



SGC SERVICES PVT.LTD.

UPDATES ON LABOUR LAW –FEBRUARY' 2018

S.No.	Statute (Act)	Type of Update.	Summary	Notification/Circular / Amendment Date
1.	Provident Fund Act	Online Submission of Form 5A under EPF	As per EPFO circular every employer in relation to a factory or other establishment to which the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 applies, shall furnish online/electronically in Form No. 5A, particulars of all branches and departments, owners, occupiers, Directors, Partners, Manager or any other person or persons who have the ultimate control over the affairs of such factory or establishment and also furnish details of changes in such particulars within 15 days of such change as per the Annexure:-1	25 th January'2018
2	Provident Fund Act	Employee Deposit Linked Insurance Amendment Act,2018	Effective from 15th February 2018, Ministry of Labour and Employment has introduced minimum assurance benefit of Rs. 2.5 lakhs and maximum of 6 lakhs under Employees Deposit Linked Insurance Scheme and this shall be in force for a period of two years from the date of this Notification as per the Annexure:-2	15 th February'2018
3	Labour Welfare Fund Act	Tamil Nadu Labour Welfare Fund Amendment 2018	Government of Tamil Nadu has amended The Tamil Nadu Labour Welfare Fund Act, 1972 stating that any person in a supervisory capacity drawing wages exceeding fifteen thousand rupees per mensem will be excluded from the coverage of the Act as per the Annexure:-3	30 th January' 2018
4	Minimum Wages Act,1948	Kerala Consumer Price Index revised	The notification of Kerala Consumer Price Index numbers revised under the Minimum wages Act,1948 for the month of December'17 as per the Annexure 4:-	21 st February'2018





5	<i>Minimum Wages Act, 1948</i>	<i>Karnataka Minimum wages revised for Security Services</i>	<i>The notification of Minimum Wages of Karnataka for security services had come into force effective from 1st April '2018 as per the Annexure 5:-</i>	
6	<i>ESIC Act</i>	<i>Provision of Two Dispensary to employees eligible for ESIC benefit</i>	<i>ESIC introduced additional benefits to all Insured Women/ Insured Persons to choose two dispensary/IMP through an employer for availing medical services which includes one for self and one for their families. Changing of Dispensary/IMP details has now been restricted to 2 times for each eligible employee. ESIC has provided with the list of Dispensaries basis the State–District– Area/Locality on their online portal.</i>	<i>7th February'2018</i>



A-47, (LGF), Hauz Khas, New Delhi – 110016 Phones: +91 11 41655400
C-43 Sector 8, Gautam Budh Nagar (NOIDA) – 201301 Phones: +91 120 4049100
102, Wellington Business Park-I, Off. Andheri Kurla Road, Marol, Andheri (E), Mumbai – 400 020 Phones: +91 22 40574000
NO. 1251, B Wing, 14TH Floor, Mittal Tower, MG Road Bangalore – 560001 TEL – 41509137.

Annexure1:-

For web- Circulation



कर्मचारी भविष्य निधि संगठन
(श्रम एवं रोजगार मंत्रालय, भारत सरकार)
EMPLOYEES' PROVIDENT FUND ORGANISATION
(Ministry of Labour & Employment, Govt. of India)
मुख्य कार्यालय / Head Office
भविष्य निधि भवन, 14-भिकाजी कामा प्लेस, नई दिल्ली-110 066.
Bhavishya Nidhi Bhawan, 14, Bhikaji Cama Place, New Delhi - 110 066.



No: CAIU/011(28)/15/DL/ Pt.

17809

Dated: 24.01.2018

25 JAN 2018

To

All Additional CPFCs
All RPFCs

Subject: - Online Submission of Form 5A.

Sir,

At present employers are submitting Form 5A in hard copy to respective field offices. CPFC has ordered for online submission of Form 5A by all employers of covered establishment under Employees Provident Fund & MP Act (Copy enclosed). In case of online submission of form 5A with digital/e- signatures by employers, field offices should not ask for hard copies of the same again.

Please ensure to give wide publicity about online submission of Form 5A.

(This is issued with the approval of CPFC).


(K.L. Taneja)
ACC (HQ) Compliance

Copy to:

ACC (IS) HQ
DD (OL) for Hindi Version



कर्मचारी भविष्य निधि संगठन
(श्रम एवं रोजगार मंत्रालय, भारत सरकार)
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भविष्य निधि भवन, 14-भिकाजी कामा प्लेस, नई दिल्ली-110 066.
Bhavishya Nidhi Bhawan, 14, Bhikaji Cama Place, New Delhi - 110 066.



No.: CAIU/011(28)/15/DL/Pt.

Dated: 24-01-2018

ORDER

1. In exercise of powers conferred by Sub-Paragraph 7 of Paragraph 36 read with Paragraph 36A and Paragraph 27AA of the Employees' Provident Funds Scheme, 1952 and Paragraph 21 of the Employees' Pension Scheme, 1995, I, Dr. V.P. Joy, the Central Provident Fund Commissioner hereby direct that every employer in relation to a factory or other establishment to which the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 applies, shall furnish online/electronically in Form No. 5A, particulars of all branches and departments, owners, occupiers, Directors, Partners, Manager or any other person or persons who have the ultimate control over the affairs of such factory or establishment and also furnish details of changes in such particulars within 15 days of such change, in the proforma attached herewith. E-sign facility has been provided to the employers for online submission of Form No. 5A.
2. Offline/Physical submission of Form No. 5A stands discontinued. Details for online submission of Form No. 5A are available on the website of the Employees' Provident Fund Organization at the following URLs:

www.epfindia.gov.in
www.epfindia.com

(Dr. V.P. Joy)
Central Provident Fund Commissioner

FORM NO-5-A
(The Employees' Provident Funds Scheme, 1952 (Para 36-A and Para 27AA)
The Employees' Pension Scheme, 1995 (Para-21)

RETURN OF OWNERSHIP

1. Name of the establishment:
2. Code No. of the establishment under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952:
3. Postal Address of the establishment and its branches/departments, if any

4. Industry or business in which engaged:
5. Date of first commencement of production/business (Trial/Regular):
6. Date of Closure by the previous Management:
7. Whether run by the owner or lessees (if by lessees period of the lease should be indicated)

8. Particulars of owners.

Name	Father's Name	*Status	Age	Residential Address	Date From Which in Position
1	2	3	4	5	6

- 1.
- 2.
- 3.
- 4.
- 5.

*whether Proprietor, Partner, Managing Partner, Managing Director, Director etc.

9. If on Lease, particulars of Lessees:

Name	Father's Name	Age	Residential Address	Date From Which in Position
1	2	3	4	5

- 1.
- 2.
- 3.
- 4
- 5.

10. If registered under the factories Act, particulars of Manager/Occupier:

Name	Father's Name	Age	Residential Address
1	2	3	4
A. Occupier			
B. Manager			

11. Particulars of the persons mentioned above, who are in charge of and responsible for the conduct of the business of the establishment.

Name	Father's Name	Age	Residential Address
1	2	3	4
1.			
2.			
3.			

Dated:

Digital Signature/ e-Signature of the Employer

Designation

Note: Any change in the information given above should be intimated online within fifteen days of such change.

Annexure2:-

टिप्पणः कर्मचारी निधेप सहबद्ध स्कीम, 1976 भारत के राजपत्र, भाग II, खंड (3), उपखंड (i) में अधिसूचना संख्यांक सा.का.नि. 488(अ), तारीख 28 जुलाई, 1976 द्वारा प्रकाशित किया गया था और सा.का.नि.438(अ) तारीख 4 मई, 2017 द्वारा अंतिम संशोधन किया गया था।

MINISTRY OF LABOUR AND EMPLOYMENT

NOTIFICATION

New Delhi, the 15th February, 2018

G.S.R. 170(E).—In exercise of the powers conferred by section 6C read with sub-section (1) of section 7 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby makes the following scheme, further to amend the Employees' Deposit Linked Insurance Scheme, 1976, namely:—

1. (1) This Scheme may be called the Employees' Deposit Linked Insurance (Amendment) Scheme, 2018.
(2) It shall come into force from the date of its publication in the official gazette.
2. In the Employees' Deposit Linked Insurance Scheme, 1976, in paragraph 22, -
 - (1) in sub-paragraph (3), for clause (i), the following shall be substituted, namely:—

“(i) the average monthly wages drawn (subject to a maximum of fifteen thousand rupees), during the twelve months preceding the month in which he died, multiplied by thirty times plus fifty per cent. of the average balance in the account of the deceased in the Fund or of a provident fund exempted under section 17 of the Act or under paragraph 27 or 27A of the Employees' Provident Funds Scheme, 1952, as the case may be, during the preceding twelve months or during the period of his membership, whichever is less subject to a ceiling of one lakh and fifty thousand rupees:

Provided that the assurance benefit shall not be less than two lakh and fifty thousand rupees:

Provided further that the assurance benefit shall not exceed six lakh rupees:
3. The provisions of the first proviso of clause (i) of sub-paragraph (3) of paragraph 22 shall be in force for a period of two years from the date of publication of this Scheme in the Official Gazette.”

[F. No. S-35012/8/2017-SS-II]

R. K. GUPTA, Jt. Secy.

Note: The Employees' Deposit Linked Insurance Scheme, 1976 was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 488(E), dated the 28th July, 1976 and was last amended *vide* number G.S.R. 438(E), dated the 4th May, 2017.

RAKESH
SUKUL

Digitally signed by
RAKESH SUKUL
Date: 2018.02.19
22:45:56 +05:30'

Annexure3:-

©
GOVERNMENT OF TAMIL NADU
2018

[Regd. No. TN/CCN/467/2012-14.
[R. Dis. No. 197/2009.
[Price: Rs. 5.60 Paise.



No. 42]

CHENNAI, TUESDAY, JANUARY 30, 2018
Thai 17, Hevilambi, Thiruvalluvar Aandu-2049

Part IV—Section 2

Tamil Nadu Acts and Ordinances

CONTENTS

ACTS :	<i>Pages.</i>
No. 8 of 2018—Tamil Nadu Labour Welfare Fund (Amendment) Act, 1972. ..	34
No. 9 of 2018—Tamil Nadu Catering Establishments (Amendment) Act, 1958. ..	35-36
No. 10 of 2018—Tamil Nadu Municipal Laws (Third Amendment) Act, 2018 ..	37-45

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 25th January 2018 and is hereby published for general information:—

ACT No. 8 OF 2018.

An Act further to amend the Tamil Nadu Labour Welfare Fund Act, 1972.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-eighth Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Labour Welfare Fund (Amendment) Act, 2018.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of section 2.

2. In section 2 of the Tamil Nadu Labour Welfare Fund Act, 1972, in clause (b), in sub-clause (i), in item (b), for the expression "draws wages exceeding three thousand and five hundred rupees per mensem", the expression "draws wages exceeding fifteen thousand rupees per mensem" shall be substituted.

Tamil Nadu Act
36 of 1972.

(By order of the Governor)

S.S. POOVALINGAM,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 25th January 2018 and is hereby published for general information:—

ACT No. 9 OF 2018.

An Act further to amend the Tamil Nadu Catering Establishments Act, 1958.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-eighth year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Catering Establishments (Amendment) Act, 2018.

Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Tamil Nadu Act XIII of 1958.

2. In section 23 of the Tamil Nadu Catering Establishments Act, 1958,-

Amendment of section 23.

(1) in sub-section (1), for the expression "with fine which, for a first offence, shall not be, less than fifty rupees or more than one hundred and fifty rupees, for a second offence shall not be less than one hundred and fifty rupees or more than two hundred and fifty rupees and for a third or any subsequent offence shall not be less than two hundred and fifty rupees", the expression "with fine which, for a first offence, may extend to five thousand rupees and for a second or subsequent offence, with fine which may extend to ten thousand rupees" shall be substituted;

(2) in sub-section (2),—

(i) in clause (a), for the expression "with fine which may extend to one hundred rupees", the expression "with fine which may extend to five thousand rupees" shall be substituted;

(ii) in clause (b), for the expression "with fine which may extend to twenty rupees", the expression "with fine which may extend to two hundred and fifty rupees" shall be substituted;

(3) in sub-section (2-A), for the expression "with fine which may extend to five hundred rupees", the expression "with fine which may extend to one thousand rupees" shall be substituted;

(4) in sub-section (3), for the expression "with fine which may extend to fifty rupees", the expression "with fine which may extend to five hundred rupees" shall be substituted.

(By order of the Governor)

S.S. POOVALINGAM,
Secretary to Government,
Law Department.

Annexure4:-



Department of Economics & Statistics

No.P3.Pdl.1/2018/DES

Thiruvananthapuram ,21/02/2018

Consumer Price Index Numbers for Agricultural Labourers and Industrial Workers for the month of December 2017

Vide G.O.(MS) No.103/2013/LBR. dated 31-8-2013 of Labour and Skills (E) Department , Government of Kerala and the G.O.(MS) No. 34/2015/LBR. dated 26-03-2015 published in the Kerala Gazette extra ordinary No.19 (Vol.IV) dated 12-05-2015.

Slno	Centre	Linking Factor *	Index Numbers for		Estimated Indices for	
			Base : 2011-12 =100		Base : 1998-99 =100	
			November 2017	December 2017	November 2017	December 2017
1	Thiruvananthapuram	2.11	153	154	323	325
2	Kollam	2.09	151	150	316	314
3	Punalur	2.10	151	151	317	317
4	Pathanamthitta	2.03	161	161	327	327
5	Alappuzha	2.05	157	158	322	324
6	Kottayam	2.08	157	157	327	327
7	Mundakayam	2.17	148	148	321	321
8	Idukki	1.97	153	152	301	299
9	Ernakulam	2.03	151	151	307	307
10	Chalakkuddy	2.00	156	156	312	312
11	Thrissur	1.87	153	153	286	286
12	Palakkad	2.09	145	145	303	303
13	Malappuram	2.00	150	151	300	302
14	Kozhikode	2.02	156	156	315	315
15	Wayanad	1.93	154	153	297	295
16	Kannur	2.02	157	158	317	319
17	Kasargod	2.05	157	158	322	324

* Linking factors approved in G.O (MS) No .34/2015/LBR. dated 26-03-2015 have been used with effect from April 2015. Base in old series is 1998-99 = 100 for all centres.

The Consumer Price Index (Cost of Living Index) Numbers applicable to employees in employment under the Minimum Wages Act (Central Act XI of 1948) for the month of December 2017 as ascertained by the Director General of Economics & Statistics under clause (C) of Section 2 of the Act.

Department of Economics & Statistics
Thiruvananthapuram , Dated 21/02/2018

WebSite : www.ecostat.kerala.gov.in
Email : ecostatprice@gmail.com

Sd/-
V.Ramachandran
(Director General)

Annexure5:-

66. SECURITY AGENCY
(Industries where office staff appointed by which agency including security guards)

Notification No. KAE 123 LWA 2015 dated 29-02-2016, w.e.f. 1-1-2016
Published in the Gazette, dated 24-09-2015

Cost of Living Allowance to be paid over and above 5780 points
Cost of Living Index: 7106 - 5780 = 1326 points
Minimum wages and VDA from 1-4-2018 to 31-3-2019

Sl. No.	Class of Employment	Minimum rates of wages payable				
		Zone-I		Zone-II		
		Per Day	Per Month	Per Day	Per Month	
1	2	3	4	5	6	
Part 1 - Field Staff						
1.	Security Officer	Basic	475.38	12360.00	465.38	12100.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	536.58	13951.20	526.58	13691.20
2.	Field Officer	Basic	437.38	11372.00	423.38	11008.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	498.58	12963.20	484.58	12599.20
3.	Security Inspector	Basic	426.38	11086.00	413.38	10748.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	487.58	12677.20	474.58	12339.20
4.	Security Supervisor	Basic	398.00	10350.00	385.00	10012.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	459.20	11941.20	446.20	11603.20
5.	Assistant Security Officer	Basic	375.38	9760.00	365.38	9500.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	436.58	11351.20	426.58	11091.20
6.	Head Guard	Basic	375.38	9760.00	365.38	9500.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	436.58	11351.20	426.58	11091.20
7.	Intelligence & Fire Fighting	Basic	375.38	9760.00	365.38	9500.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	436.58	11351.20	426.58	11091.20
8.	Security Guard	Basic	375.38	9760.00	365.38	9500.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	436.58	11351.20	426.58	11091.20
9.	Lady Guard / Lady Searchers	Basic	375.38	9760.00	365.38	9500.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	436.58	11351.20	426.58	11091.20
(Drivers / Cleaners)						
1.	Drivers	Basic	410.38	10670.00	397.38	10332.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	471.58	12261.20	458.58	11923.20
2.	Cleaners	Basic	375.38	9760.00	365.38	9500.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	436.58	11351.20	426.58	11091.20
Part 2 - (Office Staff)						
1.	Manager / Personal Officer	Basic	508.38	13218.00	492.38	12802.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	569.58	14809.20	553.58	14393.20

2.	Assistant Manager / Assistant Personal Manager	Basic	490.38	12750.00	475.38	12360.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	551.58	14341.20	536.58	13951.20
3.	Accountant	Basic	470.38	12230.00	455.38	11840.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	531.58	13821.20	516.58	13431.20
4.	Cashier / Sr. Clerk	Basic	460.38	11970.00	437.38	11372.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	521.58	13561.20	498.58	12963.20
5.	Stenographer / Computer Operator	Basic	460.38	11970.00	437.38	11372.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	521.58	13561.20	498.58	12963.20
6.	Store Keeper / Telephone Operator	Basic	450.38	11710.00	427.38	11112.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	511.58	13301.20	488.58	12703.20
7.	Typist / Data Entry Operator	Basic	450.38	11710.00	427.38	11112.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	511.58	13301.20	488.58	12703.20
8.	Attender (Cumasta)	Basic	360.00	9360.00	350.00	9100.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	421.20	10951.20	411.20	10691.20
9.	Office Boy / Peon / Sweeper / Attender	Basic	360.00	9360.00	350.00	9100.00
		VDA	61.20	1591.20	61.20	1591.20
		Total	421.20	10951.20	411.20	10691.20

Zone-I: Bruhat Bangalore Mahanagara Palike and Agglomeration Areas and other City Corporations in the State.

Zone-II: Other than places mentioned in Zone-I.

VDA: In addition to the Basic wages, all Category of employees in the State shall be paid VDA @ 4 paise per point over and above 5780 points.

Note: Security Officer & Security Guard once in a year one pair Boots and 2 pair Socks or Yearly Rupees 850.00 should be paid to purchase a pair of boots and 2 pair of socks.

Night time working guards every two years Mufflayer, Sweater or Rupees 300.00 should be given.

Every years, 2 pair Uniforms, Cap (Cap or Hat) and Belt or Rupees 1500.00 should be given.

Every month washing Allowance of Rs. 300.00 should be given.

For Night Guards, Battery and Torch should be given.

Facilities given already should be continued.