software Establishments and Information Technology Software Enabled Services shall furnish to the Inspector of Labour at the end of each half year, a certificate of maintenance of registers, maintenance of records and notices which are required to be maintained or exhibited under the provisions of these Rules in Form XXVI (in duplicate). The Certificate for the half year ending 30th June shall be furnished before 31st July of the year and the certificate for the half year ending 31st December shall be furnished before 31st January of the succeeding year";

(2) after Form XXV, the following Form shall be added, namely:-

FORM XXVI.

(see Rule 81-A)

**SELF-CERTIFICATION FOR INFORMATION TECHNOLOGY SOFTWARE
ESTABLISHMENTS FOR THE HALF YEAR ENDING-----**

**1.Name and address of the Information Technology:
Establishment (Principal Employer)**

2.Number of contractors engaged

(a) Name of the Contractor

(b) Address

3.Number of Contract Labour Employed:

4.Nature of work in which contract labours are employed:

**5.Whether Registration Certification is obtained:
(section 7 and read with rule 18)? :**

**6.Whether contractors possess valid licences and renewed upto date
(section 12 read with rule 23)? :**

7.Whether the health and welfare amenities are

provided to contract labour as prescribed in Chapter V of the Act? :

**8.Whether the required registers are being maintained by the Principal
employer/contactors
(rules 74,75 and 78)? :**

**9. Whether returns prescribed are sent by the Principal employer and contractor?
(rule 82(1) and (2))**

SIGNATURE OF THE PRINCIPAL EMPLOYER

CERTIFICATE

Certified that during the half year ending----- we have complied with all the provisions under the Contract Labour (Regulation and Abolition) Act, 1970 (Central Act 37 of 1970) and the Tamil Nadu Contract Labour (Regulation and Abolition) Rules, 1975 in addition to those specifically mentioned above.

The above certificate is issued with full knowledge of the statute. We are jointly and severally responsible for any information found incorrect subsequently and liable for prosecution under provisions of the said Act and Rules made thereunder.

Signature of the Manager Signature of the Principal Employer

Name:

Name:

Designation:

Designation:

Office Seal:

Office Seal:

Date;

Date:

Accepted

Inspector of Labour."

**M.B.PRANESH
PRINCIPAL SECRETARY TO GOVERNMENT**

/TRUE COPY/

SECTION OFFICER.