

The logo for Gi Group India, featuring the text "Gi Group India" in a bold, teal font on a white background.

Compliance Newsletter

We take privilege in sharing with you February' 2022 edition of our monthly Compliance Newsletter. The newsletter will help you stay updated with the latest regulatory changes, notifications and amendments.



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Dear Reader,

In this edition of our monthly Compliance Newsletter, we bring to you the latest Minimum Wages revisions notifications from the states of Kerala.

Further, we have also appended the notifications and amendments released in the month of February'22. Some of the important announcements are Honourable Supreme Court Set Aside Order on the Haryana State Employment of Local Candidates Act, 2020, grant of paid holidays for election in various states of India and many more such important news.

Read further to know more!

Best Regards,
Gi Group

Minimum Wages Revisions

The Kerala Minimum Wages Notification

The Government of Kerala, Labour and Skills (E) Department has revised the variable dearness allowance for employment in Shops and Commercial Establishment. As per the Notification No. DES/859/2022-P3(1) , the Consumer Price Index Numbers applicable to employees in employment under the Minimum Wages Act (Central Act XI of 1948) for the month of December 2021. Please refer the notification appended herewith for detailed information and also minimum wages for various other districts of Kerala.

Grade	District	Basic General	DA General	Special Allowance	Minimum Wages General
Special	Thiruvananthapuram	9330	3952	200	13482
Grade A	Thiruvananthapuram	9120	3952	200	13272
Grade B	Thiruvananthapuram	8910	3952	200	13062
Grade C	Thiruvananthapuram	8700	3952	200	12852
Grade D	Thiruvananthapuram	8490	3952	200	12642
Grade E	Thiruvananthapuram	8280	3952	200	12432
Grade F	Thiruvananthapuram	0	0	0	0
Grade G	Thiruvananthapuram	0	0	0	0
Grade H	Thiruvananthapuram	0	0	0	0
Grade I	Thiruvananthapuram	0	0	0	0
Special	Ernakulam	9330	3354	200	12884
Grade A	Ernakulam	9120	3354	200	12674
Grade B	Ernakulam	8910	3354	200	12464
Grade C	Ernakulam	8700	3354	200	12254
Grade D	Ernakulam	8490	3354	200	12044
Grade E	Ernakulam	8280	3354	200	11834
Grade F	Ernakulam	0	0	0	0
Grade G	Ernakulam	0	0	0	0
Grade H	Ernakulam	0	0	0	0
Grade I	Ernakulam	0	0	0	0
Special	Palakkad	9330	3328	200	12858
Grade A	Palakkad	9120	3328	200	12648
Grade B	Palakkad	8910	3328	200	12438
Grade C	Palakkad	8700	3328	200	12228
Grade D	Palakkad	8490	3328	200	12018
Grade E	Palakkad	8280	3328	200	11808
Grade F	Palakkad	0	0	0	0
Grade G	Palakkad	0	0	0	0
Grade H	Palakkad	0	0	0	0
Grade I	Palakkad	0	0	0	0

Notifications/Circulars/Amendments

EPFO Circular on Clarification regarding NEEM trainees

EPFO vide circular No. Compliance/NEEMscheme/2021 dated 24/0/2022 recommended to all additional Central Provident Fund Commissioner and Zonal commissioners that provisions towards the Employees Provident Fund And Miscellaneous Provisions Act, 1952 will be applicable for the students getting placement in companies and appointed as employee of the establishments even during job or training or induction and other trainings taken after becoming employee. Therefore, Trainees under National Employability Enhancement Mission are not exempted from the definition of "employee" under The Employees Provident Fund and Miscellaneous Provisions Act, 1952. Please refer to the circular and clarification appended herewith for more details.

The Contract Labour (Regulation and Abolition) Himachal Pradesh Amendment Act, 2020

Government of Himachal Pradesh vide Notification No. L.L.R.-D(6)/2020 and Act No. 01 of 2022 has repealed the Contract Labour (Regulation and Abolition) Himachal Pradesh Amendment Ordinance, 2020 with ordinary legislation to be known as the Contract Labour (Regulation and Abolition) Himachal Pradesh Amendment Act, 2020. As per the amendment the applicability to the Act for the establishments is 30 or more workmen from the earlier 20 or more workmen. Hence, Employers in Himachal Pradesh who have engaged the services of contract workers via contractors in their establishment to make note of the amendment and comply accordingly. Please refer to the notification appended herewith for more details.

Extension of Shops and Establishments Enactment in Certain Local Areas of Madhya Pradesh

Government of Madhya Pradesh vide notification No.291-52-2022-A-XVI dated 22/02/2022 has extended the application of the Madhya Pradesh Shops And Establishments Act, 1958 in the areas comprised within the local limits of Nagar Panchayats such as Bilhara, Malthon, Surkhi, Bandri of Sagar district in Madhya Pradesh. Please refer to the notification appended herewith for more details.

Honourable Supreme Court Set Aside Order on the Haryana State Employment of Local Candidates Act, 2020

The Hon'ble Supreme Court of India set aside the stay order of the Punjab And Haryana High Court dated 03rd February 2022 which halted the implementation of the Haryana State Employment Of Local Candidates Act, 2020 until such time that the constitutional validity of the legislation is determined. The Supreme Court of India, while setting aside the stay, directed the Punjab and Haryana high court to expedite the hearing and decide on the validity of the law within 4 weeks. It is also ordered that no coercive action shall be taken against companies that do not comply with the law that mandates 75% reservation for the State's residents in jobs paying less than Rs. 30,000 a month. Please refer to the notification appended herewith for more details.

ESIC State-wise updation of Implemented, Partially Implemented and Non-Implemented Areas

In continuation to earlier dated 04/10/2021 vide No. 8589/2021 uploaded on ESIC website, there are further additions to the list as of current circular vide Circular No. X-11/14/6/2015-P&D. The current status as under:

States Status of Notified Districts	
No. of States/UTs where entire area is notified	13
No. of States/UTs where partially notified	22
Non-Implemented States/UTs	1
Fully Notified Districts	441
Partially Notified Districts	154

Please refer to the Circular appended herewith for more details.

Grant of paid holiday on account of general election in Uttar Pradesh

The Election Commission of India vide Notification No. F.184/Addl.LC/Holiday-Election/2019/272-278 has announced general election of Uttar Pradesh Constituency. In view of this the Labour Commissioner has declared paid holiday from 10th February 2022 to 07th March 2022 (different dates as per local constituency) on account of general election in Uttar Pradesh. As per notification, business establishments, establishments, Factories located in Delhi should ensure that the electors residing in of Uttar Pradesh and working in different establishments of NCT of Delhi should be granted paid holiday on the day of poll in the their respective constituency as per schedule annexed as Annexure-A to enable them to cast their vote.

Hence, employers of Industrial Establishments/Factories /Shops and Commercial Establishments in NCT of Delhi shall grant paid holiday to their employees who are electors of Uttar Pradesh to enable them to cast their vote in their respective constituency on the day of polling in case scheduled day is a working day for them or elector. Please refer to the notification appended herewith for more details.

Grant of paid holiday on account of general election in Uttarakhand

Government of Uttarakhand vide Notification No.698/29/2022 dated 04/02/2022 has declared paid holiday in the State of Uttarakhand on 14th February 2022 (Monday) on account of general election for employees who are working in industrial establishments, factories, governing and non-governing body, educational institutions, commercial establishments and shops. Please refer to the notification appended herewith for more details.

Grant of paid holiday on account of general election in Goa

Government of Goa vide notification No.2/2/2010-GAD-III/447 dated 07/02/2022 has declared 14th February 2022 as a public holiday being the polling day for the general elections to the Goa Legislative Assembly, 2022 throughout the State of Goa. As per notification, 14th February 2022 also declared as a paid holiday for the following:

- (1) Industrial workers of the State of Goa
- (2) Daily wage workers of the Government Departments and State Government Industrial Departments
- (3) Commercial and industrial workers of private establishments in the state of Goa
- (4) All private establishments
- (5) Daily wages, casual workers employed in any business, trade industrial undertakings or any other establishments.

Please refer to the notification appended herewith for more details.

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