



Labour Laws(Gujarat Amendment) Act, 2015

(Gujarat Act No 29 of 2015)

Labour & Employment Department

Government of Gujarat

Labour Laws Covered under (Gujarat Amendment) Act, 2015

1. The Employee's Compensation Act, 1923
2. The Industrial Disputes Act, 1947
3. The Minimum Wages Act, 1948
4. The Factories Act, 1948
5. The Motor Transport Worker Act, 1961
6. The Payment Of Bonus Act, 1965

Labour Laws Covered under(Gujarat Amendment) Act, 2015

7. The Beedi Cigar Worker's (Condition Of Services) Act, 1966
8. The Contract Labour (Regulation and Abolition) Act, 1970
9. The Payment Of Gratuity Act, 1972
10. The Equal Remuneration Act, 1976
11. The Building And Other Construction Workers (Regulation Of Employment And Conditions Of Services) Act, 1996
12. The Unorganized Worker Social Security Act, 2008

Section 22
Act. 1923

Line Employee's Compensation

Old Provision	Amendment	Benefit
<ul style="list-style-type: none">•Application required to be made by an employee or dependents for compensation in case of non fatal or fatal injury due to accidents	<ul style="list-style-type: none">•If application for compensation is not done in 90 days ,then such application may be filed by Officer authorized By the State Government.	<ul style="list-style-type: none">•Hand holding by the State Government for giving the compensation

Section
2(n)
1947

The Industrial Disputes Act,

Old Provision	Amendment	Benefit
<p><u>Public Utility Service</u></p> <ul style="list-style-type: none">•Notification for declaring public utility services initially is for 6 months and further renewed for maximum 6 months	<ul style="list-style-type: none">•Notification for declaring public utility services is for period of 1 year and further renewed for maximum 2 years	<ul style="list-style-type: none">•Industrial peace•Increase in productivity and uninterrupted employment

Section
2(A)(3)
1947

The Industrial Disputes Act,

Old Provision	Amendment	Benefit
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•Employee retrenched from industry has to file his reinstatement application before Labour Commissioner within three years of retrenchment

•The time limit of 3 years is reduced to One year

•It will increase awareness in workers and accountability of records which will lead to speedy disposal and justice to workers

Section
25(v)(2)

The Industrial Disputes Act, 1947

Old Provision	Amendment	Benefit
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•The Existing provision applicable to Special Economic Zone(SEZ) where retrenchment is kept out of the definition of Industrial Dispute

•The existing provision is also made applicable to Industrial Establishment located in Special Investment Region(SIR) , all 100% Export Oriented Units(EOU) , National Investment and Manufacturing Zone (NIMZ)

•Increase Investment
•Increase Employment

Sec 25 (z)(a)(1)

The Industrial Disputes Act, 1947

Old Provision

- The workman employed in any industry located in SEZ having continuous service of not less than One Year entitled for 45 days retrenchment compensation per completed year of services, on retrenchment

Amendment

- Workers in SIR, NIMZ and 100% EOU to get compensation of 60 days every completed year

Benefit

- Increase in compensation will help in financial rehabilitation of worker

The Industrial Disputes Act, 1947 (Compounding of Offences)

Old Provision

Amendment

Conditions for compounding offences and Benefit

- | Old Provision | Amendment | Conditions for compounding offences and Benefit |
|---|--|---|
| <ul style="list-style-type: none">At present there is no provision of compounding of offences for violation of Section 25 (O), 25(R), 25(U), 26, 27, 28, 29, 30(A), 31(1) and 31(2) | <ul style="list-style-type: none">The provision for Compounding of offences for Sections - 25(q), 25(r), 25(u), 26, 27, 28, 29, 30(a), 31(1), 31(2) is incorporated having minimum compounding amount of Rs.7000/- and maximum compounding amount of | <ul style="list-style-type: none">Compounding only after compliance of workmen grievance100% Compounding amount to be distributed to affected workmenIn case workmen are not identifiable, compounding amount is deposited in Gujarat Unorganized Workers Social Security Board |

Compounding of Offences under different Labour Laws

Existing Provisions under following Acts.	Amendment	Conditions for compounding offences and Benefit
<ul style="list-style-type: none">• The Minimum Wages Act,1948• The Equal Remuneration Act,1976• The Motor Transport workers Act,1961	<p>The provision of Compounding of offences is incorporated for having minimum compounding amount of Rs.1500/- and maximum compounding</p>	<ul style="list-style-type: none">• Compounding only after compliance of workmen grievance• 75% Compounding amount to be distributed to affected workmen• In case workmen are not identifiable, compounding amount is deposited in Guiarat Unorganized Workers

Existing Provisions under following Acts.

Amendment

Conditions for compounding offences and Benefit

- The Contract Labour (R&A) Act,1970
- The Payment of Bonus Act,1965
- The Payment Of Gratuity Act,1972
- The Beedi Cigar workers Act,1966

The provision of Compounding of offences is incorporated for having minimum compounding amount of Rs.1500/- and maximum compounding amount of Rs.20000/-

- Compounding only after compliance of workmen grievance
- 75% Compounding amount to be distributed to affected workmen
- In case workmen are not identifiable, compounding amount is deposited in Gujarat Unorganized Workers Social Security Board

Amendment of fourth schedule

The Industrial Disputes Act,

Old Provision	Amendment	Benefit
<ul style="list-style-type: none">•There are 11 entries at present in fourth schedule of this Act, regarding “Notice of Change”	<ul style="list-style-type: none">•Entries No. 6 which provides for starting alteration or discontinues of shift working otherwise than in accordance with Standing Orders is deleted from the fourth schedule	<ul style="list-style-type: none">•Shall lead to increase in productivity and in competitiveness

Amendment of fourth schedule

The Industrial Disputes Act, 1947

Old Provision	Amendment	Benefit
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- There are 11 entries at present in fourth schedule of this Act, regarding “Notice of Change”

- Entries No. 11 which provides for increase or reduction in number of persons employed in any occupation or process or department is deleted from the fourth schedule

- Shall lead to increase in productivity and in competitiveness

Section
2(e)

The Minimum Wages Act, 1948

Existing	Amendment	Benefit
<ul style="list-style-type: none">•At present there is no expressive provision of “outsourcing agency” in the employer’s definition	<ul style="list-style-type: none">•In the amendment “outsourcing” agency is Included in the definition of employer	<ul style="list-style-type: none">•The exploitation of employees employed by outsourcing agency will be prevented

Section
11(1)
1948

The Minimum Wages Act,

Existing

Amendment

Benefit

- At present minimum wages to the workers is paid by cash

- The payment of minimum wages through cheque or bank to workers working in industries registered under the Factories Act & Gujarat Shops And Establishment Act and employing more than 20 Employees

- This amendment will bring transparency in paying Minimum Wage and will protect workers from exploitation

Enhancement of Penalty

Labour Laws Covered	Existing Provision	Amendment & Benefits
<ul style="list-style-type: none">• The Industrial Disputes Act,1947• The Minimum Wages Act,1948• The Equal Remuneration Act,1976	<ul style="list-style-type: none">•At present penalty amount under these Acts is meager	<ul style="list-style-type: none">•The Penalty amount is increased up to Rs.21000•Compliance will increase

The Building And Other Construction Workers (Regulation Of Employment & Conditions Of Service) Act,1996

Existing	Amendment	Benefit
<ul style="list-style-type: none">•As per the present definition of construction workers drawing wages not exceeding Rs. 1600/- Per Month are covered under the provisions of the Act	<ul style="list-style-type: none">•Amendment to cover construction workers drawing wages up to three times the monthly wages shall be covered under provisions of the Act	<ul style="list-style-type: none">•More construction workers will be covered under applicable Social Security Schemes

The Unorganized Workers Social Security Act, 2008

Existing

•The Unorganized Workers governed under the provisions of six Acts mentioned in Schedule II of this Act, are not covered under the provisions of this Act

Amendment

•Entry No:2 (i.e. Industrial Dispute Act 1947) is deleted from the schedule

Benefit

•More Unorganized Workers will be benefited of various Social Security Schemes

Self Certification cum Consolidated Annual Return

Acts Covered

- The Minimum Wages Act,1948
- The Factory Act,1948
- The Contract Labour (R&A) Act,1970
- The Payment of Bonus Act,1965
- The Payment Of Gratuity Act 1972

Existing

- At present provision of Self Certification is voluntary

Amendment & Benefits

- Statutory Enrollment to the Scheme for establishments, notified by State Government
- Audit and Assessment for compliance of labour standards
- Exemption from routine Inspection to industry which complies with labour laws and labour standards



Thanks