



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

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GOVERNMENT OF KARNATAKA

No: LD 285 LET 2021

Karnataka Government Secretariat,
Vikasa Soudha,
Dr. B.R. Ambedkar Veedhi,
Bangalore, dated: 29/01/2022

Notification

Whereas, the draft of the Code on Social Security (Karnataka) Rules, 2021 which the Government of Karnataka proposed to make in exercise of the powers conferred by Section 154 and 156 of the Code on Social Security, 2020 (Central Act No.36 of 2020) was published as required by sub-section (1) of the said section for the information of all the persons likely to be effected in Notification No: E-LD 285 LET 2021 dated, 18/04/2022 in Part- IV- A of Karnataka Gazette dated 04/04/2022, inviting objections and suggestions from all the persons likely to be effected thereby within the period of thirty days from the date of publication of the said Notification in the Gazette.

And whereas, the said Gazette was made available to the public dated 04/04/2022.

And whereas, the objections and suggestion received on the said draft rules was considered.

Now therefore, in exercise of powers conferred by Section 154 and 156 of the Code on Social Security, 2020 (Central Act No.36 of 2020), the draft of the Code on Wages (Karnataka) Rules, 2021 is hereby published as required by sub-section (1) of the said section for the information of all the persons likely to be effected thereby and notice is hereby given that the said draft will be taken into consideration after the expiry of forty five days from the date of its publication in the Official Gazette.

Any objection or suggestion which may be received by the State Government from any person with respect to the said draft before the expiry of the period specified above will be considered by the

State Government. Objections and suggestions may be addressed to the Secretary to Government, Labour Department, Vikasa Soudha, Dr. B.R. Ambedkar Veedhi, Bengaluru.

CHAPTER - I PRELIMINARY

1. Title and commencement.- (1) These rules may be called the Code on Social Security (Karnataka) Rules, 2026.

(2) They shall come into force from the date of commencement of the Code on Social Security, 2020 (Central Act No. 36 of 2020).

2. Definitions.- (1) In these rules, unless the subject or context otherwise requires:-

- a) "Board" means the Karnataka Unorganized Workers Social Security Board or the Karnataka Building and Other Construction Workers Welfare Board, as the case may be;
- b) "Chairperson" means the Chairperson of the Karnataka Unorganized Workers' Social Security Board or the Karnataka Building and Other Construction Workers Welfare Board, as the case may be;
- c) "Cess collector" means an officer appointed by the State Government for collection of cess under the Code ;
- d) "Code" means the Code on Social Security 2020 (Central Act 36 of 2020);
- e) "contribution" means the amount of contribution payable by the unorganized worker, the self-employed person or other beneficiary as a member of the scheme or the aggregators as provided under clause (c),(d),(e) and (f) of sub-section(3) of section 114 and includes the amount given by the Central and the State Government from time to time as per the scheme notified under sub-section(1) of section 114
- f) "Form" means a form appended to these rules;
- g) "Government" means the Government of Karnataka;
- h) "Scheduled Bank" means a bank included in the Second Schedule of the Reserve Bank of India Act, 1934 (Central Act 2 of 1934); and
- i) "Section" means a section of the code.

(2) All the other words and expressions used herein but not defined, and defined in the code, shall have the same meaning as respectively assigned to them in the Code.

CHAPTER - II SOCIAL SECURITY ORGANISATIONS

PART-A: KARNATAKA UNORGANISED WORKERS' SOCIAL SECURITY BOARD

3. Constitution of the Karnataka Unorganised Workers' Social Security Board under sub-section (9) and the manner in which members shall be nominated from each categories under sub-section (12) of section 6:

- (1) The Karnataka Unorganised Workers' Social Security Board shall be constituted under sub-section (9) of Section 6 of the Code by notification in the official Gazette to exercise the powers conferred on, and to perform the functions assigned to, it under this code.
- (2) The State Government shall nominate seven representatives from unorganised workers and seven representatives from employers of unorganised workers, under sub-clauses (i) and (ii) of clause (d) of sub-section (10) of Section 6 in such manner, as decided by the State Government.

Provided that out of seven persons nominated representation shall be given to persons belonging to Scheduled Castes, Scheduled Tribes, Minorities and Women.

- (3) The State Government shall nominate two members of Karnataka Legislative Assembly under sub-clause (iii) of clause (d) of sub-section (10) of Section 6.
- (4) Five members representing eminent persons from civil society as under sub-clause (iv) of clause (d) of sub-section (10) of Section 6.
- (5) The State Government shall nominate ten members under sub-clause (v) of clause (d) of sub-section (10) of Section 6 representing Departments of State Government, concerned with the matters related to the welfare of the workers.
- (6) The State Government shall nominate a Member-Secretary by notification as under clause (e) of sub-section (10) of section 6.
- (7) No person shall be chosen as, or continue to be, a member of the Board, if such person attracts any provision(s) of section 8.

Provided that all the members, except the Chairperson, of the Karnataka Unorganised Workers' Social Security shall be amongst persons of eminence in the field of labour welfare, management, finance, law and administration.

4. Term of office and conditions of service of the members under sub-section (12) of section 6;

- (1) A member, other than an ex-officio member, shall hold office for a period of three years from the date of his nomination. A member shall be eligible for re-nomination: Provided that a member, other than an ex-officio member, shall not hold the office for more than two terms.
- (2) The non-official member shall be removed by the Government from the Board, if they cease to represent the interest for which he was nominated or if such person attracts any provisions of section 8 of the Code.

- (3) If the new Board is not reconstituted after the completion of the term of the Board, the existing Board shall continue to discharge its functions till the new Board is reconstituted by the Government through notification.
- (4) A member nominated under sub-clause (iii) of clause (d) of subsection (10) of section 6 shall cease to be a member of the Board if he ceases to be a member of Legislative Assembly.

5. Resignation of member of the Board under sub-section (12) of section 6:

- (1) A member of the Board, not being an ex-officio member, may resign from office by a letter in writing addressed to the Government.
- (2) The seat of such a member shall fall vacant from the date on which his resignation is accepted or on the expiry of thirty days from the date of receipt of intimation of resignation, whichever is earlier.
- (3) The power to accept the resignation of a member shall vest in the Government, and on accepting the resignation, the Chairperson shall report to the Board at its next meeting.

6. Reconstitution of the Board.—

- (1) The State Government shall initiate the process for reconstitution of the Karnataka Unorganised Workers' Social Security Board prior to six months of expiry of the term of the Board.
- (2) If the new Board is not re-constituted after completion of the term of the Board, such arrangements may be made for discharging the functions of the Board as may be decided by the State Government, by notification, for the period till the new Board is constituted.
- (3) All actions taken pursuant to the arrangement under sub-rule (2), shall have the same effect as if it has been carried out by the Board itself.

7. Manner of filling up vacancies under sub-section (12) of section 6: When a vacancy occurs or is likely to occur on completion of the term of a member in the Board, the Chairperson shall submit a report to the Government and on receipt of such report, the Government may, by notification, nominate a person to fill the vacancy:

Provided that if the vacancy occurs for removal or resignation of a Member, the Chairperson shall communicate this to the Government and Government shall nominate and the person so nominated shall hold office for the remainder of the term of office of the member in whose place he or she is nominated.

8. Allowances to Members under sub- section (12) of section 6:

- (1) The travelling allowance of an official member of the Board shall be governed by the rules applicable to him/her for journey performed by him/her on official duty shall be paid by the Authority paying his or her salary.
- (2) The non-official member of the Board shall be paid travelling allowances for attending the meetings of the Board at such rates as are admissible to Class-I officer of the Government and daily allowances shall be calculated at the maximum rate admissible to Class-I officers of the Government in their respective places.

9. Procedure for transaction of business, meetings and quorum, etc., of the Board under sub-section (14) of section 6:

- (1) The Board shall meet at such places and at such times as may be decided by the Chairperson.
- (2) The Board shall meet at least once in four months and as and when required with a notice to all members within a period of seven days.
- (3) In case of any matter of urgency, meeting may be called by the Chairperson after informing the member in advance about the subject matter of discussion and reasons of urgency.
- (4) The Chairperson shall preside over every meeting of the Board in which he or she is present and in his or her absence, the Vice Chairperson shall preside over such a meeting at his or her place.
- (5) (i) Ordinarily, fifteen days' notice shall be given to the members of the Board of a proposed meeting:

Provided that the Chairperson, if he or she is satisfied that it is expedient to call an emergency meeting for considering any matter which in his or her opinion is urgent, he or she may issue a notice giving such reasonable time as he or she may consider necessary.

(ii) No business except which is included in the list of business for a meeting of the Board shall be considered at the meeting without the permission of the Chairperson.

- (6) Every matter considered at a meeting of the State Board shall be decided by a majority of the votes of the members present and voting. In the event of an equality of votes, the Chairperson shall exercise an additional casting vote.

Provided that the Chairperson may, if he thinks fit, direct that any question shall be decided by the circulation of necessary papers to members of the State Board and by securing their opinions in writing. Any such question shall be decided in accordance with the opinion

of the majority of members received within the time-limit allowed and if the opinions are equally divided, the opinion of the Chairperson shall prevail:

Provided further that any member of the State Board may request that the question referred to members for written opinion be considered at a meeting of the State Board and thereupon the Chairperson may, if the request is made by not less than three members, direct that it be so considered

Provided that if in a meeting, less than one third are present, the Chairperson may adjourn the meeting to another date informing the members present and giving notice to other members that he or she proposes to dispose of the business at the adjourned meeting whether there is prescribed quorum or not, and it shall thereupon be lawful for him or her to dispose of the business at the adjourned meeting irrespective of numbers attending.

- (7) The Chairperson may debar any member, other than ex-officio members, from taking part in the Meetings of the Board if,
- (i) he or she absents himself or herself from three consecutive meetings of the Board without written information to and consent of the Chairperson; or
 - (ii) in the view of the Government such member ceased to represent the interest which he or she purports to represent in the Board.

PART-B: KARNATAKA BUILDING AND OTHER CONSTRUCTION WORKERS'

WELFARE BOARD

10. Constitution of the Karnataka Building and other Construction Workers' Welfare Board under sub-section (1) and members under (3) of section 7.

(1) The Karnataka Building and other Construction Workers' Welfare Board shall be constituted by notification in the official Gazette under sub-section (1) of section 7 of the Code.

(2) The Board shall consist of following members, namely:-

- (i) The Minister for Labour, Government of Karnataka as the ex-officio Chair person;
- (ii) A member nominated by the Central Government;
- (iii) Not more than four persons representing the building and other construction workers nominated by the Government;
- (iv) Not more than four persons from among the employees of building and other construction workers or associations nominated by the Government;

- (v) The Additional Chief Secretary/Principal Secretary/ Secretary to Government, Labour Department, Government of Karnataka, ex-officio Member;
- (vi) The Commissioner of Labour, Government of Karnataka, ex-officio Member;
- (vii) Not more than two Official Members from among the following Departments as notified by the Government:
 - (a) The Director of the Department of Factories, Boilers, Industrial Safety and Health, ex-officio Member;
 - (b) The Principal Secretary/Secretary, Public Works Department or his nominee, ex-officio Member;
 - (c) The Principal Secretary/Secretary, Rural Development and Panchayat Raj or his nominee, ex-officio Member;
 - (d) The Principal Secretary/ Secretary, Urban Development or his nominee, ex-officio Member.

Provided that, one of the Member nominated under clause (iii) or (iv) above shall be a women.

- (viii) The Chief Executive Officer of the Board shall be the Member Secretary.

11. Term of Office of nominated member.— A nominated member of the Board other than *ex-officio* member, shall subject to the pleasure of the Government, hold office for a period not exceeding three years from the date of his nomination or till the reconstitution of the Board whichever is earlier.

12. Reconstitution of the Board.— The Government shall initiate the process for reconstitution of the Board, six months prior to the expiry of the term of the Board.

(1) If the new Board is not re-constituted after completion of the term of the Board, such arrangements may be made for discharging the function of the Board as may be decided by the State Government for the period till the new Board is constituted, through a notification.

(2) Consequent upon institution of such arrangement, all actions taken shall have the same effect as if it has been carried out by the Board itself.

13. Procedure for meetings of the Board.— (1) Subject to any rules made by the Central Government in this regard, the Board shall meet at least once in four months or earlier as may be necessary at such place as may be determined by the Chairperson.

(2) Members of the Board shall be given seven clear day's notice of the meeting specifying the date, time and place of the meeting and business to be transacted thereat.

Provided that, seven days notice shall not be necessary where, in the opinion of Chairperson, business of an emergent nature has to be transacted.

(3)(a) The quorum for the meeting shall be one third of the total members, having the presence of at least one member each representing the Government, employers and the workers.

(b) If there is no quorum as laid down in sub-rule 3(a) above, the Chairperson shall after waiting for thirty minutes after the expiration of the appointed hour, adjourn the meeting to such hour on some other future day as he may deem fit. A notice of such adjourned meeting shall be sent to every member of the Board and the business which would have been brought before the original meeting, had there been a quorum there at shall be brought before the adjourned meeting and may be disposed of at such meeting, whether the required quorum is there or not.

(c) All matters coming before the meeting of the Board shall be decided by majority of the members present and voting shall be held only if required at the meeting. In case of equality of votes, the Chairperson shall have the casting vote.

(d) Votes shall be taken by show of hands and the names of persons voting in favour and against any proposition shall be recorded only if any member requests the Chairperson to do so.

(e) The Board shall keep minutes of the proceedings of each meeting of the Board, and shall include therein the names of the members present.

(f) A copy of such minutes shall be submitted by the Board to the State Government as soon as they are confirmed by the Board.

(4) The Chairperson shall preside over every meeting of the Board in which he is present and in his absence the Vice chairperson shall preside over such meeting in his place with the consent of the chairperson.

14. Allowance to Members.- (1) The travelling allowance of an official member of the Board shall be governed by the rules applicable to him for journey performed by him on official duties and shall be paid by the authority paying his salary.

(2) The non-official members of the Board shall be entitled to the payment of travelling and daily allowance as per the provisions of the Payment of Travelling Allowance to (to Non-official Members of Committees, Commissions or other Bodies) Rules, 2015 or as may be determined by the respective Board.

15. Resignations and manner of filling vacancies:- (1) Any member of the Board may at any time resign by writing under his hand addressed to the Government and his seat shall become vacant on acceptance of resignation.

(2) In the event of any vacancy occurring on account of death, resignation, disqualification or removal or otherwise, the Board shall forthwith communicate the occurrence to the State Government, and the vacancy shall be filled in not later than ninety days from the date of occurrence of the vacancy. The Chairperson or member so nominated shall hold the office for the remainder of the term of office of the Chairperson or member, as the case may be, in whose place he is nominated.

(3) If a member changes his address, he shall notify his new address to the Chief Executive Officer or Member Secretary as the case may be, who shall thereupon enter his new address in the official record.

Provided that, if a member fails to notify his new address, the address in the official records shall for all purposes be deemed to be the member's correct address.

16. Terms and conditions of service of Officers and Employees of the Board:- (1) The terms and conditions of service, salaries and allowances of the Secretary, Member Secretary, other officers and employees of the Board shall be as follows, namely:-

- (i) The Chief Executive Officer shall be an IAS officer in the senior scale or an officer from the Central Services Group 'A' Senior Scale and the term of such deputation shall not exceed more than three years;
- (ii) The Other officers and employees of the Board may also be deputed from the Labour Department of the State Government for a maximum period of three years or as may be prescribed in the Cadre and Recruitment Rules or by notification as the case may be;
- (iii) The salaries and allowances payable to the Member Secretary, Secretary or other officers and employees of the Board shall not be higher than those admissible to the State Government employees of equivalent cadre and rank; and
- (iv) The cadre strength and method of recruitment, promotions and creation of any posts and disciplinary action shall be as determined by the Cadre and Recruitment Rules of the Boards.

(2) The Chief Executive Officer or the Member Secretary, as the case may be, of the respective

Board shall have the power to conduct the day to day administration of the Board subject to the provisions of the Code, Rules and directions.

(3) The Chief Executive Officer or Member Secretary of the Board shall have full disciplinary powers of the Board and the Chief Executive Officer shall have full disciplinary powers of a Head of the Department as per the Karnataka State Civil Services Rules, 1958, the Karnataka Civil services (Classification, Control and appeal) Rules, 1957 and the Karnataka Government Servants (Conduct) Rules, 1966 over deputed officials of the Board.

(4) The Secretary of the Board shall be the Head of the Department insofar as the affairs of the Board are concerned and shall have powers of administrative approval up to Rs. 2.5 crore each time and general delegation of powers as per the orders of the Finance Department issued from time to time.

(5) The official place of business of the Board shall be at Bengaluru.

(6) The Chief Executive Officer or Member Secretary, as the case may be, shall have the power to allocate official responsibilities and duties within and between the officials and employees of the Board subject to general or special orders of the Government.

(7) The Board shall be responsible for executing its projects and schemes.

CHAPTER - III EMPLOYEES STATE INSURANCE COURT

17. Manner and time within which second appeal may be filed to the Employees Insurance Court by the Insured Person or the Corporation under clause (b) of sub-section (7) of section 37: The Insured Person or the Corporation may file an second appeal to the Employees' Insurance Court in by presenting an application in **Form-I** within ninety days from the date of receipt of the copy of order of the Medical Appellate Tribunal or of the Medical Appeal Tribunal to the Insured Person or the Corporation, as the case may be:

Provided that the Employees' Insurance Court may entertain the appeal after the period of ninety days, if it is satisfied that the appellant had sufficient reasons for not presenting the appeal within the prescribed period.

18. Constitution, matters and procedures to be followed by the Employees' Insurance Court under sub-section (2) and (3) of Section 50:-

- (1) The State Government, by notification, shall constitute an Employees' Insurance Court under section 48, for such local area as may be specified in the notification.
- (2) An Application under section 49 shall be presented in triplicate in **Form-II** and shall contain the following particulars, namely:-
 - (a) Name of the Court in which Application is brought.
 - (b) Name including age and occupation
 - (c) Where the applicant or the opposite party is a minor or a person of unsound mind, a statement to that effect and the name, age, occupation and postal address of his or her guardian, next-of-kin, or any other person authorized to act on his or her behalf.
 - (d) The fact constituting the cause of action and the date when it arose.
 - (e) The facts showing that court has jurisdiction.
 - (f) The relief which the applicant claims.
- (3) Every application shall be verified in the same manner as a pleading in a Civil Court.
- (4) All documents on which the application is based or has desired by applicant shall be appended to application with an accurate list thereof.
- (5) All applications shall be entered in a register in **Form-III** to be maintained by the Court.
- (6) Every application to the Court shall be brought within three years on which the cause of action arose or as the case may be, the claim becomes due.
- (7) Where at any stage it appears to the Court that the application should be presented in another Court, or should be entertain by the another Court, the first mention Court shall transfer the application along with the file of the case to the Court empowered to deal with it and shall inform the applicant and the opposite party accordingly and the Court to which the application along with the file is transferred shall continue the proceedings as if the previous proceedings or any part of it had been taken before it.
- (8) The Court shall follow the rules of Code of Civil Procedure (5 of 1908) in respect of summoning of the parties, service of summons, procedure of hearing, framing of issues, statement and production of evidence, method of recording evidence, cross examination of witness and other related matters.
- (9) The fee payable on an application in respect of any matter referred to in Section 49 shall be Rs. 100/- (rupees one hundred), however, the State Government may enhance the fees by notification, from time to time.
- (10) The fee and costs payable in respect of any other matters shall be such as is prescribed by the relevant laws for the time being in force.
- (11) All fees and costs referred to in this rule shall be collected by way of Court fee stamps.

19. Manner of commencement of proceedings before the Employees' Insurance Court, fees and procedure thereof under sub-section (1) of Section 51:

- (1) The proceeding before an Employees' Insurance Court shall be commenced by application by the Corporation, aggrieved person or the employer of an establishment as the case may be.
- (2) Subject to the provisions of Chapter IV of the Code and rules made by the Government, all proceedings before the Employees' Insurance Court shall be instituted in the Court appointed

for the local area in which the insured person was working at the time the question or dispute arose.

- (3) If the Court is satisfied that any matter arising out of any proceedings pending before it can be more conveniently dealt with by any other Employees' Insurance Court in the same State, it may, subject to any rules made by the Government in this behalf, order such matter to be transferred to such other Court for disposal and shall forthwith transmit to such other Court the record connected with that matter.
- (4) The Government may transfer any matter pending before any Employees' Insurance Court in the State to any such Court in another State with the consent of the Government of that State.
- (5) The Court to which any matter is transferred under clause (iii) or (iv) shall continue the proceedings as if they had been originally instituted in it.

CHAPTER – IV GRATUITY

20. Bank or other financial institution in which the gratuity shall be invested for the benefit of minor under the third proviso to sub-section (1) of Section 53.- The competent authority shall invest the Gratuity amount for the benefit of minor under the third proviso to sub-section (1) of section 53 of the code, in term deposit with the State Bank of India or any Nationalised Bank.

Explanation.— “Nationalised Bank” means a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970) with reference to section 3 of that Act or a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (40 of 1980) with reference to Section 3 of that Act.

21. Time, form and manner of nomination by an employee under sub-section (1), the time to make fresh nomination under sub-section (4), the form and manner of modification of a nomination under sub-section (5) and the form for fresh nomination under sub-section (6) of Section 55.-

- (1) A nomination under sub-section (1) of section 55 of the Code shall be made in **Form IV** and submitted in duplicate by personal service by the employee, after taking proper receipt or by sending through Registered Post Acknowledgment due or electronically to the employer by an employee.-

- (i) who is already in employment on the date of commencement of these rules, ordinarily, within ninety days from such date; or
- (ii) who completes one year, after the date of commencement of these rules, ordinarily, within thirty days of the completion of one year.

Provided that, nomination in **Form IV** shall be accepted by the employer after the specified period, if filed and no nomination so accepted shall be invalid merely because it was filed after the specified period.

- (2) Within thirty days of the receipt of a nomination in **Form IV** under sub-rule (1), the employer shall get the service particulars of the employee, as mentioned in the form of nomination, verified with reference to the records of the establishment and return to the employee, after obtaining a receipt thereof, the duplicate copy of the nomination in **Form IV** duly attested by him or his authorised representative and the other copy shall be maintained in the establishment.
- (3) An employee who has no family at the time of making a nomination shall, within ninety days of acquiring a family, submit in the manner specified in sub-rule (1), a fresh nomination, as required under sub-section (4) of Section 55 of the Code in duplicate in **Form IV** to the Employer, and thereafter the provisions of sub-rule (2), shall apply *mutatis mutandis* as if it was made under sub-rule (1).
- (4) A notice of modification of a nomination, including cases where a nominee predeceases an employee, shall be submitted in duplicate in **Form IV** to the employer in the manner prescribed in sub-rule (1), and thereafter the provisions of sub-rule (2) shall apply *mutatis mutandis* as if it were made under sub-rule (1).
- (5) A nomination or a fresh nomination or a notice of modification of nomination shall be signed by the employee, or, if illiterate, shall bear his thumb impression, in the presence of two witnesses, who shall also sign a declaration to that effect in the nomination, fresh nomination or notice of modification of nomination, as the case may be.
- (6) A nomination, fresh nomination or notice of modification of nomination, shall take effect from the date of receipt thereof by the employer.

22. Time within which and the form in which a written application shall be made under sub-section (1) of Section 56:-

- (1) An employee or nominee, as the case may be, who is eligible to receive gratuity under the code or any person authorised, in writing, to act on their behalf, shall apply, ordinarily within thirty days from the date the gratuity became payable, in **Form- V** either electronically or by registered post acknowledgement due or in person to the employer.

Provided that where the date of superannuation or retirement is known, the employee may apply to the employer before thirty days of the date of superannuation or retirement.

Provided further that a nominee may give application in plain paper with relevant particulars which shall be accepted.

- (2) A legal heir of an employee who is eligible for payment of gratuity under the third proviso to sub-section (1) of section 53 of the Code shall apply ordinarily within one year from the date the gratuity became payable to him in **Form -V** to the employer.
- (3) An application for payment of gratuity filed after the expiry of the periods specified in this rule shall also be entertained by the employer, if the applicant adduces sufficient cause for the delay in preferring the claim, and no claim for gratuity under the Code shall be invalid merely because the claimant failed to present the his application within the specified period. Any dispute in this regard shall be referred to the Competent Authority of the area for his decision.
- (4) Within fifteen days of the receipt of an application under sub-rule (1) for payment of gratuity, the employer shall,
 - (i) if the claim is found admissible on verification, issue a notice in **Form- VI** to the applicant employee, nominee or legal heir, as the case may be, specifying the amount of gratuity payable and fixing a date, not being later than the thirtieth day after the date of receipt of the application, for payment thereof, or
 - (ii) if the claim for gratuity is not found admissible, issue a notice in **Form- VI** to the applicant employee, nominee or legal heir, as the case may be, specifying the reasons why the claim for gratuity is not considered admissible. In the case of denial of gratuity a copy of the notice shall be endorsed to the competent authority.
- (5) In case of payment of gratuity is due to be made in the employer's office, the date fixed for the purpose in the notice under sub- clause (i) of sub- rule (4) shall be re-fixed by the employer, if a written application in this behalf is made by the payee explaining why it is not possible for him to be present in person on the date specified.
- (6) If the claimant for gratuity is a nominee or a legal heir, the employer may ask for such witness or evidence as may be deemed relevant for establishing his identity or maintainability of his claim, as the case may be. In that case, the time limit specified for issuance of notices under clause (i) of sub-rule (4) shall be operative with effect.

from the date such witness or evidence, as the case may be, called for by the employer is furnished to the employer.

- (7) A notice under sub-section (2) of section 56 of the code in **Form-VI** shall be served on the applicant either by personal service after taking receipt or by registered post with acknowledgement due or electronically.
- (8) The gratuity payable under the Code shall be paid through Demand Draft or by crediting in the bank account of the eligible employee, nominee or legal heir, as the case may be.

23. Form of Application to competent authority for direction under clause (b) of subsection (5) of section 56:-

- (1) If an employer:-
 - (i) refuses to accept a nomination under rule 21, or
 - (ii) issues a notice under clause (i) of sub-rule (4) of rule 22 either specifying an amount of gratuity which is considered by the applicant less than what is payable or rejecting eligibility to payment of gratuity, or
 - (iii) having received an application under rule 22 fails to issue notice as required under clause (i) of sub-rule (4) of rule 22 within the time specified therein, the claimant employee, nominee or legal heir, as the case may be, shall within six months of the occurrence of the cause for the application, apply in **Form-VII** to the competent authority for issuing a direction under sub-section (5) of section 56 with as many extra copies as are the opposite party.

Provided that, the competent authority may accept any application on sufficient cause being shown by the applicant, after the expiry of the specified period.

- (2) Application under sub-rule (1) and other documents relevant to such an application shall be presented in person to the competent authority or shall be sent by registered post acknowledgement due or electronically.

24. Procedure for dealing with application for direction:-

1. On receipt of an application under rule 23, the competent authority shall, by issuing a notice in **Form-VIII**, by electronically or registered post acknowledgement due or in person call upon the applicant as well as the employer to appear before him on a specified date, time and place,

either by himself or through his authorised representative together with all relevant documents and witnesses, if any.

2. Any person desiring to act on behalf of an employer or employee, nominee or legal heir, as the case may be, shall present to the competent authority a letter of authority from the employer or the person concerned, as the case may be, on whose behalf he seeks to act together with a written statement explaining his interest in the matter and praying for permission to act. The competent authority shall record thereon an order either according to his approval or specifying, in the case of refusal to grant the permission prayed for, the reasons for the refusal.
3. A party appearing by an authorised representative shall be bound by the acts of the representative.
4. After completion of hearing on the date fixed under sub-rule (1) or after such further evidence, examination of documents, witnesses, hearing and inquiry, as may be deemed necessary, the competent authority shall record his finding as to whether any amount is payable to the applicant under the Code. A copy of the finding shall be given to each of the parties.
5. If the employer concerned fails to appear on the specified date of hearing after due service of notice without sufficient cause, the competent authority may proceed to hear and determine the application ex-parte. If the applicant fails to appear on the specified date of hearing without sufficient cause, the competent authority shall dismiss the application.

Provided that, an order under sub-rule (5) may, on good cause being shown within thirty days of the said order, be reviewed and the application re-heard after giving not less than fourteen days' notice to the opposite party of the date fixed for rehearing of the application.

6. **Place and time of hearing:** The sittings of the competent authority shall be held at such times and at such places as he may fix and he shall inform the parties of the same in such manner as he thinks fit.
7. **Administration of oath:** The competent authority shall authorise a clerk of his office to administer oaths for the purpose of making affidavits.
8. **Summoning and attendance of witnesses:** The competent authority may, at any stage of the proceedings before him, either upon or without an application by any of the parties involved in the proceedings before him, and on such terms as may appear to the competent authority just, issue summons to any person in **Form-VIII** either to give evidence or to produce documents or for both purposes on a specified date, time and place.

9. Service of summons or notice:

- (i) Subject to the provisions of clause (ii) any notice, summons, process or order issued by the competent authority may be served either personally or by registered post acknowledgement due or electronically or in any other manner as prescribed under the Code of Civil Procedure, 1908 (5 of 1908).
- (ii) Where there are numerous persons as parties to any proceeding before the competent authority and such persons are members of any trade union or association or are represented by an authorised person, the service of notice on the Secretary, or where there is no Secretary, on the principal officer of the trade union or association, or on the authorised person shall be deemed to be service on such persons.

10. Maintenance of records of cases by the competent authority:

- (i) The competent authority shall record the particulars of each case under section 56 of the Code and at the time of passing orders shall sign and date the particulars so recorded.
- (ii) The competent authority shall, while passing orders in each case, also record the findings on the merits of the case and file it together with the memoranda of evidence with the order sheet.
- (iii) Any record, other than a record of any order or direction, which is required by these rules to be signed by the competent authority, may be signed on behalf of and under the direction of the competent authority by any subordinate officer appointed in writing for this purpose by the competent authority.

11. Direction for payment of gratuity: If a finding is recorded under sub-rule (4) that the applicant is entitled to payment of gratuity under the Code, the competent authority shall issue a notice to the employer concerned in **Form-IX** electronically or registered post acknowledgement due or in person specifying the amount payable and directing payment thereof to the applicant under intimation to the competent authority within thirty days from the date of the receipt of the notice by the employer. A copy of the notice shall be endorsed to the applicant employee, nominee or legal heir, as the case may be.

25. Appeal under sub-section (8) of section 56:

- (i) The Memorandum of appeal under sub-section (8) of section 56 of the Code shall be submitted to the appellate authority with a copy thereof to the opposite party and

- the competent authority either through delivery in person or under registered post acknowledgement due or electronically.
- (ii) The Memorandum of appeal shall contain the facts of the case, the decision of the competent authority, the grounds of appeal and the relief sought.
- (iii) There shall be appended to the Memorandum of appeal a certified copy of the finding of the competent authority and direction for payment of gratuity.
- (iv) On receipt of the copy of Memorandum of appeal, the competent authority shall forward records of the case to the appellate authority.
- (v) Within fourteen days of the receipt of the copy of the Memorandum of appeal, the opposite party shall submit his comments of each paragraph of the memorandum with additional pleas, if any, to the appellate authority with a copy to the appellant.
- (vi) The appellate authority shall record its decision after giving the parties to the appeal a reasonable opportunity of being heard. A copy of the decision shall be given to the parties to the appeal by electronically or registered post or in person and a copy thereof shall be sent to the competent authority returning his records of the case.
- (vii) The Competent authority shall, on receipt of the decision of the appellate authority, make necessary entry in the records of the case maintained by him.
- (viii) On receipt of the decision of the appellate authority, the competent authority shall, if required under that decision, modify his direction for payment of gratuity and issue a notice to the employer concerned in **Form-IX** specifying the modified amount payable and directing payment thereof to the applicant, under intimation to the competent authority within fifteen days of the receipt of the notice by the employer. A copy of the notice be enclosed to the appellant employee, nominee or legal heir, as the case may be, and to the appellate authority.

26. Application for recovery of gratuity under section 129: Where an employer fails to pay the gratuity due under the Code in accordance with the notice by the competent authority under sub-rule (24) the employee concerned, his nominee or legal heir, as the case may be, to whom the gratuity is payable may apply to the competent authority in duplicate in **Form -X** for recovery thereof under section 129 of the Code.

27. Manner of registration of an establishment by the employer under sub-section (3) and the manner of composition of the Board of Trustees of the approved gratuity fund and the manner in which the competent authority may recover the amount of the gratuity payable to an employee from the insurer under sub-section (4) of Section 57:-

1. The State government shall notify the manner of registration of an establishment by the employer under sub-section (3) of Section 57 in **Form-XI**.
2. The composition of the Board of Trustees of the approved gratuity fund shall be notified by State Government.
3. Any amount directed to be paid under section 57 shall be recoverable as an arrear of land revenue.

28. Competent Authority and Appellate Authority.-

- (1) **Appointment of Competent Authority:** The competent authority shall be appointed by the State Government by notification as required under sub-section (1) of Section 58 of the code.
- (2) The Government may by notification appoint any officer above the rank of the Competent Authority appointed under sub-rule (1) as Appellate Authority for the purpose of section 56 of the Code.

CHAPTER-V MATERNITY BENEFIT

29. Complaint to be made under section 72:-

- (1) A complaint under sub-section (1) of section 72 shall be made in writing in **Form- XII** as the case maybe.
- (2) When a complaint referred to in section 72 is received by an Inspector-cum-Facilitator, he shall examine the relevant records maintained by the employer in this behalf, examine any person employed in the establishment and take down necessary statement for the purpose of the enquiry and if he is satisfied that the maternity benefit or the amount has been improperly withheld, he shall direct the employer to make the payment to the woman or to the person claiming the payment under section 63, as the case may be, immediately or within a specified period.

Provided that the time limit for disposal of complaint shall not exceed 90 days from the date of filing of complaint. In case of non-appearance by either of parties, a maximum of three opportunities may be given before disposal of the complaint.

30. Authority to whom an appeal may be preferred under Section 72:

- (1) An appeal against the decision of the Inspector-cum-Facilitator under sub-section (2) of section 72 shall lie to the Competent Authority to be notified.
- (2) The aggrieved person shall prefer an appeal in writing to the competent Authority in **Form- XIII** and file other supporting documents.

- (3) When an appeal is received, the competent Authority shall call from the Inspector-cum-Facilitator before a fixed date, the record of the case. The competent Authority shall, if necessary, also record the statements of the aggrieved person and of the Inspector-cum-Facilitator and seek clarification if any is required.
- (4) Taking into account the documents, the evidence produced before him and the facts presented to him or ascertained by him, the prescribed Authority shall give his decision within a period of 90 days from filing of application before him. In case of nonappearance by either of the parties, a maximum of three opportunities may be given before disposal of the appeal.

CHAPTER-VI

EMPLOYEE'S COMPENSATION

31. Amount towards funeral expenses if the injury results in death of the employee: The Employer shall deposit a sum not less than rupees twenty five thousand with the competent Authority towards the expenditure of the funeral of the deceased employee which shall be paid to the eldest of the surviving dependant or where the employee did not have a dependant or was not living with his dependant at the time of his death, to a person who actually incurred such expenditure.

Provided that, the State Government may, by notification from time to time, enhance the amount specified above.

32. Conditions when application for review is made without certificate of a medical practitioner under sub-section (1) of section 79:- Application for review of a half monthly payment under section 79 may be made without being accompanied with a medical certificate:-

- (a) by the employer, on the ground that since the right to compensation was determined, the workman's wages have increased;
- (b) by the workman, on the ground that since the right to compensation was determined his wages have diminished;
- (c) by the workman, on the ground that the Employer having commenced to pay compensation, has ceased to pay the same, notwithstanding the fact that there has been no change in the workman's condition such as to warrant such cessation;
- (d) either by the employer or by the workman, on the ground that the determination of the rate of compensation for the time being in force was obtained by fraud or undue influence or other improper means; and
- (f) either by the employer or by the workman, on the ground that the determination of compensation, there is a mistake or error apparent on the face of the record.

33. Interval for medical examination under the proviso to sub-section (1) of section 84.- A workman who is in receipt of a half-monthly payment shall not be required to submit himself for medical examination elsewhere than at the place where he is residing for the time being more than twice in the first month following the accident or more than once in any subsequent month.

34. Class of employers and the form of notice-book under sub-section (4) of section 82.- A notice book in **Form XIV** shall be maintained in all establishment where in 500 work men or more are employed as required under sub-section (4) of section 82 of the Code.

35. Form of statement of fatal accidents to be submitted by the employer under sub-section (1) of section 88.- The notice under section 88 of the Code shall be in **Form XV**.

36. Manner of Recording Memorandum for the purpose of sub-section (1) of Section 89.-
(1) Memorandum of Agreement sent to the Competent Authority under sub-section (1) of section 89 of the Code shall be in duplicate and shall be in as close conformity as the circumstances of the case admit with **Form XVI-A, XVI-B, XVI-C** as the case may be;

(2) The Register of Memorandum shall be in **Form XVI-D**.

37. Qualifications and Experience for Competent authority under sub-section (1) of Section 91.- Subject to the provisions of the section 91 of the Code, the State Government may by notification appoint any Gazetted Officer of not less than five years of experience of in the state labour department who has a Diploma in Personnel Management or who has been notified as a Conciliation Officer under Section 43 of the Industrial Relations Code, 2020 (Central Act No.35 of 2020) to be the Competent Authority for such area as it thinks fit for the purpose of this Code.

38. Procedure of Competent Authority.- Save as otherwise provided in these rules, procedure to be followed by Competent Authority in the disposal of cases under the Code or these rules and by the parties in such cases shall be regulated in the following manner, namely:-

(1) Applications.-

- (i) Any application of the nature referred to in section 93 of the Code may be sent to the Competent Authority by registered post or may be presented to him or to any of his subordinates authorised by him in this behalf and, if so sent or presented, shall, unless the Competent Authority otherwise directs, be made in duplicate in **Form XVII-A or XVII-B** as the case may be and shall be signed by the applicant.

- (ii) There shall be appended to every such application a certificate, which shall be signed by the applicant to the effect that the statement of facts contained in the application is to the best of his knowledge and belief accurate.

(2) Production of documents -

- (i) When the application for relief is based upon a document, the document shall be appended to the application.
- (ii) Any other document which any party desires to tender in evidence shall be produced at or before the first hearing.
- (iii) Any document which is not produced at or within the time specified in sub-rule (1) or (2) as the case may be, shall not without the sanction of the Competent Authority be admitted in evidence on behalf of the party who should have produced it.
- (iv) Nothing in this rule applies to any document which is produced for the purpose of cross-examining a witness or handed to a witness to refresh his memory.

(3) Application presented to wrong Competent Authority.-

- (i) If it appears to the Competent Authority on receiving the application that it should be presented to another Competent Authority he shall return it to the applicant after endorsing upon it the date of the presentation and return, the reason for returning it and the designation of the Competent Authority to whom it should be presented.
- (ii) If it appears to the Competent Authority at any subsequent stage that an application should have been presented to another Competent Authority, he shall send the application to the Competent Authority empowered to deal with it and shall inform the applicant and the opposite party if he has received a copy of the application under sub-rule(8) accordingly.
- (iii) The Competent Authority to whom the application is transferred under sub-clause (2) may continue the proceedings as if the previous proceedings or any part of it had been taken before him, if he is satisfied that the interests of the parties will not thereby be prejudiced.

(4) Examination of applicant.-

- (i) On receiving such application, the Competent Authority may examine the applicant on oath, or may send the application to any officer authorised by Government in this behalf and direct such officer to examine the applicant and his witnesses and forward the record thereof to the Competent Authority.

- (ii) The substance of any examination made under sub-clause (i) shall be recorded in the manner provided for the recording of evidence in section 97 of the Code.

(5) Summary dismissal of application:-

- (i) The Competent Authority may, after considering the application and the result of any examination of the applicant under sub-rule (4) summarily dismiss the application, if, for reasons to be recorded, he is of opinion that there are no sufficient grounds for proceeding thereon.

- (ii) The dismissal of the application under sub-clause (i) shall not preclude the applicant from presenting a fresh application.

(6) Preliminary inquiry into application - If the application is not dismissed under sub-rule (i)

the Competent Authority may, for reasons to be recorded, call upon the applicant to produce evidence in support of the application before calling upon any other party and, if upon considering such evidence the Competent Authority is of opinion that there is no case for the relief claimed, he may dismiss the application with a brief statement of his reasons for so doing.

(7) Notice to opposite party,- If the Competent Authority does not dismiss the application under

sub-rule (5) or (6), he shall send to the party from whom the applicant claims relief (hereinafter referred to as the opposite party) a copy of the application, together with a notice of the date on which he will dispose of the application, and may call upon the parties to produce on that date any evidence which they may wish to tender.

(8) Appearance and examination of opposite party -

- (i) The opposite party may, and if so, required by the Competent Authority, shall at or before the first hearing or within such time as the Competent Authority may permit, file a written statement dealing with claim raised in the application, and any such written statement shall form part of the record.

- (ii) If the opposite party contests the claim, the Competent Authority may, and, if no written statement has been filed, shall, proceed to examine him upon the claim, and shall reduce the result of the examination to writing.

(9) Framing of Issues -

(i) After considering any written Statement and the result of any examination of the parties, the Competent Authority shall ascertain upon what material propositions of fact or law the parties are at variance, and shall thereupon proceed to frame and record the issues upon which the right decision of the case appears to him to depend.

(ii) In recording the issues, the Competent Authority shall distinguish between those issues which in his opinion concern points of fact and those which concern points of law.

(10) **Power to postpone trial of issues of fact where issues of law arise.** - When issues both of law and of fact arise in the same case, and the Competent Authority is of opinion that the case may be disposed of on the issues of law only, he may try those issues first, and for that purpose may, if he thinks fit, postpone the settlement of the issues of fact until after the issues of law have been determined.

(11) **Diary.** - The Competent Authority shall maintain under his hand a brief diary of the proceedings on an application.

(12) **Reasons for postponement to be recorded.** - If the Competent Authority finds it impossible to dispose of an application at one hearing, he shall record the reasons which necessitate a postponement.

(13) Judgment.-

(i) The Competent Authority, in passing orders, shall record concisely in a judgment his finding on each of the issues framed and his reasons for such findings.

(ii) The Competent Authority, at the time of signing and dating his judgment, shall pronounce his decision, and thereafter no addition or alteration shall be made to the judgment other than the correction of clerical or arithmetical mistake arising from any accidental slip or omission.

(14) **Summoning of witnesses.** - If an application is presented by any party to the proceedings for the citation of witnesses the Competent Authority shall, on payment of the prescribed fees and issue summons for the appearance of such witnesses unless he considers that their appearance is not necessary for the just decision of the case.

(15) **Exemption from payment of costs.**- If the Competent Authority is satisfied that the applicant is unable, by reason of poverty, to pay the specified fees, he may remit any or all of such fees.

(16) If the case is decided in favour of the applicant the specified fees which, had they not been remitted, would have been due to be paid, may be added to the cost of the case and recovered in such manner as the Competent Authority in his order regarding costs may direct.

(17) **Right of entry for local inspection.**- The Competent Authority before whom any proceeding relating to an injury by accident is pending may at any time for the purpose of making a local examination enter the place where workman was injured, or where the workman ordinarily performed his work, or for examining any persons likely to be able to give information relevant to the proceedings.

Provided that, the Competent Authority shall not enter any premises of any industrial establishment except during the ordinary working hours of that establishment, save with the permission of the employer or of some person directly responsible to him for the management of the establishment.

(18) **Procedure in connection with Local Inspection.**-

(i) If the Competent Authority proposes to conduct a local inspection with a view to examining on the spot the circumstances in which an accident took place he shall give the parties or their representatives notice of his intention to conduct such inspection, unless in his opinion the urgency of the case renders the giving of such notice impracticable.

(ii) Such notice may be given orally or in writing and in the case of an employer, may be given to any person upon whom notice of a claim can be served under sub-section (3) of section 82 of the Code or to the representatives of any such person.

(iii) Any party or the representative of any party, may accompany the Competent Authority at a local inspection.

(iv) The Competent Authority after making a local inspection, shall note briefly in a memorandum any facts observed, and shall show the memorandum to any

party who desires to see the same, and on payment of the prescribed fee shall supply any party with a copy thereof.

(v) The memorandum shall form part of the record.

(19) Power of summary examination:-

(i) The Competent Authority during a local inspection or at any other time, save at a formal hearing of a case pending before him, may examine summarily any person likely to be able to give information relative to such case whether such person has been or is to be called as a witness in the case or not, and whether any or all the parties are present or not,

(ii) No oath shall be administered to a person examined under sub-clause (i),

(iii) Statements made by person examined under sub-clause (i) if reduced to writing, shall not be signed by the person making the statement, nor shall they except as hereinafter provided, be incorporated in the record or utilized by the Competent Authority for the purpose of arriving at a decision in the case.

(iv) If a witness who has been examined under sub-clause (i) makes in evidence any material statement contradicting any statement made by him in such examination and reduce to writing, the Competent Authority may call his attention to such statement, and shall in that case direct that the parties be furnished with the relevant part of such statement, for the purpose of examining or cross-examining the witnesses.

(v) Any statement or part of statement which is furnished to the parties under clause (iv) shall be incorporated in the record.

(vi) Where a case is settled by agreement between the parties the Competent Authority may incorporate in the record any statement made under sub-clause (i) and may utilise such statement for the purpose of justifying his statement or refusal to accept, the agreement reached.

(20) Procedure where indemnity is claimed under section 85(2) :-

(i) Where the opposite party claims that if compensation is recovered against him, he will be entitled under sub-section (2) of Section 85 to be indemnified by a person not being a party to the case, he shall when first called upon to answer

the application present a notice of such claim to the Competent Authority accompanied by the prescribed fee, and the Competent Authority shall thereupon issue notice to such person in **Form XVIII-A**.

- (ii) If any person served with a notice under sub-clause(i) desires to contest the applicant's claim for compensation or the opposite party's claim to be indemnified, he shall appear before the Competent Authority on the date fixed for the hearing of the case or on any date to which the case may be adjourned and, if he so appears, shall have all the rights of a party to the proceedings in default of so appearing he shall be deemed to admit the validity of any award made against the opposite party and to admit his own liability to indemnify the opposite party for any compensation recovered from him;

Provided that, if any person so served appears subsequently satisfies the Competent Authority that he was prevented by any sufficient cause from appearing, the Competent Authority shall after giving notice to the aforesaid opposite party, hear such person and may set aside or vary any award made against such person under this rule upon such terms as may be just.

- (iii) If any person served the with a notice under claim sub-clause(i) whether or not he desires to contest the applicant's claims for compensation or the opposite party's claim to be indemnified, claims that being a contractor he is himself a principal and is entitled to be indemnified by a person standing to him in the relation of a contractor from whom the workman could have recovered compensation, he shall on or before the date fixed in the notice under sub-clause(i) present a notice of such claim to the Competent Authority accompanied by the prescribed fee and the Competent Authority shall thereupon issue notice to such person in **Form XVIII-B**.

- (iv) If any person served with a notice under sub-clause (iii) desires to contest the applicant's claim for compensation, or the claim under sub-clause (iii) to be indemnified he shall appear before the Competent Authority on the date fixed in the notice in **Form XVIII-B** on or any date to which the case may be adjourned and, if he so appears shall have all the rights of a party to the proceedings in default of so appearing, he shall be deemed to admit the validity of any award made against the original opposite party or the person served with

a notice under sub- clause (i) and to admit his own liability to indemnify the party against whom such award is made for any compensation recovered from him.

Provided that, if any person so served appears subsequently and satisfies the Competent Authority that he was prevented by any sufficient cause from appearing, the Competent Authority shall, after giving notice to all parties on the record, hear such person, and may set aside or vary any award made against such person under this rule upon such terms as may be just.

- (v) In any proceeding in which a notice has been served on any person under sub- clause (i) or sub- clause (iii), the Competent Authority shall, if he awards compensation, record in his judgment a finding in respect of each of such persons whether he is or is not liable to indemnify any of the opposite parties, and shall specify the party, if any, whom he is liable to indemnify.

(21) Procedure in connected cases.—

- (i) Where two or more cases pending before a Competent Authority arise out of the same accident, and any issue involved is common to two or more such cases, such cases may so far as the evidence bearing on such issues is concerned, be heard simultaneously.
- (ii) Where action is taken under sub- clause (i), the evidence bearing on the common issue or issues shall be recorded on the record of one case and the Competent Authority shall certify under his hand on the record applies to such other case and the fact that the parties to such other case had the opportunity of being present, and if they were present, of cross-examining the witnesses.

- (22) Certain provisions of Civil Procedure Code, 1908 (Central Act No. 5 of 1908) to apply.**
Save as otherwise expressly provided in the Code or these rules, the following provisions of the First Schedule to the Code of Civil Procedure, 1908 (Central Act No. 5 of 1908), namely, those contained in Order V, Rule 9 to 30; Order VII, Rules 9 to 18; Order IX; Order XIII; Order XVI; Order XVII and Order XXIII, Rules 1 to 3, shall apply to proceedings before Competent Authority, in so far as they may be applicable thereto;

Provided That,-

- (a) for the purpose of facilitating the application of the said provisions, the Competent Authority may construe them with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before him;
- (b) the Competent Authority may, for sufficient reasons proceed otherwise than in accordance with the said provisions, if he is satisfied that the interests of the parties will not thereby be prejudiced.

(23) Any form other than a receipt for compensation which is by these rules required to be signed by a Competent Authority may be signed under his direction and on his behalf by any officer subordinate to him appointed by him in writing for this purpose.

(24) **Apportionment of compensation among dependants.** - The provisions of this part, except those contained in Sub-rule (8), (9) and (20) shall, as far as may be, apply in the case of any proceedings relating to the apportionment of compensation among dependants of a deceased workman.

(25) Every application made to the Competent Authority under section 93 of the code shall be disposed off by the Competent within six months from the date it is presented to the Competent Authority.

Provided that, if the Competent Authority is unable to dispose off the application within the stipulated period of six months, he shall at the time of final disposal of the application state the reasons therefore in the Diary Maintained under sub-rule (11) of this rule.

CHAPTER-VII

CESS IN RESPECT OF BUILDING AND OTHER CONSTRUCTION WORKERS

39. Time limit for payment of cess under section 101.- Every employer shall pay cess payable within thirty days from the date of receipt of the assessment order.

40. Fees for appeal under sub-section (2) of Section 105.— An employer aggrieved by an order of the assessment may file an appeal against such order, to the Appellate Authority as notified by the State Government in this regard with a non-refundable fee equivalent to one-half percent, but

not exceeding rupees twenty five thousand, of the amount in dispute or penalty or both, as the case may be, under such appeal.

CHAPTER - VIII FINANCE AND ACCOUNTS

41. Accounts:-

- (1) The income and expenditure of the Social Security Organisation shall be maintained in such forms and registers as required by the Karnataka Financial Code, 1958 and the Rules and Notifications made there under.
- (2) **Approval of the Budget:-** The budget estimates for every financial year shall be prepared and laid before the Board on or before the 31st day of January of the previous financial year and after it is approved by the Board the same shall be forwarded to the State Government for approval on or before the 10th February. The State Government shall approve the Budget before the 28th February, after making such amendments and alterations as it considers necessary.
- (3) The budget amended or altered and approved shall constitute the budget of the Board for the financial year and shall be issued under the seal of the Board and signed by the officers or officers of the Board duly authorized in this behalf.
- (4) An authenticated copy of the approved budget shall be forwarded to the State Government before the 15th of March.
- (5) The Board shall submit to the State Government and Central Government as soon as may be after the 1st of April every year and not later than 31st day of October an Annual Report in **Form XIX** on the working of the Board during the preceding year ending on 31st March of the year along with audited copy of Accounts together with an Auditor's report.
- (6) The Boards may from time to time invest any moneys vested in it which are not immediately required for expenses of the Board in any Nationalised Bank, scheduled Banks or Government Securities as the Board thinks it fit and proper.
- (7) The Boards may open such accounts in the name of the Chief Executive Officer or Member Secretary as the case may be, necessary for receipt of fees, subscription amount, cess or any other source of income to the Boards and Administrative account as the case may be.
- (8) All accounts of the Board shall be held in the name of the Chief Executive officer or Member Secretary, as the case may be, and he shall be the drawing and disbursing officer.
- (9) All expenses for the administration of the Fund, fees and allowances of the Members of the Board, salaries, leave salaries, joining time pay, travelling allowance, compensatory

allowance, charge allowances, pension contribution and other benefits of personal expenses for the legitimate needs of the Board and the stationery expenses shall be met from administrative account of the Board.

42. Holding of Property etc, by Social Security Organisation.- The conditions to acquire, hold, sell or otherwise transfer any movable or immovable property under sub-section (1), conditions to invest moneys, re-invest or realise investments under sub-section (2) terms to raise loans and take measures for discharging such loans under sub-section (3) and terms to constitute for the benefit of officers and staff or any class of them, provident or other benefit funds under sub-section (4) of section 120 of the code shall be as decided by the Board by a resolution approved by not less than 2/3 majority.

CHAPTER -IX

AUTHORITIES, ASSESSMENT, COMPLIANCE AND RECOVERY

43. Maintenance of records and registers under section 123:-

- i. Every employer shall maintain the following registers electronically or otherwise and shall be kept available at the office of the establishment or the nearest convenient building within the precincts of the establishment; A combined register in **Form XX** showing the following details namely;
 - (i) Wage paid to the employees;
 - (ii) Leave, leave wages, wages for overtime work and attendance;
 - (iii) Employees identification number;
 - (iv) Statutory deduction from wages in – respect of chapter III and IV of the Code;
 - (v) Register for Number of days for which work performed by the employees in **Form XXI**;
 - (vi) Register for Number of hours of work performed by the employees in **Form XXI**;
 - (vii) Register for Total number of employees in **Form XXI**;
 - (viii) Register for Persons recruited for a particular period in **Form XXII**;
 - (ix) Register for Occupational details of employees in **Form XXII**;
 - (x) Register of dangerous occurrences, accidents, injuries in-respect of which compensation paid and the amount of compensation paid in **Form XXIII**;
 - (xi) Register of cess paid in **Form XXIV**;
 - (xii) Register of vacancies for which suitable candidates were not available in **Form XXV**;

2. The State Government may by notification prescribe the manner and the form to be displayed by the employer in work place from time to time under Section 123 (b).

44. Register of Women Employees.-

- (1) The employer of every establishment in which women are employed shall prepare and maintain a register of women employees in **Form XXVI** electronically or in hard copy and shall enter therein particulars of all women employees in the establishment.
- (2) The register shall always be available for inspection scheme for the Inspector-cum-facilitator.
- (3) The employer may enter in the register of women employees such other particulars as may be required for any other purpose of the Code.

45. Records.- The electronic records maintained under the provisions of Chapter V and Chapter VI of this Code and rules framed under shall be preserved for a period of three years from the date their preparation.

46. Annual Returns.-

- (1) The employer to which the provisions of Chapter V and Chapter VI of the Code applies, on or before the last day of February in each year, upload a unified consolidated annual return in **Form XXVII** online on the web portal of the State Government giving information as to particulars specified in respect of the preceding year:

Provided that, during inspection, the Inspector-cum-Facilitator may require the production of accounts, book, register and other documents maintained in electronic form or otherwise.

Explanation.- For the purpose 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, 2008 (Central Act 21 of 2008).

- (2) If the employer to which the code applies sells, abandons or discontinues the working of the establishment, 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 State Government a further unified consolidated annual return in **Form XXVII** referred to in sub-rule (1) in respect of the period between the end of the preceding year and the date of sale, abandonment or discontinuance.

47. Inspection Scheme:-

(1) The Government may by notification lay down an inspection scheme which may provide for a web-based inspection and calling of information under this code electronically and such other related to inspections for implementing the provisions of the code except those under Chapter III and Chapter IV

(2) The Government may by notification appoint such persons as it thinks fit for such geographical area as may be specified to be Inspector-cum-Facilitator for the purposes of implementing the provisions of this Code except for the purposes of Chapter III and Chapter IV under the control and supervision of the Government

CHAPTER- X

OFFENCES AND PENALTIES

48. Compounding of offences: The State Government may by notification in the official Gazette appoint an officer to compound the offences as required under sub-section (1) of section 138 of the State Labour Department for such area as it thinks fit for the purpose of compounding of offences under sub-section (1) of the section 138 of the Code in respect of those provisions for which the State Government is the appropriate Government.

49. Manner of compounding of offences by the officer specified under sub-section (1) of section 138:-

1. Any accused person intending to compound the offence alleged against him which is compoundable under this Code may submit an application in **Form XXVIII** to the officer notified by the Government for the purpose of compounding of offences under sub-section (1) of section 138 (herein after referred to as the compounding officer).
2. If prosecution is pending before the Judicial First Class Magistrate Court under sub section (3) of Section 136 the compounding officer shall send an intimation of the receipt of application for composition to the court concerned.
3. The Compounding officer, after due enquiry, found that the offence is compoundable, issue an order of composition directing to deposit the amount within fifteen days from the date of receipt of order.
4. On receipt of the amount of composition, the compounding officer shall issue intimation in writing to the Judicial First Class Magistrate Court where the prosecution is pending to discharge the accused.

5. The accused person failed to remit the compounding amount within the time prescribed, in sub rule (3), he is liable for a fine according to sub section (7) of section 138.
6. The accused person failed to remit the composition amount as per sub rule (3) and (5), the compounding officer shall issue a certificate for that amount to the District Collector who shall recover the same as arrears of land revenue.
7. The provisions of section 320 of the Code of Criminal Procedure, 1973 shall apply to such compositions.

CHAPTER- XI EMPLOYMENT INFORMATION AND MONITORING

50. Manner and form of reporting vacancies and form of filing the return by the employer, to the concerned career centre under sub-section (2) of section 139.—

1. Reporting of Vacancies to Career Centres;

- (a) After the commencement of this Code in the State or area thereof, the employer in every establishment in public sector in that State or area shall, before filling up any vacancy in any employment in that establishment, report that vacancy or cause to be reported to such Career Centre as may be specified in the notification by the State Government.
- (b) The employer in every establishment in private sector or every establishment pertaining to any class or category of establishments in private sector shall, before filling up any vacancy in any employment in that establishment, report that vacancy or cause to be reported to such Career Centre from such date as may be specified in the notification by the State Government.
- (c) State Government shall provide for mechanism (including digital) for receipt of vacancies reported by the employers. Career Centre to which the vacancies are reported, would provide a unique vacancy reporting number for the vacancy reported and convey it to the employer in writing, through email or digitally or through any other such media immediately but in any case not later than three working days from the date of receipt of reporting of vacancies.

Explanation.— (i) Establishment in “public sector” means an establishment owned, controlled or managed by,—

- (i) the Government or a Department of the Government
- (ii) a Government company as defined in clause (45) of Section 2 of the Companies Act, 2013 (No. 18 of 2013);

- (iii) a corporation (including a co-operative society) or an autonomous organization or an authority or a body established by or under a Central or State Act, which is owned, controlled or managed by the Government; and
- (iv) a local authority.

(2) "Establishment in private sector" means an establishment which is not an establishment in public sector and with ordinarily **50 or more employees** or such number of employees as may be notified by the State Government.

2. Type of vacancies and respective Career Centre for reporting of vacancies.—

(a) The following vacancies, namely,–

- (i) All vacancies in posts of Technical and Scientific nature carrying a minimum pay or pay level or both as notified by the State Government, occurring in establishments in respect of which the State Government is the appropriate Government under the Code; and
- (ii) Vacancies which an employer may desire to be circulated to the Career Centres outside the State or Union Territory in which the establishment is situated shall be reported to such Career Centre as may be specified by the State Government by notification.

(b) Vacancies which have been reported to the Career Centre and for which recruitment is to be made on State or Inter-State or all India basis, shall also be reported to Career Centre(Central) or uploaded on a digital portal as specified by the Central Government by notification.

3. Form and manner of reporting of vacancies:

- (a) The vacancies shall be reported in writing or through valid official email or digitally to the Career Centre specified by the State Government.
- (b) The vacancies shall be reported in the format given at **Form XXIX**, furnishing as many details as practicable, separately in respect of each type of vacancy.
- (c) Any change in the particulars already furnished to the Career Centre under clause (a) of sub-rule(3), shall be reported in writing or through official email or digitally as the case may be, to the specified Career Centre.

4. **Time limit in the reporting of vacancies.**—Vacancies, required to be reported to the Career Centre, shall be reported at least fifteen days before the last date of receipt of the applications of the prospective candidates for purpose of appointment or taking interview or test against the vacancies reported.

5. **Maintenance of records.**—

(a) After commencement of this Code in any state or area thereof, the employers in every establishment in the public sector in that state or area shall maintain records manually or electronically or digitally about:

- (i) Total number of employees (regular, contractual or fixed term employment) on 31st March of every year;
- (ii) Persons recruited during the year ending on 31st March;
- (iii) Occupational details of its employees on 31st March of every year; iv) Vacancies for which suitable candidates were not available during the year ending on 31st March; and
- (v) Approximate number of vacancies likely to occur during the next financial year.

(b) State Government may by notification, require that from such date as may be specified in the notification, the employer in every establishment in private sector or every establishment pertaining to any class or category of establishment in private sector shall maintain records manually or electronically or digitally about:

- (i) Total number of employees (regular, contractual or fixed term employment) on 31st March of every year;
- (ii) Persons recruited during the year ending on 31st March;
- (iii) Occupational details of its employees on 31st March of every year;
- (iv) Vacancies for which suitable candidates were not available during the year ending on 31st March; and
- (v) Approximate number of vacancies likely to occur during the next financial year.

6. **Submission of returns.**—An employer shall furnish to the concerned Career Centre yearly returns in form EIR (Employment Information Return) as given at **Form-XXX** Yearly returns shall be furnished manually or, electronically, or digitally, as the case may be, as specified by the respective State Government in notification, within thirty days of the due date namely 31st March of the year.

7. Declaration of Executive Officer.—The Director of Employment, controlling the work of Career Centres of the respective State Government, will declare in writing an officer looking after the work of Career Centres as “Executive Officer” for each district for the purpose of enforcement/implementation of Chapter XIII (Employment Information and Monitoring) of the Code. He shall be the officer who shall exercise the rights and perform duties referred to in section 139 of the Code, or authorize any person in writing to exercise those rights and perform duties.

8. Levy of penalty under the Chapter XIII of the Code.—The Director of Employment or an officer of equivalent or above rank, controlling the work of Career Centres, of the respective State shall be the competent authority to approve institution or sanction the institution of levy of penalty for an offence under the Code as mentioned in section 137.

CHAPTER- XII MISCELLANEOUS

51. Such other sources of funding and the manner of administering and expending of the fund under sub-section (5) of section 141,—

1. There shall be established a Social Security Fund by the State Government for the welfare of the Unorganised Workers under sub-section (5) of Section 141 and shall be named as Karnataka Unorganised Workers’ Social Security Fund.
2. In addition to source of fund mentioned in clause (f) sub-section (5) of Section 141, the amount received from the following sources shall be credited to this fund, namely:—
 - (i) Amount given by the State Government for the establishment of the fund.
 - (ii) The amount of grant given by the Central Government, the State Government and other authorities and statutory bodies.
 - (iii) Amount received for registration or renewal of beneficiaries and their contribution.
 - (iv) Amount received for implementation of the scheme notified by the Central Government.
 - (v) Amount received for implementation of the scheme notified by the State Government.
 - (vi) Contribution or donation or any other financial support from employer, their association or from Corporate Social Responsibility (CSR) Fund as determined by the State Government by general or special order.
 - (vii) Funds received under sub-section (1) Section 115 of the Occupation Safety, Health and Working Conditions Code, 2020 relating to the State Government.

(viii) Any other source which is approved by the State Government through notification.

3. The State Government shall identify other sources for funding or replenishing the Social Security Fund, from time to time.
4. The fund shall be administered by the State Government through Karnataka Unorganised Workers' Social Security Board.
5. The Karnataka Unorganised Workers' Social Security Board may also engage any institution for the administration of the fund, in the manner, as notified by the State Government and in such case directions of the State Government, if any, shall be complied by such institution for the administration of the Social Security Fund.
6. The statement of accounts of Social Security Fund shall be maintained by the Karnataka Unorganised Workers' Social Security Board or the institution engaged by the Karnataka Unorganised Workers' Social Security Board, as the case may be, in the form and manner as specified by the State Government and shall be submitted to the State Government from time to time.
7. The accounts of the Social Security Fund shall be audited by the Accountant General, Karnataka.

By order and in the name of
Governor of Karnataka,

(Praveena Kumara Hanni)
Desk Officer-3,
Labour Department.

FORM-I

[See rule 17]

To,

**APPEAL TO EMPLOYEES' INSURANCE
COURT**

Sir,

The Authority,
(Appointed under the Code)

(Address)

I, _____, the undersigned, employee of _____ (Name and full address of the establishment) feel aggrieved by the order of _____ under sub-section 7(a) of section 37 for the reasons attached hereto, prefer this second appeal under sub-section 7(b) of section 37 and request that the said _____ be ordered _____.

A copy of the order of _____ in this behalf is enclosed.

Date: _____

Signature or thumb impression
of the Aggrieved person

Signature of an Attester in case the person is not
able to sign and affixes thumb impression.

FORM-B
[See rule 18 (2)]
APPLICATION TO EMPLOYEES' INSURANCE COURT

In the Employees' Insurance Court at _____

Applicant

(Name, address and cause of action)

Against

Opposite Party (name and address) Other Particulars of Application specified in rule 18(2)

Date _____

Signature of Applicant

(Verification by the Applicant)

The statement of facts contained in this application is to the best of my knowledge and belief, true and correct;

Date _____

Signature

FORM III

[See rule 18(5)]

REGISTER OF APPLICATIONS

Date of presentation of application	No of proceedings	Name		Place of residence		Application description		Particulars	Claim amount of value if any	When the cause of action occurred	Days for the parties to appear	Applicant		Appeal				Execution			Remarks, if any
		Applicant	Opposite party	Applicant	Opposite party	Applicant	Opposite party					Applicant	Opposite party	Date of decision	Judgment in appeal	Date of application	Appeal against which	Resistor and amount of duty	Cost	Date of order of transfer if in money	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22

FORM-IV

[See rule 21(1) to 21(4)]

NOMINATION/FRESH NOMINATION/MODIFICATION OF NOMINATION

(Strike out the words not applicable)

To _____

(Give here name or description of the establishment with full address)

I, Shri/Shrimati/Kumari _____ (Name in full here) whose particulars are given in the statement below, hereby nominate the person(s) mentioned below/ have acquired a family within the meaning of clause (33) of section 2 of Code on Social Security, 2020 with effect from the _____ (date here) in the manner indicated below and therefore nominate afresh the person(s) mentioned below to receive the gratuity payable after my death as also the gratuity standing in my credit in the event of my death before that amount has become payable, or having become payable has not been paid and direct that the said amount of gratuity shall be paid in proportion indicated against the name(s) of the nominee(s).

or

I, Shri/Shrimati/Kumari _____ (Name in full here) whose particulars are given in the statement below, hereby give notice that the nomination filled by me on date _____ and recorded under your reference No. _____ dated _____ shall stand modified in the following manner:-

**Strike out unnecessary portion.*

2. I hereby certify that the person(s) mentioned is/are a member(s) of my family within the meaning of clause (33) of section 2 of the Code on Social Security, 2020.

3. I hereby declare that I have no family within the meaning of clause (33) of section 2 of the said Code.

4 (a) My father/mother/parents is/are not dependent on me.

(b) My husband's father/mother/parents is/are not dependent on my husband.

5. I have excluded my husband from my family by a notice dated the _____ to the competent authority in terms of clause (33) of section 2 of the said Code.

6. Nomination made herein invalidates my previous nomination.

Nominee(s)

Sl. No.	Name in full with full address of nominee(s)	Relationship with the employee	Age of nominee	Proportion by which the gratuity will be shared
1				
2				
3				
So on				

Manner of acquiring a "Family"

(Here give details as to how a family was acquired, i.e., whether by marriage or parents being considered dependent or through other process like adoption)

Statement

1. Name of employee in full
2. Sex
3. Religion
4. Whether unmarried/married/widow/widower
5. Department/Branch/Section where employed
6. Post held with Ticket No. or Serial No., if any
7. Date of appointment
8. Permanent address and contact details

Signature/Thumb-impression of the Employee

Certificate by the Employer

Certified that the particulars of the above nomination have been verified and recorded in this establishment.

Employer's Reference No., if any

Signature of the employer/Officer authorized
Designation

Date: Name and address of the establishment (seal/stamp thereof).

Acknowledgement by the Employee

Received the duplicate copy of nomination in FORM-IV filed by me and duly certified by the employer.

Date: _____

Signature of the Employee

FORM-V

[Sec rule 22(1) and (3)]

APPLICATION FOR GRATUITY BY AN EMPLOYEE/NOMINEE/LEGAL HEIR

(Strike out the words not applicable)

To _____

(Give here name or description of the establishment with full address)

Sir/Madam,

I, _____ (Name of employee/nominee/legal heir) / Nominee of late _____ (Name of the employee) as a legal heir of late _____ (Name of the employee), want to apply for payment of gratuity to which I am entitled under sub-section (1) of section 33 of the Code on Social Security, 2020 on account of-

- (a) my superannuation/retirement/resignation after completion of not less than five years of continuous service/total disablement due to accident/total disablement due to disease on termination of contract period under fixed term employment with effect from the or;
- (b) death of the aforesaid employee while in service/superannuation on _____ after completion of _____ years of service/total disablement of the aforesaid employee due to accident or disease while in service with effect from the or;
- (c) death of aforesaid employee of your establishment while in service/superannuation on _____ (date) without making any nomination after completion of _____ years of service/total disablement of the aforesaid employee due to accident or disease while in service with effect from _____

Necessary particulars relating to my appointment are given in the statement below.

- 1. Name of employee in full, (if the gratuity is claimed by an employee)
 - a. Marital status of employee (unmarried/married/widow/widower)
 - b. Address in full of employee
- or
- 2. Name of nominee/legal heir, (if the gratuity is claimed by nominee/legal heir)
 - a. Name of Employee
 - b. Marital status of nominee/legal heir (unmarried/married/widow/widower)
 - c. Relationship of nominee/legal heir with the employee
 - d. Address in full of nominee/legal heir
 - e. Date of death and proof of death of the employee
 - f. Reference No. of recorded nomination, if available
- 3. Department/Branch/Section where last employed
- 4. Post held by employee
- 5. Date of appointment

6. Date and cause of termination of service
7. Date of Death
8. Total period of service of the employee
9. Total wages last drawn by the employee.
10. Total gratuity payable to the employee/ share of gratuity claimed by a nominee/legal heir.
11. Payment may please be made by crossed bank cheque/credit in my Bank Account No.

Yours faithfully,

Place,

Date:

Signature/Thumb-impression of
the applicant employee/nominee/legal heir.

FORM-VI

[See rule 33]

NOTICE FOR PAYMENT/REJECTING CLAIM OF GRATUITY*(Strike out the words not applicable)*

To:

(Name and address of the applicant employee/nominee/legal heir)

You are hereby informed that

- (a) *as required under clause (i) of sub-rule (4) of rule 22 of the Karnataka Social Security Rules, 2022 that a sum of Rs. _____ (Rupees.....) is payable to you as gratuity/as your share of gratuity in terms of nomination made by _____ on _____ and _____ recorded in this _____ as a legal heir of _____ an employee of this establishment.
- (b) *as required under clause (ii) of sub-rule (4) of rule 22 of the Karnataka Social Security Rules, 2022, that your claim for payments of gratuity as indicated on your application in **FORM-V** under the said rules is not admissible for the reasons stated below:
Reasons (Here specify the reasons), or
2. *Please call at _____ on _____ (Here specify place) _____ (date) at _____ (time) for collecting your payment of gratuity crossed cheque.
 3. Amount payable shall be sent to you through demand draft or shall be credited in your bank account as desired by you.
 4. Brief statement of calculation
 - (a) Date of appointment _____
 - (b) Date of termination/superannuation/resignation/disablement/death _____
 - (c) Total period of service of the employee concerned _____
years _____ months _____
 - (d) Wages last drawn: _____
 - (e) Proportion of the admissible gratuity payable in terms of nomination as a legal heir: _____
 - (f) Amount payable: _____

**strike out para. if not applicable*

Place:

Date:**Signature of the Employer/authorized officer**

Name or description of establishment or rubber stamp thereof:

Copy to the Competent Authority having jurisdiction:

FORM-VII

[See rule 23(1) (ii)]

APPLICATION FOR DIRECTION

Before the Competent Authority under Chapter V of the Code

Application No. _____

Date: _____

BETWEEN

(Name in full of the applicant with full address) AND

(Name in full of the employer concerned with full address)

1. The applicant is an employee of the above-mentioned employer's nominee of late _____ is employee of the above-mentioned employer's legal heir of late _____ and employee of the above-mentioned employer, and is entitled to payment of gratuity under section 53 of the Code on Social Security, 2020 on account of his own/foresaid employee's superannuation on _____ (date) / his own retirement/foresaid employee's resignation on _____ (date) completion of _____ years of continuous service/his own /foresaid employee's total disablement with effect from _____ (date) due to accident/disease death of foresaid employee on _____.
2. The applicant submitted his application under Rule _____ of the Karnataka Social Security Rules, 2022 on the _____ but the above-mentioned employer refused to entertain it/issued a notice dated the _____ under clause _____ of sub-rule of rule _____ offering an amount of gratuity which is less than my due/issued a notice dated the _____ under clause _____ of sub-rule _____ of rule _____ rejecting my eligibility to payment of gratuity. The duplicate copy of the said notice is enclosed.
3. The applicant submits that there is a dispute on the matter (specify the dispute): _____
4. The applicant furnishes the necessary particulars in the annexure hereto and prays that the Competent Authority may be pleased to determine the amount of gratuity payable to the petitioner and direct the above-mentioned employer to pay the same to the petitioner.
5. The applicant declares that the particulars furnished in the annexure hereto are true and correct to the best of his knowledge and belief.

Place: _____

Date: _____

Signature/Thumb impression of the applicant

ANNEXURE

1. Name in full of applicant with full address
2. Basis of claim (Death/Superannuation/Retirement/Resignation/Disablement of Employee/Completion of contract period under Fixed Term Employment)
3. Name and address in full of the employee
4. Marital status of the employee (unmarried/married/widow/widower)
5. Name and address in full of the employer
6. Department/Branch/Section where the employee was last employed (if known)
7. Post held by the employee with Ticket or Sl. No., if any (if known)
8. Date of appointment of the employee (if known)
9. Date and cause of termination of service of the employee (Superannuation / retirement / resignation / disablement / death/Completion of contract period under Fixed Term Employment)
10. Total period of service by the employee
11. Wages last drawn by the employee
12. If the employee is dead, date and cause thereof
13. Evidence/witness in support of death of the employee
14. If a nominee, No. and date of recording of nomination with the employer
15. Evidence/witness in support of being a legal heir if a legal heir
16. Total gratuity payable to the employee (if known)
17. Percentage of gratuity payable to the applicant as nominee/legal heir
18. Amount of gratuity claimed by the applicant

Place:

Date:

Signature / Thumb-impression of the applicant

FORM-VIII

[See rules 24 (1) and (8)]

NOTICE FOR APPEARANCE BEFORE THE COMPETENT AUTHORITY/SUMMON

(Strike out the words not applicable)

To,

(Name and address of the employer/applicant)

Whereas Shri _____ an employee under you/a
nominee(s)/legal heir(s) of Shri _____ an employee under the above-
mentioned employer, has/have filed an application under sub-rule (4) of rule 35 of the Karnataka Social
Security Rules, 2022 alleging that—

(A copy of the said application is enclosed, if summon is issued then copy of application is not required)

Now, therefore, you are hereby called upon/summoned to appear before the Competent Authority at
_____ (place) either personally or through a person duly authorized in this behalf for the purpose
of answering all material questions relating to the application on the _____ day of _____ 20____ at
_____ O'clock in the forenoon/afternoon in support of/to answer the allegation; and as the day fixed for your
appearance is appointed for final disposal of the application, you must be prepared to produce on that day all
the witnesses upon whose evidence, and the documents upon which you intend to rely in support of your
allegation/defence.

Take notice that in default of your appearance on the day before-mentioned, the application will be
dismissed/heard and determined in your absence.

Whereas your attendance is required to give evidence/you are required to produce the documents mentioned
in this list below, on behalf of _____ in the case arising out of
the claim for gratuity by _____ Form _____ and referred to this Authority by an application under
section 56 of the Code on Social Security, 2020, you are hereby summoned to appear personally before
this Authority on the _____ day of
_____ 20_____ at _____ O'clock in the forenoon/afternoon and to bring with you for to send to
this Authority the said documents.

List of documents

1.

2.

3. so on

Given under my hand and seal, this _____ day of _____ 20____

Competent Authority
under the Code on Social Security, 2020

Note: 1. Strike out the words and paragraphs not applicable.

2. The portion not applicable to be deleted.

3. The summons shall be issued in duplicate. The duplicate is to be signed and returned by the person served before the date fixed.

4. In case the summons is issued only for producing a document and not to give evidence it will be sufficient compliance to the summons if the documents are caused to be produced before the competent authority on the day and hour fixed for the purpose.

FORM-IX

[See rules 24(11) and 25(viii)]

NOTICE FOR PAYMENT OF GRATUITY

AS DETERMINED BY COMPETENT

AUTHORITY

(Strike out the words not applicable)

To,

(Name and address of employer)

1. Whereas Shri/Smt./Kumari _____
an employee _____ (address) under you/a nominee(s) legal
heir(s) of late _____ an employee under you, filed an application under
section 56 of the Code on Social Security, 2020, before me; or

Whereas a notice was given to you on _____ requiring you to make payment of
Rs. _____ to Shri/Smt./Kumari _____ as gratuity under the Code on Social
Security, 2020;

2. And whereas the application was heard in your presence on _____ and after the hearing have
come to the finding that the said Shri/Smt./Kumari _____ is entitled
to a payment of Rs. _____ as gratuity under the Code on Social Security, 2020; or

Whereas you/the applicant went in appeal before the appellate authority, who has decided that an amount
of Rs. _____ is due to be paid to Shri/Smt./Kumari _____ as gratuity due under the Code
on Social Security,
2020;

Now, therefore, I hereby direct you to pay the said sum of Rs. _____ to
Shri/Smt./Kumari _____ within thirty days of the receipt of this notice
with an intimation thereof to me.

Given under my hand and seal, this _____ day of _____ 20_____.

Competent Authority
under the Code on Social Security, 2020

Copy to

1. The Applicant- He is advised to contact the employer for collecting payment.
(Strike out paragraph(s) if not applicable)

FORM-X

[See rule 26]

APPLICATION FOR RECOVERY OF GRATUITY

Before the Competent Authority under Chapter V of the Code

Application No. _____

Date: _____

BETWEEN

(Name in full of the applicant with full address):

AND

(Name in full of the employer/Trust/Insurer concerned with full address):

1. The applicant is an employee of the above-mentioned employer's nominee of late _____

an employee of the above mentioned employer's legal heir of late _____ an

employee of the above-mentioned employer, and you were pleased to direct the said employer in your

notice dated the _____ under _____ sub-rule (11) or sub-rule

(12) of rule 35 of the Karnataka Social Security Rules, 2022 for payment of a sum of Rs. _____ as

gratuity payable under the Code on Social Security, 2020.

2. The applicant submits that the said employer failed to pay the said amount of gratuity to me as directed by you although I approached him for payment.

3. The applicant therefore prays that a certificate may be issued under section 129 for recovery of the said sum of Rs. _____ due to me as gratuity in terms of your

direction.

Signature/Thumb-impression
of applicant

Place: _____

Date: _____

Note.—Strike out the words not applicable.

FORM-XI

[See rule 27 (3)]

**APPLICATION FOR REGISTRATION OF AN ESTABLISHMENT UNDER
SUB-SECTION (3) OF SECTION 57**

A. Establishment Details:

1. Retrieve details of Establishment through LIN/Registration Number:
2. Name of Establishment:
3. Location and Address of the Establishment:
4. Others details of Establishment:
 - a. Total Number of employees engaged directly in the establishment:
 - b. Total Number of the contract employees engaged:
 - c. Total Number of Inter-State Migrant workers employed:
5. Ownership Type/Sector:
6. Activity as per National Industrial Classification (NIC):
7. Details of Selected NIC Code:
8. Identification of the establishment e-sign/ digital sign of employer representative:

B. Details of Employer:-

1. Name & Address of Employer / Occupier / Owner/Agent/ Chief Executive-
2. Designation:
3. Father's/ Husband's Name of the Employer:
4. Email Address, Telephone& Mobile No:

C. Manager/ Agent Details

1. Full name & Address of Manager/ Agent or person responsible for supervision and control of the Establishment:
2. Address of Manager/ Agent:
3. Email Address, Telephone& Mobile No:

D. Details of Approved Gratuity Fund/Insurance obtained for liability of payment towards the Gratuity;

E. Others Details:-

Signature/ E-sign/digital sign of employer

Dated:-

Place:-

FORM-XII

[See rule 29 (1)]

COMPLAINT TO THE INSPECTOR-CUM-FACILITATOR

To,

The Inspector-cum-Facilitator
(Under The Code on Social Security, 2020)

Sir,

I _____ (Name of woman) employed in _____ (name and full address of the establishment) or I _____ (name), a person nominated under section 62 by or a legal representative of _____ (name of woman) employed in _____ (name and full address of the establishment) having fulfilled the conditions laid down in the Code on Social Security, 2020 and the Rules there under, am entitled to Rs. _____ being maternity benefit and/or Rs. _____ being the medical bonus and/or Rs. _____ being wages for leave due under section 65 but the same has been improperly withheld by the employer/discharged or dismissed during on account of her absence from work in accordance with the provisions of this Chapter VI of Code on Social Security, 2020.

You are therefore requested, to direct the employer to pay the amount to me/ to sit and the discharge or dismissal done by the employer.

Date:

Signature or thumb impression of the
Woman/nominee/legal representative

Signature of an Arbitrator in case of the
woman/nominee/legal representative is unable to sign an
and affixes thumb impression

Full address of the woman/nominee/legal
representative

FORM XIII

[See rule 13(2)]

APPEAL UNDER SECTION 72

To,

The Authority

(Appointed under the Code)

..... (Address)

Sir/Madam,

I,, the undersigned, woman employee of (name and full address of the establishment)

* Feel aggrieved by the order of Inspector-cum-Facilitator under sub-section (2) of Section 72 for the reasons attached hereto, prefer this appeal under sub-section (2) of section 68 and request that the said employer be ordered to pay the above mentioned amount to me. A copy of the order of Inspector-cum-Facilitator in this behalf is enclosed or.

* Shri..... Inspector-cum-Facilitator, having directed under the sub-section (2) of section 72 to pay the maternity benefit or other amount being..... (Nature of amount) to which..... (Name of woman) is said to be entitled / to set aside my discharge or dismissal during or on account of absence from work in accordance with the provision of the Chapter V of the Code on Social Security, 2020

* (Strike out the unnecessary portion)

I prefer this appeal under sub-section (3) of section 72. In view of the facts mentioned in the memorandum attached hereto and the documents filed herewith it is submitted that the woman is not entitled to the maternity benefit or the said amount and hence the order of the Inspector-cum-Facilitator in the copy of which is enclosed, may be set aside.

(Strike out the unnecessary portion)

Date:

Signature/Thumb impression of the woman/aggrieved person

Signature of an attorney-in-case the woman is not able to sign and affixes thumb impression Full address of the nominee/ legal representative

FORM XIV

[See rule 37]

NOTICE BOOK UNDER SECTION 82(G)

Name of the Establishment.....

Nature of business.....

Date of opening.....

Registration no. (if any).....

Name of the employer/occupier.....

D	N	N	W	Which	Amount	Amount	Date	Date	Remarks
a	a	a	b	or	paid of	paid of	of	of	
f	m	f	m	accide	Com	of	dep	of	
c	c	u	t	nt	person	Co	out	pa	
ii	o	t	h	resulte	tion	npe	of	y	
ii	f	e	e	d in	paid	most	com	me	
d	f	o	r	death	to	ion	pers	nt	
t	h	f	t	total	empl	dep	atio		
f	c	f	h	disabl	tyee	out	a		
m	i	u	e	emph	or his	ed			
e	n	f	a	partial	depe	to			
o	J	u	c	disabl	ndent	com			
f	u	t	e	emant		pete			
ii	F	y	i	tempo		at			
e	e		d	rary		auth			
e	d		m	disabl		ent			
f	p		n	ement		y			
d	e		t						
e	e		f						
n	e		o						
f	o		o						
	u		k						
			p						
			f						
			a						
			e						
			e						

[illegible]

FORM XV
[See Rule 35]
STATEMENT OF FATAL ACCIDENTS

To,

Competent Authority,

Sir,

1. I hereby submit the following statement of an accident which occurred in (date), at (here enter details of premises) and which resulted in the death of the employee-employees of whom particulars are given in the statement annexed.

2. The circumstances relating to the death of the employee-employees were as under: -

a. Time of accident.

b. Place where the accident occurred.

c. Manner in which deceased was/were employed at the time.

d. Cause of the accident.

e. Any other relevant particulars.

3. I am responsible for payment of compensation.

4. Details of employee: _____

a. Name of the employee: _____

b. Age of the employee: _____

c. Wages of the employee: _____

5. The establishment is not responsible for payment of compensation due to reasons mentioned below: _____

(Signature and designation of person making the statement)

FORM-XVI-A

[See rule 33 (1)]

MEMORANDUM OF AGREEMENT

It is hereby submitted that on the _____ Day of _____ 20____, personal injury was caused to _____ Residing at _____ by accident arising out of and in the course of employment in _____

The said injury has resulted in temporary disablement to the said employee whereby it is estimated that he will be prevented from earning more than his previous wages for a period of _____ Months. The said employee has been in receipt of half monthly payments which have continued from the _____ day of _____ 20____, until the _____ Day of _____ 20____ amounting _____ to Rs _____

in _____
all. The said employee's monthly wages are estimated at Rs _____

The employee is over the age of 15 years will reach the age of 15 years on _____

It is further submitted that _____ The employer of the said employee has agreed to pay, and the said employee has agreed to accept the sum of Rs _____ in full settlement of all and every claim under the Code, in respect of all disablement of a temporary nature arising out of the said accident whether now or hereafter to become manifest. It is therefore requested that this memorandum be duly recorded.

Date _____

Signature of employer _____

Witness _____

Signature of employee _____

Witness _____

Note:- An application to register an agreement can be presented under the signature of one party, provided that the other party has agreed to the terms. But both signatures should be appended whenever possible.

Receipt (to be filled in when the money has actually been paid)

In accordance with the above agreement, I have this day received the sum of _____

Date _____ 20____

Signature in thumb-impression of employee _____

The money has been paid and this receipt signed in my presence.

Witness _____

Note:- This form may be varied to suit special case, e.g., injury by occupational disease, agreement when employee is under legal disability etc.

FORM XVI-B
[See rule 36 (1)]
MEMORANDUM OF AGREEMENT

It is hereby submitted that on the day of 20, personal injury was caused to residing at by accident arising out of and in the course of his employment in The said injury has resulted in permanent disablement to the said workman of the following nature, namely The said employee's monthly wages are estimated at Rs The employee is over the age of 15 years/will reach the age of 15 years on The said employee has, prior to the date of this agreement, received the following payments, namely: -

Rs.	on	Rs.	on
Rs.	on	Rs.	on
Rs.	on	Rs.	on

It is further submitted that The employer of the said employee, has agreed to pay, and the said employee has agreed to accept the sum of Rs in full, settlement of all and every claim under the Employees Compensation Code. In respect of the disablement stated above and all disablement now manifest. It is therefore requested that this memorandum be duly recorded.

Date

Signature of employer

Witness

Signature of employee

Witness

Note:-An application to register an agreement can be presented under the signature of one party provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible.

Receipt (to be filled in when the money has actually been paid)

In accordance with above agreement, I have this day received the sum of Rs.

Date

Signature or thumb-impression of the employee

The money has been paid and this receipt signed in my presence.

Witness

Note:- This form may be varied to suit special cases, e.g. injury by occupational disease, agreement when workman is under legal disability, etc.

FORM XVI-C

[See rule 36 (1)]

MEMORANDUM OF AGREEMENT

It is hereby submitted that on the ,... day of ,... 20 , personal injury was caused to ,... resulting at ,... by accident arising out of and in the course of employment in ,... The said injury has resulted in temporary disablement of the workman, who is at present in receipt of ,... wages amounting to Rs. ,... per month or wages. The said employee's monthly wages prior to the accident are estimated at Rs. ,... The employee is subject to a legal disability by reason of ,...

It is further submitted that ,... the employer of the employee has agreed to accept half-monthly payments at the rate of Rs. ,... for the period of the said temporary disablement.

This agreement is subject to the condition that the amount of half-monthly payment may be varied in accordance with the provisions of the Employees' Compensation Code on account of an alteration in the earning of the said employee during disablement. It is further stipulated that all rights of commutation under Section 89 of the said Code are unaffected by this agreement. It is therefore requested that this memorandum be duly recorded.

Date ,...

Signature of employer ,...

Witness ,...

Signature of employee ,...

Witness ,...

Note—An application to register an agreement can be presented under the signature of one party provided that the other party has agreed to terms.

Receipt (to be filled in when the money is actually been paid)

In accordance with the above agreement, I have this day received the sum of Rs. ,...

Date ,...

Signature or thumb-impression of the employee

The money has been paid and the receipt signed in my presence.

Witness ,...

Note— This form may be varied to suit special cases, e.g. injury by occupational disease, etc.

FORM XVI-D
[See rule 36 (2)]
REGISTER OF MEMORANDUM

Sl.No	Date of agreement	Date of registration	Employer	Workman	Initial of competent authority	References to orders rectifying the register
1	2	3	4	5	6	7

FORM XVII-A
[See rule 38 (1) (i)]
APPLICATION FOR COMPENSATION BY WORKMAN

To

The Competent Authority for Workmen's Compensation:

.....
.....
..... Residing
at
.....

Applicant

Versus

.....
.....
..... Residing
at
.....

Opposite Party

It is hereby submitted that-

- (1) The Applicant, a workman employed by the opposite party on the day of 19..... received personal injury by accident arising out of and in the course of his employment.

The cause of the injury was (here insert briefly in ordinary language the cause of the injury).....

- (2) The applicant sustained the following injuries, namely.....
(3) The monthly wages of the applicant amounted to Rs..... the applicant is over/under the age of 15 years.....
(4) * (a) Notice of the accident was served on the day of

- (b) Notice was served as soon as practicable.
- (c) Notice of the accident was not served (in due time by reason of)

(5) The applicant is accordingly entitled to receive—

- (a) half monthly payment of Rs. from the
..... day of 19..... to
.....
- (b) a lump sum payment of Rs.

(6) The applicant has taken the following steps to secure a settlement by agreement, namely, But it was proved impossible to settle the questions in dispute because.....

*You are therefore requested to determine the following questions in dispute namely:-

- (a) Whether the applicant is a workman within the meaning of the Act.
- (b) Whether accident arose out of and in the course of the applicant's employment.
- (c) Whether the amount of compensation claimed is due, or any part of that amount.
- (d) Whether the opposite party is liable to pay such compensation as is due.
- (e) etc. (as required)

Date:

Applicant

FORM XVII-B

[See rule 38 (1) (b)]

APPLICATION FOR ORDER TO DEPOSIT COMPENSATION

10

The Competent Authority for Workmen's Compensation

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Reading

[illegible]

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1

Applicans

Verfahren

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Reading

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Opposing Party

It is hereby submitted that:

I-I a workman employed by (a contractor with the
opposite party) on the day of arriving
out of and in the course of his employment resulting in his death
on the date of 19.....

The cause of the injury was (here insert briefly in ordinary language the cause of the injury)

2. The applicant(s) is/are dependant(s) of the deceased workman being his
.....
3. The monthly wages of the deceased amount Rs.....the
deceased was over/under the age of 15 years at the time of his death.
4. (a) Notice of the accident was served on theday of 19.....
(b) Notice was served as soon as practicable.
(c) Notice of the accident was not served (in due time) by reason of:
.....
5. The deceased before his death received as compensation the total sum of
Rs.....
6. The applicant(s) is/are accordingly entitled to receive a lumpsum payment of
Rs.....
7. The applicant(s) has/have requested the opposite party to deposit compensation
and the latter has refused/omitted to do so.

*You are therefore requested to determine the following questions in dispute namely:-

- (a) Whether the deceased was a workman within the meaning of the Act.
- (b) Whether the accident arose out of and in the course of the deceased's
employment.
- (c) Whether the amount of compensation claimed is due, or any part of the
amount.
- (d) Whether the opposite party is liable to pay such compensation as is
due.
- (e) Whether the applicant(s) is/are dependant(s) of the deceased.
- (f) How the compensation, when deposited should be distributed.
- (g) Etc..... (as required)

Date: 19.....

Applicant

FORM XVIII-A
[Sec rule 38 (20) (i)]
NOTICE

Whereas a claim for compensation has been made by _____ applicant
against _____

and _____ the _____ said
has claimed that you are liable under Section 85 (2) of the Code to indemnify him against any
compensation which he may be liable to pay in respect of the aforesaid claim, you are hereby informed
that you may appear before me on

and contest the claim for compensation made by the said applicant or the claim for indemnity made
by the opposite party. In default of your appearance, you will be deemed to admit the validity of any award
made against the opposite party and your liability to indemnify the opposite party for any compensation
recovered from him.

Dated: _____

Competent Authority

FORM XVIII-B
[Sec. rule 38 (20) (ii)(1s)]
NOTICE

Whereas a claim for compensation has been made by _____ applicant against _____ and the said has claimed that _____ is liable under Section 85 (2) of the Code to indemnify him against any claim and where as the said _____ on notice served has claimed that you _____ stand to him in the relation of a contractor from whom the applicant _____ could have recovered compensation you are hereby informed that you may appear before me on _____ and contest the claim for compensation made by the said applicant or the claim for indemnity made by the opposite party _____. In default of your appearance you will be deemed to admit the validity of any award made against the opposite party _____ your liability to indemnify the opposite party _____ for any compensation recovered from him.

Date _____

Competent Authority

FORM-XIX

[Sec rule 41(5)]

Annual Report

Karnataka Building and Other Construction Workers Welfare Board/

Karnataka Unorganized Workers Social Security Board

Annual Report for the year.....

I. Board:

1. Full registered address;
2. Date of constitution;
3. Name of Chairperson;
4. Member of the Board;
5. Regional offices with address (if any);
6. No. of staff of the Board with grade-wise (including regional offices);

II. Membership:

- (i) No. of beneficiaries registered with the Board;
- (ii) No. of registered employers;
- (iii) No. of beneficiaries registered during the audit period.

III. Meetings:

State the number of meetings held with dates during the year and names of the members remaining absent.

IV. Audit:

- (i) Date of the last audit;
- (ii) Have any irregularities been mentioned in the previous audit?
If so, state the position regarding compliances thereof.

V. Internal audit:

- (a) Is there a formal internal audit system in operation?
- (b) Any special areas which are taken up by the internal auditor? If yes, list them.
- (c) Who had done the internal audit?
Whether the internal auditor
Is from the panel of auditors?
- (d) State whether there is proper co-ordination between the Government auditor and the internal auditor.
- (e) Whether recommendations made by the internal auditor have been complied with by the Board, if no, specify them.

VI. Bank balance and securities:

- (a) Does the bank balance shown in bank Statements pass book tally with the bank book?
If not, whether any reconciliation statement is prepared? Attach statement
- (b) Whether confirmation of balance are obtained From all the banks?

VII. Securities

- (a) Verify securities physically and see whether

They are in the name of the Board;

- (b) Are dividends and/or interests being duly Collected and whether provision of accrued

Interest is as calculated correctly?

- (e) If securities are lodged with the bank, are relevant certificate obtained?
- (d) If investment register kept and written upto date?
- (e) Whether the aggregate amount as per the register tallies with the ledger? If not what is the quantum of difference?
- (f) Amount not received upon maturity.
- (g)

VIII. Moveable and immovable property

- (a) Are relevant registers maintained upto date?
- (b) Verify property physically and obtain list. Do the balance tally with balance sheet figures?
- (c) In case of immovable properties including land, Verify title deeds and see whether they are in the Name of the Board.
- (d) Is the property duly insured whether necessary?
If yes, give details.
- (e) **Depreciation:**
 - (i) Is due depreciation charges?
 - (ii) State the rates of depreciation charged on various assets.

IX. Receipts during the year under report:

- (1) Amount of grants/loans received from the Central Govt.
- (2) Amount of contribution received from the beneficiaries
- (3) Amount of cess received
- (4) Amount of registration fees received from the beneficiaries
- (5) Any other source

X. Expenditure during the year under report:

- (1) Financial assistance provided to the beneficiaries
Give the details scheme-wise
- (2) Administrative expenditure including salary
- (3) Expenditure on other heads specify the heads

XI. Activities:

- (1) State the various activities of the Board.
- (2) Proposals for the future scheme.
- (3)

XII. General:

1. Litigations:

- (a) No. of court cases against Board.
- (b) No. of court cases filed by the Board.

2. Inspections:

- (a) Whether any inspection has been carried
Out by the any Central/State Govt. authority
- (b) Orders/directions issued, if any

3. Proposals:

- 4. Pending proposals, if any, with the Government.

FORM XXI**[Sec rule 43(1) (v)(vi)(vii)]****MUSTER ROLL**

Name of establishment: Place:

Sl No	Name	Father's Husband's Name	Sex	Date of entry in service	Designation/ Category	Total Number of hours work performed	Total number of days work performed	Total number of workers
1	2	3	4	5	6	7	8	9

FORM XXII

[See rule 43(1)(viii)(ix)]

REGISTER OF EMPLOYEES

Name of the Establishment _____

Name of Employer _____

LIN _____

Sl No.	Employee Code	Name	Gender	Father's / Spouse Name	Date of Birth	Nationality	Education Qualification	Date of Joining	Designation
1	2	3	4	5	6	7	8	9	10
Category (H/S/S/S)	Type of Employment	Mobile Number	UAN	PAN	ESIC	P	AAO/HAAR	Bank A/c Number	Bank
11	12	13	14	15	16	17	18	19	20

Branch (IESCI)	Present Address	Permanent	Date of Exit	Reason for Exit	Mark of Identification	Photo	Specimen Signature	Remarks
21	22	23	24	25	26	27	28	29

FORM XXIII

[See rule 43(1)(x)]

REGISTER OF DANGEROUS OCCURRENCES, ACCIDENTS, INJURIES

Name and address of the Establishment:

Name of the Employer / Contractor:

Sl No.	Date & time of accident	Date of information to authorities	Name of employee injured/ deceased	Nature of injury permanent / temporary	Amount of compensation and monthly wages Lump sum / half monthly	Date of disposal & mode of payment By cheque /Demand Draft/Bank transfer	Remarks

FORM XXIV

[See rule 43(1)(x)]

REGISTER OF CESS

Name and address of the Establishment:

Name of the Employer:

Sr. No.	Date of commencement of construction	Type of construction Residential/ Commercial	Date of proposed completion of construction	Estimated cost of construction	Advance cess amount paid	Mode and date of payment	Balance cess amount to be paid	Total cess paid	File No.
1	2	3	4	5	6	7	8	9	10

FORM XXV

[See rule 43(1)(xii)]

REGISTER OF VACANCIES

Name and address of the Establishment:

Name of the Employer:

Sl. No	Total Number of employees			Persons recruited up to 31st March ____ year	Occupation and details of employees recruited	Number of unfilled vacancies posts		
	Regular	Contractual	Fixed term employment			Skill/Qualification/technical/experience prescribed	Essential	Desirable

FORM-XXVI

[See rule 44(1)]

REGISTER OF WOMEN EMPLOYEES

Name of establishment _____

1. Serial Number.

2. Name of woman and her father's (or, if married, husband's) name.

3. Date of appointment.

4. Nature of work.

5. Dates with month and year in which she is employed, laid off and not employed.

Month	No. of days employed	No. of days laid off	No. of days not employed	Remark

6. Date on which the woman gives notice under section 62.

7. Date of discharge / dismissal, if any.

8. Date of production of proof of pregnancy under section 62.

9. Date of birth of child.

10. Date of production of proof of delivery/miscarriage Medical Termination of pregnancy / tubectomy operation / death / adoption of child.

11. Date of production of proof of illness referred to in section 66.

12. Date with the amount of maternity benefit paid in advance of expected delivery.

13. Date with the amount of subsequent payment of maternity benefit.

14. Date with the amount of bonus, if paid, under section 64.

15. Date with the amount of wages paid on account of leave under section 66(1) & 66(3).

16. Date with the amount of wages paid on account of leave under Section 66(2) and period of leave granted.

17. Name of the person nominated by the woman under section 62.

18. If the woman dies, the date of her death, the name of the person to whom maternity benefit and/or other amount was paid, the amount thereof, and the date of payment.

19. If the woman dies and the child survives, the name of the person to whom the amount of maternity benefit was paid on behalf of the child and the period for which it was paid.

20. Signature of the employer of the establishment authenticating the entries in the register of women employees.

21. Remarks column for the use of the Inspector-cum-Facilitator

FORM XXVII

[See rule 46(1)(2)]

UNIFIED ANNUAL RETURN**A. General Part:**

(a) Name of the establishment.....

Address of the establishment:

House No./Flat No. Street No./Plot No.

Town District State pin code

(b) Name of the employer

Address of the employer:

House No./Flat No. Street No./Plot No.

Town District State pin code

E-mail ID. Telephone Number

Mobile number

(c) Name of the manager or person responsible for supervision and control of establishment:

..... Address

House No./Flat No. Street No./Plot No.

Town District State pin code

E-mail ID. Telephone Number

Mobile number

B. Employer's Registration/Licence number under the Codes mentioned in column (2) of the table below:

Sl. No.	Name	Registration		If yes (Registration No.)
1	2	3		4
01	The Code on Occupational Safety Health and working condition code 2020.			
02	The Code on Social Security 2020.			
03	Any other Law for the time being in force.			

C. Details of Employer, Contractor and Contract Labour:

01.	Name of the employer in the case of a contractor's establishment.	
02.	Date of commencement of the establishment.	
03.	Number of Contractors engaged in the establishment during the year.	
04.	Total Number of days during the year on which Contract Labour was employed.	
05.	Total number of man-days worked by Contract Labour during the year.	
06.	Name of the Manager or Agent (in case of mines).	
07.	Address E-mail ID Telephone Number Mobile Number	

D. Working hours and weekly rest day:

01	Number of days worked during the year
02	Number of Sundays worked during the year
03	Daily hours of work
04	Weekly day of rest

E. Maximum number of persons employed in any day during the year:

(01)	Males	Females	Adolescents (between the age of 14 to 18 years.)	Children (below 14 years of age)	Total
(02)					

F. Wage rates (Category Wise):

[illegible]

G. (a) Details of Payments:

Gross wages paid		Deductions			Net wages paid	
In cash	In kind	Fines	Deductions for damage or loss	Others	In cash	In kind

(b) Number of workers who were granted leave with wages during the year:

Sl. No.	During the year	Number of workers	Granted leave with wages

H. Details of various welfare amenities provided under the statutory schemes:

Sl. No.	Nature of various welfare amenities provided	Statutory (specify the statute)

I. Maternity Benefit under the Code on Social Security, 2020:**(a) Details of establishment, medical and para-medical staff:**

01	Date of opening of establishment	
02	Date of closing, if closed	
03	Name of Medical Officer	
03 (i)	Qualification of Medical Officer	
03 (ii)	Is Medical Officer at (the mines or circus) ?	
03 (iii)	If a part time, how often does he/she pay visit to establishment?	
03 (iv)	Is there any Hospital?	
03 (v)	If so, how many beds are provided?	
03 (vi)	Is there a lady Doctor?	
03 (vii)	If so, what is her qualification?	
03 (viii)	Is there a qualified mid-wife?	
03 (ix)	Has any crèche been provided?	

(b) Leave Granted under the Code on Social Security, 2020:

01	Total number of female employees in the establishment	
02	Total number days of leave granted	
03	Number of employees granted maternity leave/benefited by ESI	

Declaration

It is to certify that the above information is true and correct and also I certify that I have complied with the all provisions of Labour Codes applicable to my establishment.

Place

Date

Signature

FORM-XXVIII

[Sec rule 49(1)]

APPLICATION FOR COMPOUNDING OF OFFENCES

1. Name of applicant

2. Father's / Husband's name of the applicant

3. Address of the applicant

4. Mobile number/email

5. Name, address, Mobile no, and email of Complainant

6. whether any case pending before any authority or Court in the same matter

If Yes, Particulars

• Particulars of the offences

Provisions of the Code/Scheme/Rules/Regulations under which the offence is committed

• Maximum fine provided for the offence under the Code

• Whether the offence is first offence or the applicant had committed any other offence prior to the offence, if had committed, then, full detail of the offence

• Any other information which the applicant desires to provide

I, pray for the compounding of offences as stated above.

Date:

Applicant (Name and signature)

FORM-XXIX
[See rule 50(3)(B)]
FORM FOR REPORTING VACANCIES TO CAREER CENTRES
(Separate forms to be used for each type of posts)

1.	Particulars of the employer: Name: Address with pin code: Telephone No. :- Mobile No. :- Email address :- Name & Type of Establishment :- (Central Government, State Government, PSU, Autonomous, Private, etc) Registration No of establishment under Code Economic activity details:-		
2.	Particulars of the indenting: Officer Name: Designation:- Telephone No.:- Mobile No.:- Email address:- :-		
3.	Particulars of vacancy(ies): (a) Designation/nomenclature of the vacancy(ies) to be filled (b) Description of duties of the post (job role/functional role)		
	(c) Qualifications/Skills required (educational, technical, experience)	Essential	Desirable/Preferable
	(i) Educational Qualifications (ii) Technical Qualifications (iii) Skills (iv) Experience		

	(d) Age Limits, if any (Age as on last date of application)	
	(e) Preferences (such as Ex-servicemen, persons with disabilities, women, etc) if any.	
	(f) duration of employment (i) 3-6 months	Number of Posts
	(ii) 6-12 months	
	(iii) 12 months and more	
4	Whether there is any obligation for arrangement for giving reservation/ preference to any category of persons such as Scheduled Caste(SC), Scheduled Tribe(ST), Economically Weaker Sections(EWS), Other Backward Classes(OBC), Ex- serviceman and persons with disabilities (pwd) , etc., in filling up the vacancies: Yes/No (if yes, give the number of vacancies to be filled by such categories of persons as detailed below)	
5	Category	Number of vacancies to be filled
	(a) Scheduled Caste (b) Scheduled Tribe (c) OBC (d) EWS (e) Ex-Serviceman (f) Persons with disabilities (pwd) (g) women (h) Others (specify)	Total 1 *By Priority candidates *(Applicable for Central Government vacancies)
6	Pay and Allowances: For Government vacancies: Mention pay level/pay scale of the post with basic pay/pay per month with other details if any For others: Mention minimum total emoluments per month with other details, if any.	
7	Place of work (Name of the town/village and district, pin code etc. in which it is situated)	
8	Mode of Application(email, online, in writing, etc) and Last date for receipt of applications	

9.	Particulars of officer to whom the applications be sent/candidates should approach (Mention Name, designation, email id, address, telephone No., website address in case of online)	
10.	Mode of Recruitment (Through Career Centre, Placement Agency, self-management, any other mode(specify))	
11.	Would like to prefer submission of list of eligible candidates registered with Career Centre	
12.	Any other relevant information	
13.	Name, address, email id of the Career Centre	
14.	Date of receipt of Vacancies	
15.	NIC Code of the establishment	
16.	NCO Code of the post	
17.	Unique Vacancy ID(number)	

Signature, Name& Designation of Authorised Signatory
of Career Centre with seal & date

NOTE:-

1. Career Centre to which the vacancies are reported, would provide a unique vacancy reporting number for the vacancy reported and convey it to the employer in writing, (through email) or digitally or through any other such media immediately but in any case not later than 3 working days from the date of receipt of reporting of vacancies.
2. An employer, if advertises that vacancy in any media or makes recruitment through any agency or any other mode, may invariably quote that unique vacancy reporting number in that advertisement or recruitment process.
3. Any change in the particulars already furnished to the Career Centre, shall be reported in writing or through valid official email or digitally (including through a portal) as the case may be, to the appropriate Career Centre.

FORM-XXX

[See rule 51(6)]

FORM EIR (EMPLOYMENT INFORMATION RETURN)

Yearly Return to be submitted to the Career Centre (Regional) for the Year ended.....

Name & Address of the Employer		
Whether – Head Office		
Branch Office		
Type of Establishment (Public/ Private Sector)		
Nature of business		
Principal activity		
Establishment Registration No. under the Code		
1. (a) EMPLOYMENT		
Total number of manpower of establishment including working proprietors/partners/contingent paid and contractual workers, out-sourced workers excluding part-time workers and apprentices. (The figures should include every person whose wage or salary is paid).		
Category:	On the last working day of the previous Year	On the last working day of the Year under report
MEN		
WOMEN		
Other (Transgender)		
TOTAL:		
PWD (persons with disabilities) out of above total		

2. Number of vacancies* occurred and reported to Career Centre during the year and the number of vacancies filled during the year				
Occurred	Reported		Filled	Source (Career Centre/ NCS Portal/ Govt. Recruiting Agencies/ Private Placement Organisations/ others)
	Career Centre (Regional)	Central Centre (Central)		
1	2	3	4	5

*As per provisions of Code on Social Security, 2020(Chapter XIII) and Rules made there under.

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3. MANPOWER SHORTAGES:

Vacancies/posts remained unfilled because of shortage of suitable applicants.

Name of the occupation or designation of the post	Number of unfilled vacancies/posts		
	Skill/ qualifications (educational / technical/ experience) prescribed	Essential	Desirable
1	2	3	4

(Please list any other occupations also for which this establishment had any difficulty in obtaining suitable applicants recently.)

4. Estimated Manpower Requirement by Occupational Classification during the next calendar year (Please give below the number of employees in each occupation separately).

Occupation	Number of employees				
	Please give as far as possible approximate number of vacancies in each occupation you are likely to fill during the next financial year due to retirement/ expansion or re-organization.				
Description	Men	Women	Others (transgender)	Total	PWD (persons with disabilities out of total)
1	2	3	4	5	6
Total					

* In the column (description) Use exact terms such as Engineer (Mechanical), Assistant Director (Metallurgist), Research Officer (Economist), Supervisor (Tailoring), Inspector (Sanitary), Superintendent (Office), Manager (Sales), Manager (Accounts), Executive (Marketing), Data Entry Operator, no on.

Signature, Name & Designation of
 Authorised Signatory of establishment/ employer with seal & date

To
 The Career Centre,

Note:- 1. This return is to be rendered to the Career Centre (Regional) within 30 days after the end of the financial year concerned by establishments/employers vide their obligation under the Code on Social Security, 2020 (Chapter XIII-Employment Information and Monitoring)

2. The main purpose in obtaining the information from employers is to know (i) the vacancies/employment opportunities available; (ii) type of personnel who are in short supply; and (iii) future job opportunities for providing vocational guidance to the jobseekers and connecting them with the employers. This is helpful in ascertaining the skill needs also. Employers too will be able to call on the Career Centres for getting suitable candidates as per their requirements.

संज्ञा एवं संकेत- आवेदनपत्र, कार्य माप, सेवा शर्त सूचना, विवरण