

# **KILE** **NEWS**

Volume II Issue 8

October - December 2015



Kerala Institute of Labour and Employment  
Thiruvananthapuram - 695033

Publication in progress

# Njanum Ente Thozhil Niyamangalum

(A handbook on labour legislations in the State)



# KILE in the hands of new leadership



T.P. Ramakrishnan, veteran trade union leader and State Secretariat Member of the Communist Party of India (Marxist) sworn in as the Excise and Labour Minister of the Government of Kerala on the 25<sup>th</sup> May, 2016. In terms of the Memorandum of Association the Minister holding the charge of the Labour Department would be the President of the General Body of the Kerala Institute of Labour and Employment (KILE).

He came to this position with the vast experience from the trade unions and political leadership. He had a significant role in organising and leading the plantation workers of Muthucaud, Headload workers and motor transport workers of Kozhikode and Toddy workers of Koyilandi.

He entered politics through student movement and participated in the formation of the Student Federation of India in 1970 and became the Koyilandi Taluk Secretary. He is a member of the Communist Party of India (Marxist) since 1968. In 1972 he became the leader of the Keezhariyoor 'Micha Bhoomi' strike. He was also the Secretary of the Perambra Estate Labour Union since 1972. For eighteen years he was in the leadership as President and Secretary.

*Courtesy : Deshabhimani daily*

He is elected to the Kerala Legislative Assembly from the Perambra Constituency. It is his second tenure from the same constituency.

T.P. Ramakrishnan was born as the son of Late Sankaran, Koyilandi Numbathukara Unnichiram Veedu and Manikkam.

During Emergency he was arrested from Perambra on 25<sup>th</sup> February, 1978, detained in police custody for eighteen days and imprisoned for three months in the District Jail, Kozhikode. During this period he was tortured severely at Kakkayam Police camp. Thereafter he was in the forefront of trade unions and political activities. In 2004 he was elected as the CPI (M) District Secretary, Kozhikode and held the post for ten years. Presently he is a member in the CPI(M) State Secretariat, State Vice President, CITU and Member National Working Committee. He was also the President of Koyilandi Taluk Toddy Workers Union and District Foreign Liquor Trading and Vending Workers Union.

He has also held the posts of Senate Member, Calicut University, Director, Plantation Corporation and Chairman Texfed.

M.K. Nalini, member CPI (M) District Committee, Kozhikode and Democratic Mahila Association District Secretary, Kozhikode is his wife. They have two children; one son and a daughter.



T.P. Ramakrishnan swearing before Governor Justice Sadasivam



## KILE NEWS

A Publication of the Kerala Institute  
of Labour and Employment (KILE)

Vol-II  
Issue - 8  
October-December, 2015

Patron  
**T.P. Ramakrishnan**  
Minister for Labour and Skills  
President KILE

Managing Editor  
Chairman KILE

Chief Editor  
**V Veerakumar**  
Executive Director KILE

Editors-in-Charge  
**Kiran JN**  
Senior Fellow KILE  
**K Dileepkumar**  
Fellow (Labour) KILE  
**Vijay Wills**  
Fellow (Employment) KILE

Asst. Editor  
**TS Jayalal**  
Accounts Assistant, KILE

Design & Layout  
**Deepak Mouthatil**

Photos  
**Arun**

Editorial Assistance  
**Jisha AS**  
**Jayasree S**  
**Umadevi S**  
**Nazeeja AR**

Printed at  
**C-apt**  
Thiruvananthapuram-13

N.B Responsibility of the views in the  
article lies with the author

KILE NEWS



3

## KILE in the hands of new leadership

6

## Going Ahead



8

## QUASI JUDICIAL Authorities In The Labour Department

V. Veerakumar



13



## KNOW YOUR AUTHORITIES UNDER VARIOUS ENACTMENTS

PROGRAMMES

17 Leadership training for Cashew workers



19 Leadership Development Programme for the Trade Unions



22 Awareness programme And medical camp for Migrant Workers



35



27 *Juris Consultus*

V. Veerakumar



49 *Do You Know*



- 36 Data Zone
- 39 News Scan
- 43 Media on KILE
- 46 Letters



# Going Ahead



Pinarayi Vijayan swearing as Chief Minister of Kerala before Justice Sadasivam, Governor of Kerala on 25.05.2015.



Ministers of the Cabinet with Justice Sadasivam, Governor and Pinarayi Vijayan Chief Minister after the Swearing Ceremony

## From the Chief Editor's Desk

# A ray of hope



With the change of Government, the new Minister for Labour and Skills has taken charge in the State. In terms of the Memorandum of Association of KILE the Minister holding the charge of the Labour Department would be the President of the General Body of the institute and thereby the leadership of the organisation has come in the hands of T.P. Ramakrishnan, a reputable leader emerged from the trade union.

For the past few years KILE have been striving to retain its identity due to many reasons beyond its control. The delayed disbursement of the grant, delay in the allotment of place in the Labour Complex, abstaining of workers and trade unions from the programmes, vacancies in the posts of Fellow, lack of infrastructural facilities including non-availability of training hall, vehicle, sufficient staff etc. dragged KILE into an acute situation and consequently we have failed to utilise substantial percentage of the grant in the last two years.

In the first meeting with the Minister who is also the President of the General Body of the organisation we could feel a positive attitude when the Minister assessed our performance and expressed the intention to equip the institute to shoulder higher responsibilities in the achievement of its objectives. The suggestions put forward by the Minister in the future activities of KILE were an inspiration to us to work confidently in his leadership and raise to his expectations. Sir, we assure you that despite the situation mentioned above we feel confidence to take up more responsibilities in your leadership. We also take this opportunity to bring your attention on the declaration of the then Minister for Labour and Rehabilitation made in the floor of the Legislative Assembly in 2000 that KILE would be made to a National level organisation and a Centre of Excellence (Institute of Labour Studies and Management (ILSM)). Sir, we are expecting much more in your leadership in developing this institute to a state of the art institution.

**V. Veerakumar**  
Executive Director

**V.Veerakumar**

Executive Director

# QUASI - JUDICIAL AUTHORITIES IN THE LABOUR DEPARTMENT

The Legislature, Executive and Judiciary are the three pillars of democracy. Each organ has its exclusive functions- the Legislature is to enact (pass) the law; the executive is to administer the law and the judiciary is to interpret the law and declare what the law is. However, it is not necessary that each organ exclusively performed their functions. Eg. The executive also performs certain judicial functions that are known as quasi-judicial functions.

The incorporation of the Articles 323A and 323B through 42<sup>nd</sup> Amendment of the Constitution paved way for establishing Administrative Tribunals and other Tribunals. When Article 323A provides for the creation of Administrative Tribunals Art. 323B provides for the creation of Tribunals for determination of disputes including labour and industrial disputes. Even prior to these amendments, Tribunals have been constituted under the provisions of various enactments. Eg. Industrial Tribunals and Labour Courts under the Industrial Disputes Act, 1947 and the Agricultural Tribunals under the Kerala Agricultural Workers Act, 1974. The Tribunals are the “Courts” ordinarily exercising the quasi-judicial functions in the country. Besides these tribunals the administrative bodies and authorities constituted under special enactments also exercise quasi-judicial functions.

In *Durga Shankar Mehta v. Reghuraj Singh*, AIR 1954 SC 520 Supreme Court defined Tribunal as “the

expression “tribunal” as used in Article 136 does not mean the same thing as “court” but includes, within its ambit, all adjudicating bodies, provided they are constituted by the state and are invested with judicial as distinguished from administrative or executive functions.”

In *Bharat Bank Ltd. V. Employees of Bharat Bank Ltd*, AIR 1950 SC 188 the Supreme Court observed that “though tribunals are clad in many of the trappings of a court and they exercise quasi – judicial functions, they are not full- fledged courts. Thus tribunals are adjudicating bodies , which decides controversies between the parties and exercises judicial powers as distinguished from purely administrative functions and thus possesses some of the trappings of a court, but not all.”

With the changes in the modern democratic system in the functioning of the states and the shifting to the “welfare state” it exercises not only sovereign functions but seeks to ensure social security and social welfare for the common masses. It regulates various issues many of them are not purely legal issues so that the ordinary courts cannot adjudicate and settle. Moreover the huge number of cases pending before the courts makes it more difficult to resolve it in the desired time span. Eg. The timely settlement of industrial disputes is inevitable not only for the interest of the parties but also for the interest of the society at large. Far and above the social issues





and other consequential issues involved in these disputes necessitated the speedy settlement of it over and above the interests of the parties for which the ordinary courts which are fully legalistic in nature cannot resolve it so easily.

### What is quasi-judicial?

The term ‘quasi-judicial’ is a compound word comprising of two words ‘*quasi*’ and ‘*judicial*’. The meaning of the term ‘quasi’ is ‘as if’ or ‘not exactly’. The word ‘judicial’ applies to all acts done under the direction of Courts. The definition of the term ‘quasi’ means and it further says ‘A word frequently used as part of a compound word or as a separate word to indicate that one situation or transaction closely analogous to another, without being the same’. Eg. ‘Quasi – Judicial’, Quasi-contract, Quasi- reality, Quasi-legislative, Quasi-possession, Quasi – trustee etc.

The term ‘judicial’ applies to all acts done under direction of a Court. Eg. ‘Judicial sale’, judicial confession, judicial notice, judicial admission, judicial power, judicial review etc. Thus the ‘Quasi-judicial’ indicates ‘judicial in some sense or aspect, but not in every sense. ie. the act is not wholly judicial. It is a duty cast on the executive body or authority to conform to norms of judicial procedure in performing some acts in exercise of its executive power.

If a statute empowers an authority to decide disputes arising out of a claim made by one party under the statute, which claim is opposed by another party, then prima facie and in the absence of anything in the statute to the contrary it is the duty of the authority to act judicially and the decision of the authority is a quasi-judicial act. Referring to the actions of an agency, boards or other government entity in which there are hearings, orders, judgments or other activities similar to those conducted by courts. Eg. A public utilities hearing on setting telephone company rates is quasi-judicial.

In many occasions the Supreme Court stated what a quasi-judicial function is. In the words of the Supreme Court “If a statutory authority has power to do any act which will prejudicially affect the subject, then although there are not two parties apart from the authority and the contest is between the authority, proposing to do the act and the subject opposing is, the final determination of the authority will be a *quasi-judicial act* provided the authority is required by the statute to act judicially.” *Province of Bombay v. Khushaldas*, AIR 1950 SC 222; *T.C.Basappa v. Nagappa*, 1954 SC 440; *Shivji Nathubhai v. Union of India*, AIR 1960 SC 606.

The act is not wholly judicial. It is a duty cast on the executive body or authority conform to norms of judicial procedure, performing some acts in exercise of its executive power.

A decision is to be given by the authority not arbitrarily or mere discretion of an authority. It should be strictly based on the facts and circumstances of the case, as determined upon an enquiry held by the authority after giving an opportunity to the party to be affected of being heard, whenever necessary evidence in support of his contentions referring to the actions of an agency, boards or other government entity in which there are hearings, orders, judgments or other activities similar to those conducted by Courts. Eg. A public utilities hearing on setting telephone company rates is quasi-judicial.

Important distinction between judicial and quasi-judicial functions

- (i) A quasi-judicial authority has some of the trappings of a court, but not all of them; nevertheless there is an obligation to act judicially.
- (ii) A dispute between two parties is an essential characteristic of a judicial function, but this may not be true of a quasi-judicial function.
- (iii) A Court is bound by the rules of evidence and procedure while a quasi-judicial authority is not.

- (iv) A Court cannot be a judge in its own cause (except in contempt case), while an administrative authority vested with quasi-judicial powers may be a party to the controversy or dispute or conflict but can still decide it.

No prescribed procedure has been stipulated for the functioning of these authorities. It does not mean that they can follow their own procedure.

Principles of natural justice are the basic principle to be followed by these authorities. Two principles of natural justice are generally accepted.

- (i) The tribunal or authority should be free from bias and interest- ie no man shall be a judge of his own cause and justice should not be done but manifestly and undoubtedly seen to be done. The reason for this rule is to enable the tribunal or authority to act independently and impartially without any bias towards the party or parties.
- (ii) Audi Alteram Partem rule - (*'Nemo debet esse judex in propria causa'*) –The party must be heard before the decision is given. The Tribunal or authority must



give a reasonable opportunity to the party or parties concerned before a decision is taken. ie the party must have full and fair hearing and no man should be condemned unheard. It is an important rule of civil justice. The parties affected must be given sufficient opportunity to meet the case against them. *A.P.S.R.T. Corpn v. Satya Narayan Transports*, AIR 1963 SC 1303; *Mineral Development Ltd v. State of Bihar*, AIR 1963 SC 1373.

Oral or personal hearing is not a part of natural justice and cannot be claimed as a right. Representation through counsel or an advocate also cannot be claimed as a part of natural justice. As a general rule, hearing should be afforded before a decision is taken and no afterwards. Bias means economic bias or pecuniary bias, personal bias, official bias or bias as to subject matter etc.

The order issued by the authority should be a speaking one— means speaking for itself. To put it simply, every order must contain reasons in support of it. (The rule requiring reasons to be recorded in support of the order is one of the principles of natural justice). But, only relevant reasons to be recorded. If irrelevant reasons are recorded, the exercise of power would be bad and the order is liable to be set aside. Some statute specifically requires recording of reasons, then it imposes an obligation on the adjudicating authority and the reasons must be recorded by the authority.

The writ of *certiorari* can be issued to a judicial or quasi-judicial body on the following grounds:

- (i) Where there is want or excess of jurisdiction;
- (ii) Where there is violation of procedure or disregards of principles of natural justice;
- (iii) Where there is error of law apparent on the face of the record but not error of a fact.

On these observations, we can see that the authorities constituted under various labour enactments are empowered to exercise quasi-judicial powers. Eg. Assistant Labour Officer who is the Competent Authority under the Kerala Shops and Commercial Establishments Act, 1960 to issue registration for the establishments under the Act. The decision to be taken by the authority regarding the registration or refusal of registration of an



establishment of an employer is a quasi-judicial function. Similarly, the Registrar under the Trade Unions Act, 1926, Licensing Authority under the Factories Act, 1948, Licensing or Registering Officers under the Contract Labour Regulation and Abolition Act, 1970, Controlling Authority under the Payment of Gratuity Act, 1972, Certifying Officer under the Industrial Employment (Standing Orders) Act, 1946, Competent Authority under the Maternity Benefit Act, 1961, Claim Authority under the Minimum Wages Act, 1948 etc. are a few of them in the array of the authorities exercising quasi-judicial powers in their functioning.

Like judicial authorities the appointment of quasi-judicial authorities are also appointed in accordance with the provisions of the Constitution and special statutes. Their appointments are necessitated for the effective implementation of enactments under which they have been appointed. The powers and procedures of the judicial and quasi-judicial authorities are different as their name indicates. The Labour Department is one of the Departments enforcing many number of enactments and in each one atleast one quasi-judicial authority is appointed.

This article intends to address the strong criticism from the employees and employers levelled against the functioning of the quasi-judicial authorities in the Labour Department and suggest some remedies to improve their effectiveness for better service delivery to the poor workers

who are solely depending to the authorities for resolving their employment issues.

Applications including claims for minimum wages, gratuity, appeal under the Shops Act etc. pending more than 10-15 years before the authorities were the common issue pointed out by the criticsers. The recent decision of the Government to notify the Industrial Tribunals as the Commissioner for Employees Compensation instead of the Deputy / Joint Labour Commissioners of the Department who were functioning as Commissioners for Compensation from the very beginning of the Department was another major flaw raised by them. The lack of procedural awareness, current legal status and inexperience of the authorities etc. were also pointed out by many. The authorities who are not aware of the legalities about the procedure of a particular action seeking the advice of the higher authorities who are the appellate authorities against the orders of the authority seeking the advice and issuing orders accordingly is a major flaw from the side of the officers in the Department. In these incidents they point out the denial of natural justice to the parties as the higher authorities who are giving the directions to the lower authorities to decide a case become biased when the appeal comes before them for decision. Lack of sufficient legal experience, poor job knowledge of the authorities etc. are other important areas where the authorities fail to perform their duties and responsibilities adequately. Since the parties are not inclined to challenge the decisions of the Department due to the expensive litigation charges, many of them left their claim for the destiny.

### Suggestions for improvement

A few suggestions for the effective functioning of the authorities are

- Give priority to legally trained and experienced officers in the important posts.
- Provide adequate legal training for the authorities in regular intervals
- Issue specific guidelines for the functioning of the authorities with specific direction to take independent decisions on depending on the facts and circumstances of the case
- Give advance training to the authorities before appointing as a quasi-judicial authority.

- Establish a proper monitoring system for assessing the functioning of the authorities
- Enlist the pending applications and prepare a time bound disposal schedule and ensure its disposal in a regular manner.

### Reference

1. The Constitution of India Bare Act
2. Status of Tribunal Justice System Under Indian Constitution (Special Reference to Service Tribunals) <http://law-projects.blogspot.in/2013>
3. The constitutional law of India, Dr.J.N.Pandey, Central Law Agency
4. Analysis: What are the limits of Quasi-judicial Authorities' Discretionary Powers?- the bravepedestrian's blog ●



Courtesy: The Economic Times



Watch  
this  
page

7

## KNOW YOUR AUTHORITIES UNDER VARIOUS ENACTMENTS

The Kerala Casual, Temporary and Badli Workers (Wages) Act, 1989  
(Act 1 of 1990)

Sl.No	Purposes / Services	Authority
1	Extending the applicability of the Act (Clause (b) and (c) of sub – section (4) of Section 1 )	<b>Government</b> (Authority as per clause (b) and (c) of sub-section (4) of Section 1)
2	Appointment of authorities for hearing and deciding claims and complaints regarding contravention of S. 3 and claims arising out of non- payment of wages at the rates referred to in the said Section ( Claim Authority) (Deputy Labour Commissioners)	<b>Government</b> (Authority as per sub – section (1) of Section 4)
3	Appointment of Appellate Authority to hear and decide appeal against the order of the authority appointed under sub section (1) of Section 4 ( Regional Joint Labour Commissioners)	<b>Government</b> ( Authority as per sub- section (6) of Section 4)
4	Complaints regarding the non – compliance of the provisions of the Act and Rules except Section 3 · <ul style="list-style-type: none"><li>● Denial of work cards ·</li><li>● Denial of leave·</li><li>● Inspection of establishments·</li><li>● Investigation regarding the compliance of the provisions·</li><li>● Non - maintenance of registers and records etc.</li></ul>	<b>Assistant Labour Officer (Grade II)</b> (Inspector appointed under Section 6)  (Labour Commissioner to Assistant Labour Officer ( Grade II))
5	Publication of working time of all classes of workers ( Rule 5)	<b>Employer</b> (Authority prescribed under Section 5 read with Rule 5)
6	Burden of proof on the nature of work of an employee ( A work performed by a casual, temporary or badly worker is not the same work or work of a similar nature as that performed by a permanent worker) (Sectin10)	<b>Employer</b> ( Authority prescribed under Section 10)

7	Maintenance of registers and records <ul style="list-style-type: none"> <li>● Mustor roll in From A (Rule 3(1))</li> <li>● Issue of work cards to workers (In Form B) (Rule 4(1))</li> <li>● Publication of working time (Section 5) etc.</li> </ul>	<b>Employer</b> (Authority prescribed under Section 5 read with Rules 3,4,5)
8	Complaints with regard to payment of wages at rates less than the minimum of the wages payable to by an employer to a permanent worker for performing the same work or work of a similar nature (Form C – Contravention of Section 3 ) (Section 4 read with Rule 9)	<b>Deputy Labour Commissioner</b> Chief Inspector of Plantations (Authority appointed under sub section (1) of Section 4)
9	Claims arising out of non- payment of wages at rates less than the minimum of the wages payable by an employer to a permanent worker for performing the same work or work of a similar nature ( In Form C – Contravention of S. 3 ) (S. 4 read with rule 9)	<b>Deputy Labour Commissioner</b> Chief Inspector of Plantations (Authority appointed under sub section (1) of Section 4)
10	Appeal against the order of the Authority appointed under sub- section (1) of S.4 on complaint or a claim (Within thirty days from the date of the order) (Sub- section (4) of Section 4) (Deputy Labour Commissioner)	<b>Regional Joint Labour Commissioner</b> (Appellate Authority appointed under sub – section (6) of Section 4)
11	Ascertain whether two or more works are of the same nature or of a similar nature	<b>Deputy Labour Commissioner</b> (Authority specified under sub section 3 of Section 4)
12	Appointment of Inspectors (Section 6)	<b>Government</b> (Authority specified under sub section (1) of Section 6)
13	Filing of prosecution	Any person with the sanction of the Government or an officer authorised by Govt. (Specified under sub- section (1) and (2) of Section 9)
14	Competent Court for filing complaints (Section 9)	<b>No Court inferior to that of a Judicial Magistrate of the First Class</b> (Authority specified under sub section (1) of Section 9)
15	Making of rules	<b>Government</b> (Authority as per Section 11)

*Courtesy: Law Relating to Kerala Shops and Commercial Establishments, N&N Publications, Thiruvananthapuram - 43*

# The Power of Humility

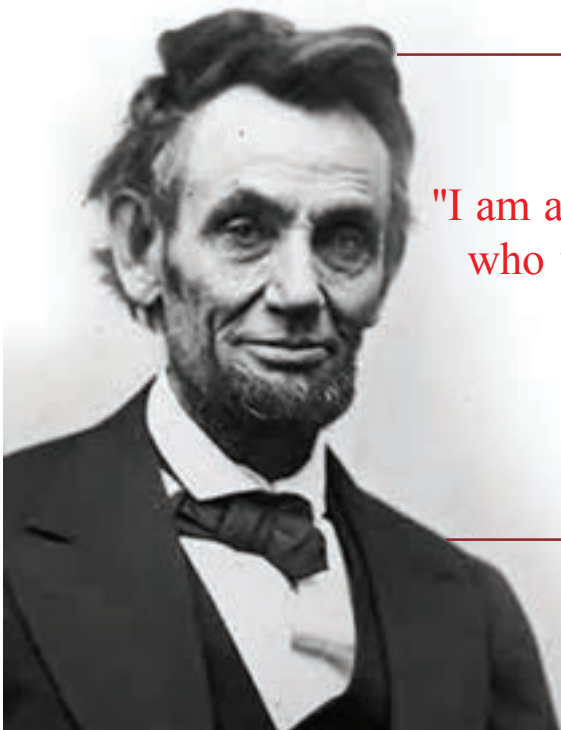
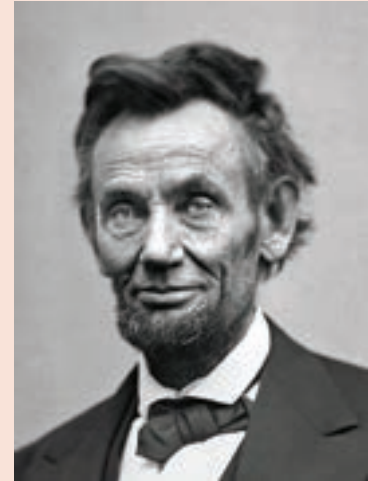
## OSHO

Why do people want power? Because whatever they are doing is not respected. A shoemaker is not respected like the president of a country. In reality, he may be better as a shoemaker than the president is as a president. Abraham Lincoln's father was a shoemaker, and Lincoln became the US president.

The first speech that Lincoln delivered on the inauguration of his first term was interrupted right at the beginning. A man stood up and showing his shoes said, "Mr. Lincoln, by accident, you have become the president. But never forget that your father was a shoemaker. In fact, in my family, your father used to come to make shoes for everybody. The shoes I am showing you were made by your father."

The whole Senate laughed; they thought they had humiliated Lincoln. But with tears in his eyes, Lincoln said, "I am immensely grateful to you for reminding me of my father. He was a perfect shoemaker, and I know I cannot be that perfect a president. I cannot beat him. But I will try my best to at least reach close to his greatness. As for your family and the shoes my father has made, I can inform the whole Senate that there may be other aristocratic families that my father used to make shoes for. He has taught me a little bit of the art of shoemaking too. If his shoes are not working well - if they pinch you, if they are too tight, or too loose- I can always mend them. I am my own father's son. Of course, it will not be the same as my father; but he is dead."

*Courtesy: The Economic Times*



"I am always for the man  
who wishes to work"

Abraham Lincoln



*Courtesy: The Economic Times*

## Workshop on Social Security Schemes implemented by Labour and Skills Department for Presidents of Grama Panchayaths and Block Panchayaths



Majority of the social security schemes are implemented by the Labour and Skills Department. These include the schemes implemented through various Welfare Fund Boards, Departments like Labour, Employment and Comprehensive Health Insurance Agency of Kerala (CHIAK). Welfare Fund Boards are functioning for the important employment sectors and these are constituted by statutes. Since the functioning of the welfare fund boards are an established set up the benefits provided through them are familiar to trade unions and workers in the employments. However the schemes implemented through Departments are not so popular due to insufficient publicity mechanism. In the circumstance, KILE have decided to conduct workshops for the chairmen of the local body institutions with a view to give them first-hand information regarding the social security schemes implemented by the Labour and Skills Department.



The state level inauguration of the programme was organised in Thiruvananthapuram on 05.01.2016 at Hotel Hycinth. It was inaugurated by Shibu Baby John, Minister for Labour and Skills in a significant function chaired by Dr. M.K. Muneer, Minister for Panchayats and Social Justice. Philip Joseph, Chairman, KILE have given the welcome speech and V. Veerakumar, Executive Director, KILE have delivered the vote of thanks. The Executive Council members and the leaders of various trade unions have delivered the felicitation speeches. K. Dileep Kumar, Fellow (Labour) delivered the vote of thanks. 146 Presidents of the Grama Panchayats and District Panchayats of Thiruvananthapuram and Kollam districts have participated in the programme.

In the meeting Dr.M.K. Muneer, Minister for Panchayats and Social Justice released a handbook on the schemes implemented by the Labour and Skills Department by giving a copy to Salim G Modayil, Executive Council Member, KILE.



A view of the participants.





N.K. Premachandran M.P. inaugurating the programme

## Leadership training for Cashew workers

As in the earlier years as part of the women empowerment activities KILE have organised a number of leadership development programmes for the women in employment. Cashew industry is one of the traditional and women dominant employment sectors in the State. So a programme was organised for the women in cashew industry at Bishop Jerome Hall, Kollam on 05.12.2015. It was inaugurated by N.K. Premachandran M.P in a meeting chaired by Murali Madanthacode , Executive Council member, KILE. N. Azhakesan, Chairman, Kerala Toddy Workers Welfare Fund Board, J. Udayabhanu, State Working President, AITUC, B. Sivaji Sudarshan, Secretary, Kerala Pradesh Cashew Masdoor Sangh etc. have delivered the felicitation speeches. V. Veerakumar , Executive Director, KILE and K. Dileep Kumar, Fellow (Labour) delivered the welcome address and vote of thanks respectively. 62 representatives from various trade unions have attended the programme.



V. Veerakumar, Executive Director, KILE delivering the welcome address



A view of the audience

## Workshop

# Mental strain and Health problems in Employment for Plantation Workers



Philip Joseph, Chairman KILE, inaugurating the workshop

A workshop on “Mental strain and Health Problems in Employment” was organised for the workers in the plantations of Peermade and Kumily area on 17.02.2016 at Holiday Home, Kumily. The workshop was inaugurated by Philip Joseph, Chairman, KILE in the meeting presided by E.V. Narayanan Namboodiri, Chief Inspector of Plantations. Adv.Murali Madanthacode and Salim G Modayil, Executive Council members, KILE have delivered the felicitation speeches. V.Veerakumar, Executive Director, KILE and K.Dileep Kumar, Fellow (Labour) KILE have delivered the welcome address and vote of thanks respectively.



A view of the participants

Prof. Boss George, Marian International Institute of Management, Kuttikkanam has handled a session on the Mental strain in employment and Dr. Murukesan, Secretary, Indian Medical Association, Vandiperiyar has handled the session on Health problems and its remedies. Eighty one representatives from various trade unions have attended the programme.

## Workshop

# Leadership Development Programme for the Trade Unions



A workshop on “Leadership Development Programme for the Trade Unions” was organised in Pathanamthitta on 20.06.2016. It was inaugurated by Hari Kishore. IAS, District Collector Pathanamthitta in a meeting presided by K.Gopakumar, District Labour Officer, Pathanamthitta at Hotel Hills Park. Kiran J.N, Senior Fellow, KILE and K. Dileep Kumar, Fellow (Labour) have delivered the welcome address and vote of thanks respectively.

D. Sureshkumar, Deputy Labour Commissioner, Thrissur and Prof. Boss George, Marian International Institute of Management, Kuttikkanam have handled classes on Labour Laws and Leadership Development respectively.

Seventy Nine representatives from various trade unions have participated in the workshop.



Hari Kishore IAS, District Collector, Pathanamthitta delivering the inaugural address.

## Training

# Kerala Service Rules and Schemes for the officers of the Employment Department



Philip Joseph, Chairman, KILE inaugurating the programme

A training programme on “Service Rules and Schemes implemented by the Employment Department” was organised for the clerks of the Employment Service Department on 05.02.2016 at Government Guest House ,Thycaud, Thiruvananthapuram . The programme was inaugurated by Philip Joseph, Chairman, KILE in a remarkable function presided by George Francis.M.A, Joint Director (in charge), Employment Department. The welcome address was delivered by Vijay Wills, Fellow (Employment) and vote of thanks by K.Dileep Kumar, Fellow (Labour).

The class on Kerala Service Rules and Manual of Office Procedure was taken by K.Rajan Nair, Accounts Officer , Police Headquarters (Rtd.) and class on the Schemes implemented by the Employment Department was taken by Raju David. C, Deputy Director, Employment Department. Thirty five officers have attended the programme.



K. Rajan Nair with the participants.

## Career Guidance Programme for Students



K.M. Baby, District Employment Officer delivering the inaugural address.

The career guidance programme is one of the flagship programmes of KILE. The objective of the programme is to give career guidance to the 10<sup>th</sup>, +1 and +2 students in the schools in the rural area who are not getting an opportunity to know their career. One of such programmes was organised in the Govt. High School, Poovar where the children of many of the fishermen in the area are studying. The programme for the first batch of students was held on 23.06.2016. It was inaugurated by K.M.Baby, District Employment Officer in a meeting presided by Jeslin Rani, Head Mistress. Vijay Wills, Fellow (Employment) has given the leadership for the programme.

The programme for the second batch of students was held on 24.06.2016. Total seventy seven students have attended the programme in two batches.



A view of the participants

## Awareness programme and Medical camp for Migrant Workers



K.Gopakumar, District Labour Officer, Pathanamthitta inaugurating the programme. Dr. Niran and his team is also seen.

An awareness programme on the Rights and Health problems for the interstate migrant workmen was organised followed by a medical camp in Thiruvalla, Pathanamthitta. It was held at Youth Centre, Believers Church, Pathanamthitta on 22.06.2016 . It was inaugurated by K.Gopakumar, District Labour Officer, Pathanamthitta. The Medical Camp was held under the Leadership of Dr.Niran comprising a team of experts from the District Hospital , Pathanamthitta. Kiran.J.N, Senior Fellow, KILE and K.Dileep Kumar, Fellow(Labour) ,KILE were the coordinators of the programme.



A view of the participants

## Medical teams at work



## Training



K.O. George, Chief Executive , Kerala Headload Workers Welfare Board inaugurating the programme.

## Kerala Service Rules and Social Security Schemes for the employees of Welfare Fund Boards

This programme was organised for the clerks of various Welfare Fund Boards under the Labour and Skills Department. It was held on 17.03.2016 and 18.03.2016 at Renewal Centre, Kaloor, Ernakulam. The programme was inaugurated by K.O. George, Chief Executive , Kerala Headload Workers Welfare Board, Ernakulam in a meeting presided by Kiran. J.N. Senior Fellow, KILE. K. DileepKumar , Fellow (Employment) has delivered the welcome address. 32 persons have attended the programme.



A view of the participants



## Training

# Interpersonal Relationship for the Assistant Labour Officers



S. Thulaseedharan, Additional Labour Commissioner inaugurating the programme.

A training programme on Interpersonal Relationship for the Assistant Labour Officers have been organised on 28.06.2016 and 29.06.2016 at Animation Centre, Kovalam, Thiruvananthapuram. The two days programme was inaugurated by S. Thulaseedharan, Additional Labour Commissioner and Secretary, Kerala Building and Other Construction Workers Welfare Board in a meeting presided by Vijay Wills, Fellow Employment, KILE, K. Dileep Kumar, Fellow (Labour) KILE expressed the wote of thanks.



A view of the participants

S.Thulaseedharan , Additional Labour Commissioner and Secretary, Building and Other Construction Workers Welfare Board has handled the session on Public Relations and Government Service. The class on Interpersonal Relationship by Dr.R.Prakash, D.O.P.T National Trainer. Thirty two officers have attended the programme.

## Training

# Executive Development programme for Assistant Labour Officers

An Executive Development Programme for the Assistant Labour Officers was organised on 15<sup>th</sup> and 16<sup>th</sup> March, 2016 at Renewal Centre, Kaloor, Ernakulam . The programme was inaugurated by P.J. Joy, Regional Joint Labour Commissioner, Ernakulam in the meeting presided by Kiran. J.N., Senior Fellow, KILE. K. Dileep Kumar, Fellow (Labour) and T.Baburaj, Assistant Labour Officer, Angamaly have delivered the welcome address and vote of thanks respectively.



P.J. Joy, Regional Joint Labour Commissioner, Ernakulam inaugurating the programme

The class on Labour Laws – An Overview was handled by P.J. Joy, Regional Joint Labour Commissioner, Ernakulam and the session on Interpersonal Relationship was handled by V.K. Krishnakumar, J.C.I National Trainer. The class on Kerala Service rules and Manual of Office Procedure was handled by K.Rajan Nair , Accounts Officer, Police Training College (Rtd.) Twenty Five officers have attended the programme.



A view of the participants.

# Juris Consultus



This is a special column through which the answers to the questions on law relating to labour legislations implemented in the State received from the readers if any will be published along with other matters on labour and employment. This include new enactments, rules, schemes, latest case law from Supreme Court and High Courts, notifications, amendments to the existing Acts, rules etc.

Readers may either send the questions to

**kiletvm@gmail.com** or **Executive Director,**  
Kerala Institute of Labour and Employment (KILE),  
Thozhil Bhavan, Thiruvananthapuram - 695033

The column is handled by Sri. **V. Veerakumar**, Executive Director, KILE

## 1. Is it mandatory that all the industrial establishments having trade unions should conduct referendum to recognize the trade unions? If so, what are the legal provisions applicable in this regard?

Mathew Pullamtheri, Kottayam

There is no mandatory legal provision enforceable in the State to conduct referendum to recognize trade unions in the industrial establishments. However, the Kerala Recognition of Trade Unions Act, 2010 (Act 16 of 2010) prescribe certain provisions for the recognition of trade unions in the state. Under these provisions a trade union can initiate action for the recognition of trade unions in the industry or an industrial establishment. But it is not a compulsory provision. So unless atleast a trade union desires to do so the recognition of trade unions cannot be carried out in an industry or an industrial establishment. Unfortunately, there is no provision in the Act, enabling the employers, who are the parties

equally want to recognize the trade unions in an industry or an industrial establishment, to initiate action towards recognition of Unions . Besides, the trade unions who are not participating in the recognition process do not lose its right to raise a dispute and represent before the conciliation officer under the Industrial Disputes Act, 1947. More details can be collected either from the enactment, The Kerala Recognition of Trade Unions Act, 2010 and Rules made thereunder or from the offices of the Labour Department.

2. *Sathya Moorthy, District Labour Officer (HQ) (Rtd.)*, Office of the Labour Commissioner has pointed out an error regarding the appellate authority appointed under Section 4 of the Kerala Headload Workers Act, 1978 mentioned in the “Know Your Authorities under Various Enactments” column published in the KILE NEWS , April – June , 2015 issue (Page 22-23). While regretting on the error occurred we also convey our gratitude to the officer who have pointed out the mistake.



Previously the appellate authority for this purpose was the Regional Joint Labour Commissioner but Vide G.O (P) No. 42/2013/LBR dt.27<sup>th</sup> March, 2013 published as S.R.O No. - 313/2013 the Deputy Labour Commissioners have been notified as the appellate authority. The copy of the notification is included in the Journal section of this column.

### **3. Whether an employee is entitled to receive interest for the delayed payment of gratuity?**

Section 7 (3A) of the Payment of Gratuity Act, 1972 is very clear on the payment of interest for delayed payment of gratuity. However no interest shall be payable if the delay in the payment is due to the fault of the employee and employer has obtained permission in writing from the concerned authority for the delayed payment on this ground.

In *H. Gangahanume Gowda*, AIR 2003 SC 1526 the Hon'ble Supreme Court observed that earlier there was no provision in the Act for payment of interest for the delayed payment of gratuity. In fact, it is on the acceptance of the position that there was a lacuna in the law that Act 22 of 1987 brought about the incorporation of sub-section 3(A) in Section 7.

Recently, the Hon'ble High Court of Kerala after going by the ratio of the Hon'ble Supreme Court in *H. Gangahanume Gowda*, AIR 2003 SC 1526 (supra) as well as the statutory mandate under Section 7 (3A) of the Payment of Gratuity Act, 1972, ordered interest to the petitioner in *Sunil Kumar S. v. Assistant Registrar of Cooperative Societies and others*, 2016 LAB.I.C.1263 .

### **4. Whether a resigned employee can make an application under Section 33 C (2) of the Industrial Disputes Act, 1947?**

Certainly. A resigned employee can make an application under Section 33C (2) of the Industrial Disputes Act, 1947.

The Hon'ble High Court of Kerala in a very recent decision in *Sabumon M.C. v. The Managing Director; M/s. Mangalam Publications India (P) Ltd., Kottayam and another*, 2015 LAB.I.C. 1552 (Ker) relying the decision in the *Thomas .P.K and Others v. Sahithya Pravarthaka Co-Operative Society, Kottayam and others* (2014(3) KHC 195) which followed the decision in *National Building Construction Corporation Ltd.v. Pritam Singh Gill* (AIR 1972 SC 1579) held that "retirement though not a voluntary action, occurs on attaining a certain age. The superannuated employee also receives certain benefits on retirement and there would be nothing wrong in such retired employee approaching the Labour Court under Section 33 C (2) for claiming any benefits computable in terms of money, which arose during the period of his employment. The fact that the employee had retired from the service of the company would not take such person out of the definition of 'workman' as contemplated under Section 33 C is the established position going by the aforesaid decisions."

The Court held that "a person who was resigned from the service of an establishment, according to this Court, is in an identical situation. A workman placed in a disadvantageous position, when in employment, would not many a time take cudgels against the management while in employment, for threat of a vindictive action on the part of the management. Having gone out of the service of the management, the said person could definitely claim any benefit computable in terms of money, which he was entitled to during the course of his employment, under Section 33 C(2). To avail of the benefits under Section 33 C and to invoke such provision, a terminated workman cannot be said to stand on a better footing than a resigned employee. Termination, resignation and retirement would have to be treated similarly in so far as the eligibility to invoke the provision under Section 33 C."

The Court further held that " the definition in the Industrial Disputes Act, 1947 are not conclusive



in so far as Section 2(s) starts with a caveat at “unless there is anything repugnant in the subject or context”. The subject under Section 33C is legally admissible benefit computable in terms of money, and the context is a speedy remedy provided to an individual to claim for it. To say that only a person continuing in employment could seek a reference would be repugnant to the subject and context of Section 33C.”

With these observations the Court held “it is the opinion that a resigned employee would also be entitled to invoke the provision under Section 33C.”

### **5. The enhancement of ceiling limit under Section 4(3) of the Payment of Gratuity Act, 1972 to Rs. 10 Lakhs applied from the date of its original amendment to the employees of Co-operative Societies.**

A question came up before the Hon’ble High Court of Kerala in *Nirmala Thomas v. Kerala State Co-operative Consumer Federation Ltd.* 2016 (2) KLT SN 115 (C. No. 136) to decide whether the petitioner was entitled to receive the enhanced rate of Rs. Ten lakhs as gratuity under the Act.

The Court held that the provisions of the Gratuity Act straight away apply to employees of Co-operative Societies in the State. The enhancement of ceiling limit under Section 4(3) of the Payment of Gratuity Act, 1972 to Rs. 10 Lakhs applies to employees of Co-operative Societies from the date of its original amendment, ie. 24.05.2010 and not when the said amendment was later adopted by State.

### **6. Whether any law is in force in the State to prescribe a particular age as retirement age of an employee in an establishment and the pension admissible on the attainment of 58 years oblige the employers to fix the age of retirement at 58 years?**

No. there is no law is in force in the State to prescribe a particular age as the retirement age of an employee in an industrial establishment. However it is the discretion of the employer to fix a particular

age as the retirement age of an employee in a particular establishment unless it is settled by an agreement between parties. But, different age might have been fixed in a particular enactment to entitle a particular benefit. It does not mean that the employees should retire on the age mentioned in the enactment.

The same question was examined by the Hon’ble High Court in *State of Kerala and Another v. Kerala Land Development Corporation Employees Union and others*, 2016 LAB.I.C 1409 (Ker) and held as follows. ‘‘ It is the common knowledge that retirement age in different establishment and organisation are not uniform and the retirement age varies from 55, 56, 58 and 60 years. The plea that since the statutory scheme (Employees Pension Scheme under the Employees Provident Funds and Miscellaneous Provisions Act, 1952) provides 58 years as superannuation age, there should be retirement of all employees of different organisations as 58 years would not be tenable as the date of retirement fixed in various organisations shall become redundant. The purpose of the 1995 Scheme is to extend the benefit of a Scheme framed by the Central Government under the 1952 Act to its members. The benefit under the Scheme is admissible to its members, who retired at 55, 56, 58, and 60 years. The mere fact that superannuation pension is defined in the Act as a pension which is admissible on the attainment of 58 years does not oblige all the employees to fix the age of retirement at 58 years.’’

### **7. A copy of the F.I.R can be obtained through an application under the Right to Information Act, 2005.**

The Hon’ble Division Bench of the Kerala High Court in *Jiju Lukose v. State of Kerala* ,2016 (1) KLT 119 held that for meaningful exercise of the right given to the accused under Section 438 of the Cr. P.C., obtaining copy of the F.I.R is relevant and necessary. A person who is accused of a cognizable offence by registration of the F.I.R at the police station cannot be denied the right to know the contents of the F.I.R to enable him to defend himself and take such steps as provided under law.



## JOURNAL SECTION

(Please see page 27 No. 2)

### GOVERNMENT OF KERALA Labour and Rehabilitation (H) Department NOTIFICATION

G.O (P) No. 42/2013/LBR

Dated, Thiruvananthapuram 27<sup>th</sup> March, 2013

S.R.O No. - 313/2013. In exercise of the powers conferred by Section 4 of the Kerala Headload Workers Act, 1978 (20 of 1980) and in supersession of all the previous notifications on the subject the Government of Kerala, hereby appoint the following officers as specified in column (2) of the schedule given below as Appellate authorities for the purpose of performing the functions of the appellate authorities under the said Act for the areas specified in column (3) of the Schedule , namely:-

Sl.No.	Appellate Authority	Area
(1)	(2)	(3)
1.	Deputy Labour Commissioner, Thiruvananthapuram	Revenue district of Thiruvananthapuram and Pathanamthitta
2.	Deputy Labour Commissioner, Kollam	Revenue District of Kollam and Alappuzha
3.	Deputy Labour Commissioner, Kottayam	Revenue District of Kottayam and Idukki
4.	Deputy Labour Commissioner, Ernakulam	Revenue District of Ernakulam
5.	Deputy Labour Commissioner, Thrissur	Revenue District of Thrissur
6.	Deputy Labour Commissioner, Palakkad	Revenue District of Palakkad and Malappuram
7.	Deputy Labour Commissioner, Kozhikode	Revenue District of Kozhikode and Wayanad
8.	Deputy Labour Commissioner, Kasargod	Revenue District of Kannur and Kasargod

By order of the Governor  
DR. NIVEDITA P. HARAN  
Additional Chief Secretary to Government.

#### Explanatory Note

(This does not form part of the notification, but intended to indicate its general purport.)

The Regional Joint Labour Commissioners have to attend to conciliation work under Kerala Headload Workers Act, 1978 and enforcement work under various Labour enactments. They are also appointed as appellate authorities under Kerala Headload Workers Act, 1978 and the Payment of Gratuity Act 1972. In this circumstances, the Government have decided to rearrange the powers and duties of the Regional Labour Commissioners of Labour Department and to appoint Deputy Labour Commissioners of Labour Department as the Appellate Authority under the Kerala Headload Workers Act, 1978 to perform the functions of the appellate authority in their respective jurisdiction.

This notification is intended to achieve the above object.

*[Published in Kerala Gazette (Ext.) No. 1101 Vol. II dated, 16<sup>th</sup> April , 2013]*



# Amendment in the Kerala Minimum Wages Rules, 1958 on Wage Protection System (WPS)

GOVERNMENT OF KERALA  
Labour and Skills (E) Department  
NOTIFICATION

G.O (P) No.84/2015/LBR

Dated, Thiruvananthapuram 8<sup>th</sup> July, 2015

**S.R.O No. - 458/2015.** In exercise of the powers conferred by clause (d) of sub section (2) of section 30 of the Minimum Wages Act, 1948 ( Central Act 11 of 1948 ), the Government of Kerala after considering the objections and suggestions received on the draft proposal published as Notification No. 35/E1/2015/LBR dated 9<sup>th</sup> April, 2015 , in the Kerala Gazette Extraordinary No. 830, dated 13<sup>th</sup> April, 2015 as required under sub section (1) of section 30 of the said Act, hereby make the following rules further to amend the Kerala Minimum Wages Rules, 1958, namely:

## RULES

1. *Short title and commencement.* (1) These rules may be called the Kerala Minimum Wages Rules (Amendment) Rules, 2015.

(2) They shall come into force at once.

2. *Amendment of the Rules.* - In the Kerala Minimum Wages Rules, 1958,

(i) in rule (2), after clause (i), the following clause shall be inserted, namely;

“(ia) “ Wage Protection System” means an Information Technology enabled system provided in the Labour Commissionerate to ensure payment of minimum wages to all or any class of employees employed in any scheduled employment as specified in the Appendix.

(ii) after rule 21, the following rule shall be inserted namely:

“21A . *Payment of wages through I.T enabled wages payment system.* (1) Notwithstanding anything contained in these rules, employees of the scheduled employment as specified in the Appendix shall submit electronically or upload an I.T. enabled ‘Register of Employment and Wages’ in Form XIV through Labour Commissionerate Automation System.

(2) Employers of the scheduled employments specified under sub- section (1) shall pay and disburse the wages to the employees only through individual bank accounts.”

(iii) in rule 29.

(a) in sub- rule (1), after the first proviso, the following proviso shall be inserted namely:

“Provided further that the ‘Register of Wages’ to be maintained by the employer in the case of scheduled employments covered by the Wage Protection System shall be in Form XIV”.

(b) after sub- rule (4) , the following sub- rules shall be inserted, namely:

“(4A) I.T enabled ‘Register of Employment and Wages ‘ in Form XIV shall be authenticated by the employer or any person authorized by in this behalf prior to the submission or the uploading of the same



through the Wage Protection System.

(4B) The Inspector authorized by the Labour Commissioner shall electronically authenticate Form XIV submitted or uploaded through the Wage Protection System. Such forms shall be maintained as duly signed hard copies by the employer, or maintained as such in an electronic media, provided that a printout of the Form XIV, duly signed by the employer shall be made available to the Inspector on demand.

(4C) Employers shall ensure that the bank account numbers of his employees are entered in Form XIV for effecting payment of wages through banks.

(4D) Register of employment and wages in Form XIV shall be electronically submitted or uploaded in the Wage Protection System three days prior to crediting of wages in the individual bank accounts of the employees.

(4E) Employers of the scheduled employments covered by the Wage Protection System shall issue electronically generated wage slip to all his employees through Wage Protection System at least a day prior to effecting payment of wages.”

(c) after sub-rule (7), the following sub-rule shall be inserted, namely:

“(7A) Notwithstanding anything contained in these rules, the Register of employment and Wages” in Form XIV and the wage slip generated through Wage Protection System shall be considered as records authenticated by the employer, for the purposes of the Act and Rules.”

(d) in sub-rule (8), for the words “a visit book” the words “an inspection book” shall be substituted;

(iv) in rule 29A, after the word, figures and brackets “rule 21(4)” the word, figures and letter “rule 21 A” shall be inserted.

(v) after rule 29B the following rules shall be inserted, namely:

“29C. *Exemption*. Notwithstanding anything contained in these Rules the employer submitting IT enabled Register of employment and wages in Form XIV and effecting payment through individual bank account of the employee, shall be exempted from maintaining Register of Fines in Form I, Register of Deduction for Damage or Loss Caused to the Employer in Form II, Overtime Register for Workers in Form V and Register of Wages in Form XI.

29D. *Making entries in the Register*-No employer shall make, cause or allow in any record, register, notice or form in written or electronic format prescribed, an entry which is false to his knowledge in any material particulars, or not shall willfully omit, cause or allow to be omitted from any such record, register, notice or form, an entry required to be made therein.”

(vi) before the existing Forms, the following Appendix shall be inserted, namely:

“Appendix

[See rule 2(ia)]

*Name of Scheduled Employments:*

- (i) Employment in Shops and Establishments.
  - (ii) Employment in Private Hospitals, Dispensaries, Pharmacies Clinical Labs, Scanning Centres, X-ray Units and Other allied institutions.
  - (iii) Employment in Star Hotels.
  - (iv) Employment in Security Services
  - (v) Employment in Computer Software.
  - (vi) Employment in Private Educational Institutions (Non-teaching).”
- (vii) after Form XIII the following Form shall be inserted namely:





Form XIV  
**REGISTER OF EMPLOYMENT AND WAGES**  
**Kerala Minimum Wages Rules, 1958**  
 (See rule 21A)

Name of District : Name and Address of Establishment :  
 Name of Owner : Name of Employer :  
 Bank Account : Bank Name :  
 Number of the Employer : Mobile Number of Employer :  
 Type of Employment : Type of Ownership :  
 Month and Year (Waged Period) :  
 email ID of Employer :  
 Mobile Number of Employer :

Employee code	Employee Name	Name of father/ husband	Sex	Date of Birth	Designation	Designation code/grade as in Government order	Date of Joining	Mobile Number	E-mail ID	Bank Name	IFSC Code	Bank Account number	Days of attendance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)

Loss of pay days granted	Number of weekly off granted	Basic	DA	HRA	City Allowances	Compensation	Gross Monthly Wages	Overtime Wages	Leave Wages	Festival holidays	Arrear Paid	National and	Maternity Benefit	Other Allowance

Advance Total Amount	Provident Fund	Employees State Insurance	Advances	Welfare Fund	Professional Tax	Tax Deducted at Source	Deduction for loss and damages	Other Deduction	Total Deduction	Net Wages Paid	Date of Payment	Remarks		
													(30)	(31)

By order of the Governor  
**TOM JOSE, IAS**  
 Principal Secretary to Government



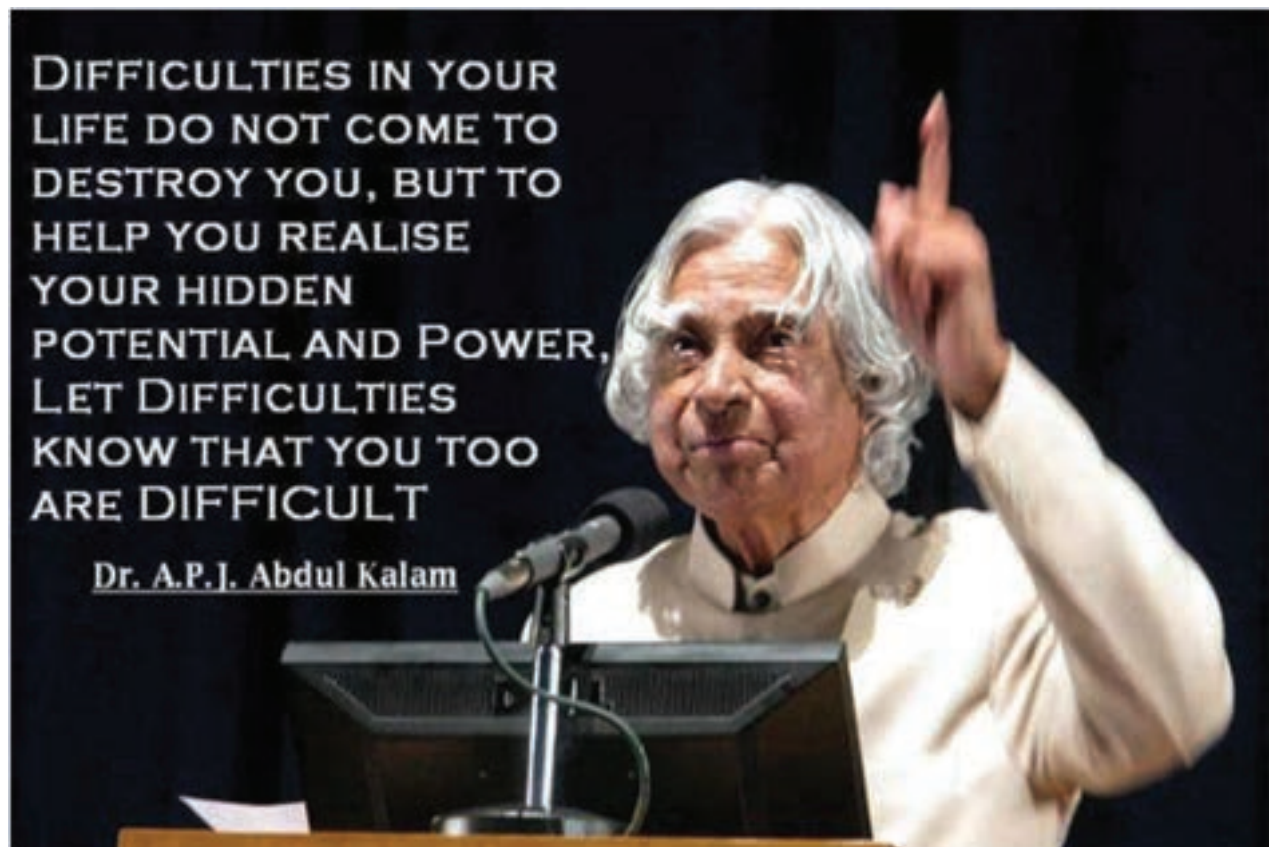
### **Explanatory Note**

(This does not form part of the notification, but is intended to indicate its general purport.)

Government have decided to implement “e-payment of wages” scheme which aims at providing wages to employees working in Small scale Banks, Textile Shops, Jewelleries, Private Hospitals, IT Sector, Self Financing Educational Institutions, Construction Sector etc. through banks by which the Labour Department Officials can effectively monitor the salary payments to the employees, periodically as and when required and take punitive measures for non-payment of minimum wages against the defaulters. In order to achieve this goal, the Government have decided to amend the Kerala Minimum Wages Rules, 1958.

This notification is intended to achieve the above object.

*[Published in Kerala Gazette (Ext.) No. 1689 Vol. IV dated, 13<sup>th</sup> July, 2015 ]*



## ഓണ സമ്മാനം

തൊഴിലാളികളുടേയും തൊഴിലാളി സംഘടനകളുടേയും താൽപര്യാർത്ഥം

# കിലെ ന്യൂസ്

## മലയാളത്തിലും



- ലേഖനങ്ങൾ
- കിലയുടെ പ്രവർത്തന വിവരങ്ങൾ
- നിയമങ്ങളും പദ്ധതികളും
- ചോദ്യോത്തര പംക്തി
- വകുപ്പ് വിവരങ്ങൾ
- കഥകൾ, കവിതകൾ തുടങ്ങി വിവിധ പംക്തികൾ

The Plantations Labour Act 1951  
Statement - 1

State:	Kerala
Year:	2013

Details of Plantations/ Estates covered under the Act and Number of Workers Employed therein

1	2	3	4	5	6	7	8	9	10	11	12
Category of Plantations	Number of Plantations/ Estates on register at the beginning of the year	Number of Plantations/ Estates newly registered during the year	Number of Plantations/ Estates removed from the register during the year	Number of Plantations/ Estates on register at the end of the year	Number of plantations Working	Number of Plantations / Estates submitting returns	Average daily employment in Plantations/ Estates submitting returns	Number of Plantations/ Estates not submitting returns	Average daily employment in Plantations/ Estates not submitting returns	Total estimated average daily number of workers employed in plantations / Estates submitting and not submitting returns (Total of column 8 and 10)	Total area ( in hectares ) of Plantations / Estates submitting returns
Tea	123	0	0	123	88	56	23531	67	23767	47298	24650.2
Coffee	170	0	0	170	160	48	1083	122	1805	2888	1296.01
Rubber	264	1	0	265	264	96	10270	169	5285	15555	24192.14
Cardamom	131	0	0	131	131	10	722	121	2820	3542	500.8
Cocoa	0	0	0	0	0	0	0	0	0	0	0
Oil Palm	3	0	0	3	3	3	558	0	0	558	3620
Others (Specify/Mixed)	31	0	0	31	27	14	2250	17	9025	11275	1512.18
<b>Total</b>	<b>722</b>	<b>1</b>	<b>0</b>	<b>723</b>	<b>673</b>	<b>227</b>	<b>38414</b>	<b>496</b>	<b>42702</b>	<b>81116</b>	<b>55771.33</b>

Source: Labour Department

The Plantations Labour Act 1951  
Statement - 2

State:	Kerala
Year:	2013

Sex wise details of the average daily employment\* (Adults, adolescents and children) employed in the Plantations submitting returns.

1	2	3	4	5	Average daily number of workers employed												
					Adults			Adolescents			Children			Total			
					Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total	
Tea	88	56	6706335	285	7165	16366	23531	0	0	0	0	0	0	0	7165	16366	23531
Coffee	160	48	283746	262	600	483	1083	0	0	0	0	0	0	0	600	483	1083
Rubber	264	96	3235050	315	5942	4328	10270	0	0	0	0	0	0	0	5942	4328	10270
Cardamom	131	10	202160	280	321	401	722	0	0	0	0	0	0	0	321	401	722
Cocoa	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oil Palm	3	3	168516	302	186	372	558	0	0	0	0	0	0	0	186	372	558
Others (mixed)	27	14	697500	310	1005	1245	2250	0	0	0	0	0	0	0	1005	1245	2250
<b>Total</b>	<b>673</b>	<b>227</b>	<b>11293307</b>	<b>294</b>	<b>15219</b>	<b>23195</b>	<b>38414</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>15219</b>	<b>23195</b>	<b>38414</b>

\*Average daily employment is obtained by dividing the aggregate number of attendances on working days by the number of working days in a year.  
 Adults- Adult means a person who has completed his 18th year of age.  
 Adolescent- Adolescent means a person who has completed his 15th year of age but has not completed his 18th year of age.  
 Child- Child means a person who has completed his 12th age but has not completed his 15th year of age.  
 \*\*\*Total number of mandays worked is the same as the aggregate number of attendance on all the working days of the plantations during the year.

Source: Labour Department

**The Plantations Labour Act 1951**  
Statement - 3

State:	Kerala
Year:	2013

Number of plantations submitting returns and their employment according to average number of hours worked per week\* for adult workers

Category of Plantations	For Men										For Women									
	Upto-42 hours		Above 42 hours and upto 45 hours		Above 45 hours and upto 48 hours		Above 48 hours		Total		Upto 42 hours		Above 42 hours and upto 45 hours		Above 45 hours and upto 48 hours		Above 48 hours		Total	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Tea	0	0	0	0	56	7165	0	0	56	7165	0	0	0	0	56	16366	0	0	56	16366
Coffee	0	0	0	0	48	600	0	0	48	600	0	0	0	0	48	483	0	0	48	483
Rubber	0	0	0	0	96	5942	0	0	96	5942	0	0	0	0	96	4328	0	0	96	4328
Cardomom	0	0	0	0	10	321	0	0	10	321	0	0	0	0	10	401	0	0	10	401
Cocoa	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oil Palm	0	0	3	186	0	0	0	0	3	186	0	0	3	372	0	0	0	0	3	372
Others (Mixed)	0	0	14	1005	0	0	0	0	14	1005	0	0	14	1245	0	0	0	0	14	1245
<b>Total</b>	<b>0</b>	<b>0</b>	<b>17</b>	<b>1191</b>	<b>210</b>	<b>14028</b>	<b>0</b>	<b>0</b>	<b>227</b>	<b>15219</b>	<b>0</b>	<b>0</b>	<b>17</b>	<b>1617</b>	<b>210</b>	<b>21578</b>	<b>0</b>	<b>0</b>	<b>227</b>	<b>23195</b>

A- Number of plantations  
B- Average daily number of workers

$$\text{Average No. of hours worked per week during the year} = \frac{\text{Actual total hours worked by all workers (including overtime but excluding rest interval) during the year}}{\text{The number of weeks for which plantation worked during the year}}$$

Source: Labour Department

**The Plantations Labour Act 1951**  
Statement - 4

State:	Kerala
Year:	2013

Maternity benefits paid in Plantations

Category of Plantations	Number of Plantations covered by the Maternity Benefits Act	Number of Plantations submitting returns	Total number of women workers employed in plantations submitting returns during the year	Number of women workers who worked for period not less than 150 days during the year	Number of women workers who claimed maternity benefit during the year	Number of claims accepted and paid either fully or partially		Total amount of maternity benefits paid (in Rupees)
						Total	From current year claims	
1	2	3	4	5	6	7	8	9
Tea	88	56	16366	11277	135	135	135	1938966
Coffee	160	48	483	252	5	5	5	0
Rubber	264	96	4328	1579	10	10	10	262968
Cardomom	131	10	401	88	0	0	0	0
Cocoa	0	0	0	0	0	0	0	0
Oil Palm	3	3	372	0	0	0	0	0
Others (Mixed)	27	14	1245	1264	7	7	7	74088
<b>Total</b>	<b>673</b>	<b>227</b>	<b>23195</b>	<b>14460</b>	<b>157</b>	<b>157</b>	<b>157</b>	<b>2276022</b>

Source: Labour Department

**The Plantations Labour Act 1951**

Statement - 5

State:	Kerala
Year	2013

Category of Plantations	Inspections							Number of inspecting staff				
	Number of plantations											
	Inspected during the year											
	Once	Twice	Thrice	More than three times	Total (Col.2+3+4 +5)	Not inspected	Grand Total (Col 6+7)	Chief Inspector	Inspector	Additional Inspector	others (Specify)	Total (Col 9+10+11+12)
1	2	3	4	5	6	7	8	9	10	11	12	13
Tea	127	22	22	0	171	0	171	1	11	0	0	12
Coffee	107	40	38	0	185	12	197					
Rubber	165	53	122	4	344	24	368					
Cardomom	65	14	11	0	90	20	110					
Cocoa	0	0	0	0	0	0	0					
Oil Palm	2	3	0	0	5	0	5					
Others (mixed)	12	2	0	0	14	2	16					
<b>Total</b>	<b>478</b>	<b>134</b>	<b>193</b>	<b>4</b>	<b>809</b>	<b>58</b>	<b>867</b>	<b>1</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>12</b>

Source: Labour Department

**The Plantations Labour Act 1951**

Statement - 6

State:	Kerala
Year	2013

**Prosecutions**

Category of Plantations	Number of plantations on Register	Prosecutions						
		Number of cases pending at the commencement of the year	Number of cases filed during the year	Number of cases in which convictions were obtained	Number of cases acquitted	Number of cases withdrawn	Number of cases pending at the end of the year	Total amount realised towards fine (Rs)
1	2	3	4	5	6	7	8	9
Tea	123	0	0	0	0	0	0	0
Coffee	170	0	0	3	0	0	1	7000
Rubber	265	12	3	4	0	0	1	17500
Cardomom	131	0	2	0	0	0	0	0
Cocoa	0	0	0	0	0	0	0	0
Oil Palm	3	0	0	0	0	0	0	0
Others (Mixed)	31	0	0	0	0	0	0	0
<b>Total</b>	<b>723</b>	<b>12</b>	<b>5</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>24500</b>

Source: Labour Department



# പിന്നറായി മന്ത്രിസഭ അധികാരമേറ്റു

**• കേരള പേരിൽ 1000 രൂപയായി**  
**നിർമ്മാണകുലപ്പകുതിയെ ബീരുമുഖർ**  
**10 ദിവസത്തിൽ രാജാർത്ഥ് പ്രഖ്യാപനം**  
**• കേരള പേരിൽ 1000 രൂപയായി**  
**എൻ.എം.എ. ഇതിൽ കൊടുത്തുനിർമ്മാണ**  
**• പേരിൽ 1000 രൂപയായി**  
**എൻ.എം.എ. ഇതിൽ കൊടുത്തുനിർമ്മാണ**

**• മെമ്പർമാരുടെയും അംഗീകാരത്തിൽ**  
**100 കോടി രൂപ**  
**• 10-ാം പത്താം പാതയിൽ മൂലം-തീരം**  
**• പാതയിൽ 1000 രൂപ**  
**• 10-ാം പാതയിൽ 1000 രൂപ**  
**• 10-ാം പാതയിൽ 1000 രൂപ**

**• മെമ്പർമാരുടെയും അംഗീകാരത്തിൽ**  
**100 കോടി രൂപ**  
**• 10-ാം പത്താം പാതയിൽ മൂലം-തീരം**  
**• പാതയിൽ 1000 രൂപ**  
**• 10-ാം പാതയിൽ 1000 രൂപ**  
**• 10-ാം പാതയിൽ 1000 രൂപ**

Deshabhimani- 26.5.2016

## പിഎഫ് തുക പിൻവലിക്കാൻ ഇനി തൊഴിലുടമയുടെ സാക്ഷ്യപത്രം വേണ്ട

**നല്ലവർഷം**  
**അതേവേണ്ടി**  
**നമ്പർ**  
**(എ.എ.എ.എ.)**  
**മാക്കിയിട്ടുള്ള**  
**തുക പിൻവലിക്കാൻ**  
**തൊഴിലുടമയുടെ**  
**സാക്ഷ്യപത്രം**

**പിഎഫ്**  
**യുണിറ്റ്**  
**യുണിറ്റ്**  
**യുണിറ്റ്**  
**യുണിറ്റ്**  
**യുണിറ്റ്**

**തൊഴിലുടമയുടെ**  
**സാക്ഷ്യപത്രം**  
**വേണ്ട**  
**വേണ്ട**  
**വേണ്ട**

**പുതിയ**  
**പുതിയ**  
**പുതിയ**  
**പുതിയ**  
**പുതിയ**

**നിർദ്ദേശിക്കുന്നു**  
**പുതിയ**  
**പുതിയ**  
**പുതിയ**  
**പുതിയ**

Malayala Manorama- 2.12.2015



# ഗാർഹിക-മറുനാടൻ തൊഴിലാളികൾക്ക് രജിസ്ട്രേഷൻ വരുന്നു - മന്ത്രി ടി.പി.രാമകൃഷ്ണൻ

തിരുവനന്തപുരം: ഗാർഹിക തൊഴിലാളികളെ രജിസ്റ്റർ ചെയ്തീയ ചേരികൾ ഉറപ്പാക്കുമെന്ന് മന്ത്രി ടി.പി.രാമകൃഷ്ണൻ പറഞ്ഞു. മിനിമം വേതനം, ഉറപ്പാക്കാനും, തൊഴിൽനിയമപ്രകാരമുള്ള ആനുകൂല്യങ്ങൾ ലഭ്യമാക്കാനും ഇതിന് അനിവാര്യമാണ്. മന്ത്രിയുടെ തൊഴിലാളികൾക്കും, ഇതേ ചട്ടുകമിൽ രജിസ്ട്രേഷൻ പൂർപ്പെടുത്തുമെന്നും അദ്ദേഹം പറഞ്ഞു.

അന്താരാഷ്ട്ര ഗാർഹിക തൊഴിലാളി മിനാമരണത്തിന്റെ ഭാഗമായി സേവ അഗ്നിയൻ സംഘടിപ്പിച്ച പൊതുസമ്മേളനം, ഉദ്ഘാടനം ചെയ്യുകയായിരുന്നു മന്ത്രി.

രജിസ്ട്രേഷനായി പൂർവ്വോപദേശങ്ങൾ ഉള്ളതാണ്. വിട്ടുപോയി എത്തിത്താലും, ഈ സംഘടനയ്ക്കായി സർക്കാർ മുന്നോട്ടുപോകും.

ഗാർഹിക തൊഴിലാളികളുടെ കറ്റാജന കൂലിയിൽ 500 രൂപ



അന്താരാഷ്ട്ര ഗാർഹിക തൊഴിലാളി മിനാമരണത്തിന്റെ ഭാഗമായി സേവ അഗ്നിയൻ സംഘടിപ്പിച്ച പൊതുസമ്മേളനത്തിൽ മന്ത്രി ടി.പി.രാമകൃഷ്ണൻ പ്രസംഗിക്കുന്നു.

യാക്കണമെന്ന ആവശ്യം മറ്റ് സംസ്ഥാനങ്ങളിലും മറ്റും സേഫ് അഗ്നിയന്മാർക്കും ഉണ്ടായിക്കുന്നുണ്ട്. ഇക്കാര്യം ഇവിടെയും പരിഗണിക്കും.

മറുനാടൻ തൊഴിലാളികളുടെ കണക്ക് ലഭ്യമാക്കി ഏറ്റുവാങ്ങാനും രജിസ്റ്റർ ചെയ്യുന്നതിനും ഇതിൽ വ്യത്യാസമുണ്ടാകും. ഏറ്റവും കുറഞ്ഞ തൊഴിൽ സമരങ്ങൾ 3000 രൂപയോ

ക്കിരുന്നേയും ഇതിന് വിധികളിലെത്തിക്കുമെന്നും മന്ത്രി പറഞ്ഞു.

മാതൃകാപരമായ പദ്ധതികൾ വിതരണം ചെയ്യുന്ന സാധനങ്ങളുടെ വില്പനയ്ക്കും ഇതിന് വിധികളിലെത്തിക്കുമെന്നും മന്ത്രി പറഞ്ഞു.

കുടുംബ മന്ത്രിയുടെ വിജ്ഞാപനം നിമിത്തമുള്ളതാണ് 150 കോടി രൂപ സർക്കാർ അനുവദിച്ചിട്ടുണ്ട്. തൊഴിൽ ആനുകൂല്യങ്ങൾ നൽകുന്നതിൽ സി.പി.എസ്.യുടെ വിജ്ഞാപനം അനുവദിക്കില്ലെന്നും മന്ത്രി പറഞ്ഞു.

മറ്റ് തൊഴിൽമേഖലയിലുള്ളവർക്ക് ഉയർന്ന വേതനം ലഭിക്കുന്ന കോളനലിൽ ഗാർഹികരായ തൊഴിലാളികൾക്ക് ലഭിക്കുന്നതിൽ പ്രതിബന്ധം 130 രൂപ മാത്രമാണെന്ന് സേവ അഗ്നിയൻ സെക്രട്ടറി സോമൻ അടർത്തി പറഞ്ഞു.

സേവ അഗ്നിയൻ പ്രസിഡൻ്റ് എസ്.എൻ. അച്യുതൻ അയിരൂർ ഭാഗവതികളായ ആഗാ ഫ്രാൻസിസ് ഫീനാ ഓഫീസ്, വിജയമ്മ തൃപ്പൂണിത്തുറ സംസ്ഥാനിലും

Mathrubhumi- 17.06.2015

## അന്യസംസ്ഥാന തൊഴിലാളികൾക്ക് പാർക്കർ ഓഫീസിലേക്ക് രജിസ്ട്രേഷൻ

■ അഡ്.പി.ടി. സേക്രട്ടറിയുടെ അന്യസംസ്ഥാന തൊഴിലാളികൾക്ക് പാർക്കർ ഓഫീസിലേക്ക് രജിസ്ട്രേഷൻ ചെയ്യുന്നതിൽ പരിശോധന നടത്തി

പൊതുവേ അന്യസംസ്ഥാന തൊഴിലാളികൾക്ക് പാർക്കർ ഓഫീസിലേക്ക് രജിസ്ട്രേഷൻ ചെയ്യുന്നതിൽ പരിശോധന നടത്തിയിരിക്കുന്നു. അന്യസംസ്ഥാന തൊഴിലാളികൾക്ക് പാർക്കർ ഓഫീസിലേക്ക് രജിസ്ട്രേഷൻ ചെയ്യുന്നതിൽ പരിശോധന നടത്തിയിരിക്കുന്നു. അന്യസംസ്ഥാന തൊഴിലാളികൾക്ക് പാർക്കർ ഓഫീസിലേക്ക് രജിസ്ട്രേഷൻ ചെയ്യുന്നതിൽ പരിശോധന നടത്തിയിരിക്കുന്നു.

Kerala Kaumudi- 29.06.2016

## 'State to write to Centre on FACT'

The State Government will convey its objections to the Centre over the latter's move to private FACT, Chief Minister Pinarayi Vijayan said. Replying to a submission on the issue in the Assembly, he called for a concerted effort to combat the move to privatise PSUs. "The government has not received any formal intimation from the Centre in this regard. But we understand from media reports that the Centre is proposing to privatise PSUs, including FACT. This has to be stopped," he said.



## Scheme for women security soon

A 'Woman Safety and Security Scheme' as well as an all-woman battalion in the police are on the cards to fight the rising number of crimes against women, Chief Minister Pinarayi Vijayan said here on Tuesday. Replying to questions in the Assembly, he said the 'Woman Safety and Security Scheme' was intended to end atrocities against women and to ensure gender equality. "The government will give priority to address the grievances of the weakest and marginalized citizen," he said in a written reply.

The Hindu daily - 29.06.2016

## IT policy in two months: CM

A comprehensive IT policy will be rolled out in two months, Chief Minister Pinarayi Vijayan informed the Assembly. The policy will be declared after holding discussions with all stakeholders, he said in reply to questions in the House. The Chief Minister said steps were being taken to strengthen e-governance. Department-level committees have been formed for the proper implementation of e-governance projects.

Indian Express - 29.06.2016





# ഐ.ടി നയം രണ്ട് മാസത്തിനകം: മുഖ്യമന്ത്രി

നിരവനന്മയും സംസ്ഥാനത്ത് സമഗ്ര ഐ.ടി നയം രണ്ട് മാസത്തിനകം ഉണ്ടാവുമെന്ന് മുഖ്യമന്ത്രി പിണറായി വിജയൻ നിരീക്ഷിച്ചു.

സ്വാർത്ഥസിദ്ധി സമയബന്ധിതമായി പൂർത്തിയാക്കണമെന്ന് സംബന്ധിച്ചു ആഗസ്റ്റ് അറിന് ചേരുന്ന മോഡേഴ്ൻ യോഗം നിരീക്ഷണമുണ്ടാക്കുന്നത് ഏ.മുദ്രകേഷിനെ മുഖ്യമന്ത്രി അറിയിച്ചു.

പദ്ധതി 2020ൽ പൂർത്തിയാക്കും. ആദ്യഘട്ടത്തിൽ 5000പേർക്ക് തൊഴിൽ നൽകും. കോഴിക്കോട് ഐ.ടി പാർക്കിന്റെ നിർമ്മാണം പൂർത്തിയാക്കുന്നതും പി.വി.അൻവർ, എസ്. ശർമ്മ, എം. സ്വരാജ്, ആർ. രാമേഷ് പി. ഉദേശമുദ്ര, വീണമോൾജി, പി.ടി.തോമസ്, പി.സി.രവീന്ദ്രൻ തുടങ്ങിയവർ മുഖ്യമന്ത്രി അറിയിച്ചു.

കഴിഞ്ഞ തുണ്ട് 1 മുതൽ 10 വരെ 1198 ഒഴിവുകൾ പി.എസ്.സി ക്ലർക്കിന്റെ ക്ലാലൻ മുഖ്യമന്ത്രിയുടെ ദുരിതാശ്വാസ നിധിയിൽ നിന്ന് ധനസഹായം അനുവദിച്ചു 29930പേർക്ക് 36.4കൊടി രൂപ

## 38 പഞ്ചായത്തുകളിൽ കൂടി മാവേലി സ്റ്റോർ

സംസ്ഥാനത്തെ മാവേലി സ്റ്റോറില്ലാത്ത 38 പഞ്ചായത്തുകളിൽ കൂടി സ്റ്റോറുകൾ തുറക്കുമെന്ന് ക്ഷേമമന്ത്രി പി. തിരുോത്തമൻ അടുത്ത പ്രകാശിത അറിയിച്ചു. തുടർന്ന് മാവേലി പഞ്ചായത്തിലും മാവേലി സ്റ്റോറുകളുടെ എണ്ണം വർദ്ധിപ്പിക്കും.

അരി വില കുറയ്ക്കൽ ആശ്രയിച്ചെടുക്കപ്പെട്ടു ചടികു നല്ലതും ഫലമുണ്ടായില്ലെങ്കിൽ മറ്റ് സംസ്ഥാനങ്ങളിൽ നിന്ന് കുറഞ്ഞ വിലയ്ക്ക് അരി വാങ്ങി സംസ്ഥാനത്തെത്തിക്കും.

## ഗെയിൽ പൈപ്പ് ലൈൻ: ടെൻഡർ നടപടികളായി

ഗെയിൽ വാതക പൈപ്പ് ലൈൻ സ്ഥാപിക്കുന്നതിനുള്ള ആഗോള ടെൻഡർ വിളിച്ച് പണി ആരംഭിക്കുന്നതിനുള്ള നടപടികൾ ആരംഭിച്ചതായി പി.ടി.തോമസ്, സണ്ണിമോസഫ്, ഐ.സി. ബാലകൃഷ്ണൻ എന്നിവർ മുഖ്യമന്ത്രി അറിയിച്ചു. രൂ. ലക്ഷ്യം അനുസരിച്ചു കരാർ നൽകാനും ആഗസ്റ്റ് മാസത്തോടെ മോലികൾ പൂർത്താക്കിക്കൊടുക്കും.

കൊല്ലം, സംസ്ഥാന വകുപ്പുകൾക്കും കോർപ്പറേഷനും സാമൂഹ്യ സൗകര്യ വിഭാഗം പൂന: സംഘടിപ്പിക്കുന്ന കരാറും ആരംഭിക്കുന്നതായി കെ.വി. അമ്പലമുക്ക് മന്ത്രിയുടെ ഉദ്യോഗസ്ഥൻ വിളിച്ചു. 65 കഴിഞ്ഞവർക്ക് ആരോഗ്യ പരിരക്ഷ നൽകുന്നതിനുള്ള വായ്പയും പദ്ധതി ഘട്ടം ഘട്ടമായി മുഖ്യമന്ത്രി സിഖർ പ്രാദേശത്തും നടക്കും.

ഏകദേശം 36.4 കൊടി രൂപ മുഖ്യമന്ത്രി അറിയിച്ചു. 1818 ലെ ഒരു അഡ്വാർഡ് വിലാസ ഭവനങ്ങളിൽ കഴിയുന്ന രണ്ട്.

പൊലീസ് സ്റ്റേഷനുകളിലെ രജിസ്റ്ററിൽ 1,56,048 തുടര സംസ്ഥാന തൊഴിലാളികളുടെ എണ്ണം അറിയപ്പെടാത്തതായി മുഖ്യമന്ത്രി.

Kerala Kaumudi - 29.06.2016

### സമരോത്സുക ജീവിതം

കൽയാണ മുന്നേറ്റങ്ങൾക്കായി ഇന്ന് ചങ്ങനാശ്ശേരിയിൽ നടന്ന പ്രതിമടയ്ക്കലിൽ മുഖ്യമന്ത്രി നയിച്ചു. ഏകദേശം 100 പേർ പങ്കെടുത്തിരുന്നു. ഏകദേശം 100 പേർ പങ്കെടുത്തിരുന്നു. ഏകദേശം 100 പേർ പങ്കെടുത്തിരുന്നു.



ഏകദേശം 100 പേർ പങ്കെടുത്തിരുന്നു. ഏകദേശം 100 പേർ പങ്കെടുത്തിരുന്നു. ഏകദേശം 100 പേർ പങ്കെടുത്തിരുന്നു.

Deshabhimani - 24.05.2016

### PF benefits may reach all contract employees

State-owned firms must register details on EPFO website.

The government has decided to get through with the PF (Employees Provident Fund) scheme for all contract employees of state-owned firms. The details of contract employees of state-owned firms must be registered on the EPFO website.

The EPFO will make public the details of contract employees of state-owned firms who have not registered their details on the EPFO website.

The Hindu - 13.03.2016

## Data bank of migrant labourers soon

**EXPRESS NEWS SERVICE**  
T.P. Ramakrishnan

THE state government will launch a data bank project of migrant labourers in the current financial year where the registration of migrant workers from other states will be completed. The exact number of migrant workers in the state has not been tabulated yet, he said.

Raising the issue through a calling attention motion from James Mathew, pointed out the need for registration of migrant workers

Indian Express - 29.06.2016

under the Kerala Migrant Workers Welfare Scheme. Responding to the same, Labour Minister T P Ramakrishnan said the previous LDF government had initiated a step in this regard in 2010. So far, only 53,136 people have registered under the scheme, the Minister said.

The Minister pointed out that there are some practical difficulties in forceful registration of migrant labourers coming to the state. He also indicated a time-bound action plan for completion of registration of labourers. The

process can be carried out in association with the legislators, local self-government institutions and other related departments, he said.

**Apna Ghar**

The Apna Ghar project initiated in Palakkad to provide proper accommodation for migrant labourers has been successful.

It's reported that the state government is planning to extend the same project to other districts also.



## New IT policy in two months: CM

SPECIAL CORRESPONDENT

**THIRUVANANTHAPURAM:** A comprehensive IT policy will be implemented in the State within two months, Chief Minister Pinarayi Vijayan has said.

Replying to a question by M. Mukesh in the Assembly on Tuesday, he said the Smart City would become fully functional by 2021. The first phase of Smart City had been completed, opening up the possibility of job opportunities for over 5,000 persons. Of the building space of 88 lakh sq ft, 67 lakh sq ft would be dedicated space for IT and IT-enabled services. However, at present only 6.5 lakh sq ft of office space had been completed and was ready for functioning.

Government representa-

tives on the Smart City board were monitoring the project and the Chief Secretary too was holding review meetings. The Sub Collector of Fort Kochi had been appointed as the nodal officer in charge of the activities related to the project, he said.

The government would ensure that the project was completed in accordance with the conditions outlined in the framework agreement signed by the government with Tecom Investments on May 13, 2007.

There were no changes in the conditions in the agreement, he said in reply to a question by Veena George.

All outstanding issues would be discussed at the Smart City board meeting which would be convened on August 6.

Indian Express - 29.06.2016

## Databank on migrant workers

SPECIAL CORRESPONDENT

**THIRUVANANTHAPURAM:** The government has drawn up a project to create a databank on migrant workers in Kerala and complete their registration.

Labour Minister T.P. Ramakrishnan told the Assembly on Tuesday that the databank would be completed in a time-bound manner with the involvement of local bodies and government departments.

Replying to a calling attention motion by James Mathew, the Minister said registered migrant workers would be provided various services, including better wages and working conditions. Pointing to the absence of data on the migrants, he said only 53,100

workers had been registered under the Kerala Migrant Workers Welfare Fund Scheme set up in 2010.

Moving the motion, Mr. Mathew called for steps for the registration of lakhs of migrant workers from other States. The Minister told the House that the Apna Ghar scheme started in Palakkad to provide housing for migrant workers would be extended to other districts.

Revenue Minister E. Chandrasekharan said the government would review the disaster management plan for Kerala and update the disaster risk reduction strategy.

Replying to a calling attention moved by V.D. Satheesan, he said modernisation of the Fire and Rescue Services would be given priority.

The Hindu - 29.06.2016

### 'SMART CITY WILL BE READY BY 2021'

Smart City, Kochi, will be ready by 2021, Chief Minister Pinarayi Vijayan said here on Tuesday, adding that steps were being taken to complete IT project in a time-bound manner. By August, there will be clarity regarding the schedules, he said in reply to questions in the Assembly. "The board meeting will be held on August 6. The developers have been asked to bring a detailed schedule. A clear picture will emerge at that meeting," Vijayan said. IT and ITES companies will get space at the hub as per the agreement, he said. Construction of only 6.5 lakh sq ft space of the 67 lakh sq ft intended for IT and ITES businesses at Smart City project has been completed, even though the agreement between the State Government and TECOM was signed on May 13, 2007. As per the framework agreement, buildings with a total area of 88 lakh sq ft should be ready within ten years of the closing date, along with 90,000 jobs.

Indian Express - 29.06.2016

## Kudumbashree workers to be trained in rescue operation soon

ANILKUMAR T @ Kochi

SOON, members of the Kudumbashree Mission will be taking up the task of coordinating rescue activities in the event of industrial disasters and natural calamities.

For the first time in the State, the Ernakulam District Disaster Management Authority (DDMA), which is responsible for rescue operations at the time of disasters, has decided to impart training to Kudumbashree workers for building capacity in preparedness.

The DDMA, which functions under the District Collector, took the decision in the wake of the frequent chemical

disasters reported in the city, especially the recent ammonia leak near Tripunithura that left around 200 families panic-stricken.

"As part of the initiative, we will impart training in basic life support, chemical hazards, first aid and the aspects of fire and safety to Kudumbashree workers. Most of the accidents turn critical because those who respond first often lack the required knowledge about rescue activities. We are planning to make workers of the self-help group capable of tackling such situations," said Saran, subject expert at DDMA, Ernakulam.

Initially, training will be given to 100 workers. "We have submitted a propos-

al to the SDMA for conducting the training programme, which will be launched after obtaining approval from the SDMA. The workers will be selected from those living in the 'hazardous map' of the city," said DDMA-Ernakulam hazard analyst Anjali Parameswaran.

According to DDMA officials, the initiative will help in containing domestic accidents, including gas leak. "Many households are still ignorant about accidents such as gas leak. The trained members will spread the message to all households," they said.

Meanwhile, the DDMA has drafted an action plan for imparting similar training to teachers in the district

Indian Express - 29.06.2016



കേരള ഇൻസ്റ്റിറ്റ്യൂട്ട് ഓഫ് ലേബർ ആൻഡ് എംപ്ലോയ്മെന്റിന്റെ നേതൃത്വത്തിൽ ഇതര സംസ്ഥാന തൊഴിലാളികൾക്കായുള്ള ബോധവൽക്കരണ ശില്പശാല ജില്ലാ ലേബർ ഓഫീസർ ആർ. ഗോപകുമാർ ഉദ്ഘാടനം ചെയ്യുന്നു.

### ക്ലാസും ആരോഗ്യ ക്യാമ്പും നടത്തി

തിരുവല്ല • കേരള ഇൻസ്റ്റിറ്റ്യൂട്ട് ഓഫ് ലേബർ ആൻഡ് എംപ്ലോയ്മെന്റ് (കിലെ), ആരോഗ്യ വകുപ്പ് എന്നിവയുടെ നേതൃത്വത്തിൽ ഇതര സംസ്ഥാന കുടിയേറ്റ തൊഴിലാളികൾക്കുള്ള ബോധവൽക്കരണ ക്ലാസും ആരോഗ്യ ക്യാമ്പും നടത്തി ജില്ലാ ലേബർ ഓഫീസർ ആർ. ഗോപകുമാർ ഉദ്ഘാടനം ചെയ്തു. ഹെൽത്ത് ക്ലിനിക്ക് ബെനിമിൻ ജെ. ലതികാർ കുമാർ, കെ.

അസി. ലേബർ ഓഫീസർ സുരേഷ്കുമാർ, സൈറ ദജാസഫ്, സുരേഷ്കുമാർ, സജൻ ഓമല്ലൂർ എന്നിവർ പ്രസംഗിച്ചു. ഡോ. സുനിതകുമാരി, ഡോ. നിരഞ്ജൻ എന്നിവർ നേതൃത്വം നൽകി. ഹിന്ദിയിലും കുടിയേറ്റ തൊഴിലാളികളുടെ ഭാഷയിലും തയ്യാറാക്കിയ ലഘുലേഖകൾ വിതരണം ചെയ്തു. വൃത്തിഹീനമായ സാഹചര്യത്തിൽ കുടിയേറ്റ തൊഴിലാളികളെ താമസിപ്പിക്കുന്ന തടസ്സം ഉടമസ്ഥർക്കെതിരെ

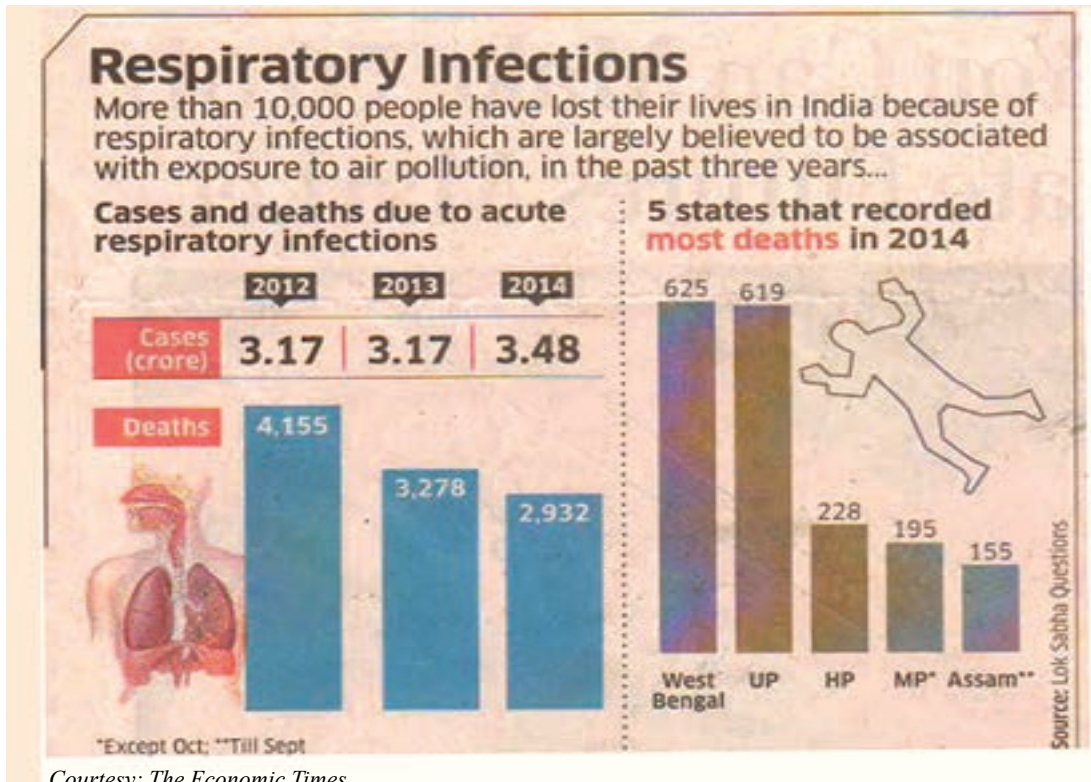
### പുസ്തകങ്ങൾ സൗജന്യമായി ലഭിക്കും

തിരുവനന്തപുരം > കിലെ തൊഴിലാളികൾക്കും പൊതുജനങ്ങൾക്കും വേണ്ടി തയ്യാറാക്കിയ-സൗജന്യമായി വിതരണം ചെയ്യുന്ന- ഞാനും എന്റെ തൊഴിൽനിയമങ്ങളും പുസ്തക ശ്രേണിയിലെ മലയാളഭാഷയിലുള്ള എംപ്ലോയീസ് പ്രോവിഡന്റ് ഫണ്ട് നിയമവും പദ്ധതികളും, കേരള ചുമട്ടുതൊഴിലാളിനിയമം തൊഴിൽ നൈപുണ്യവ

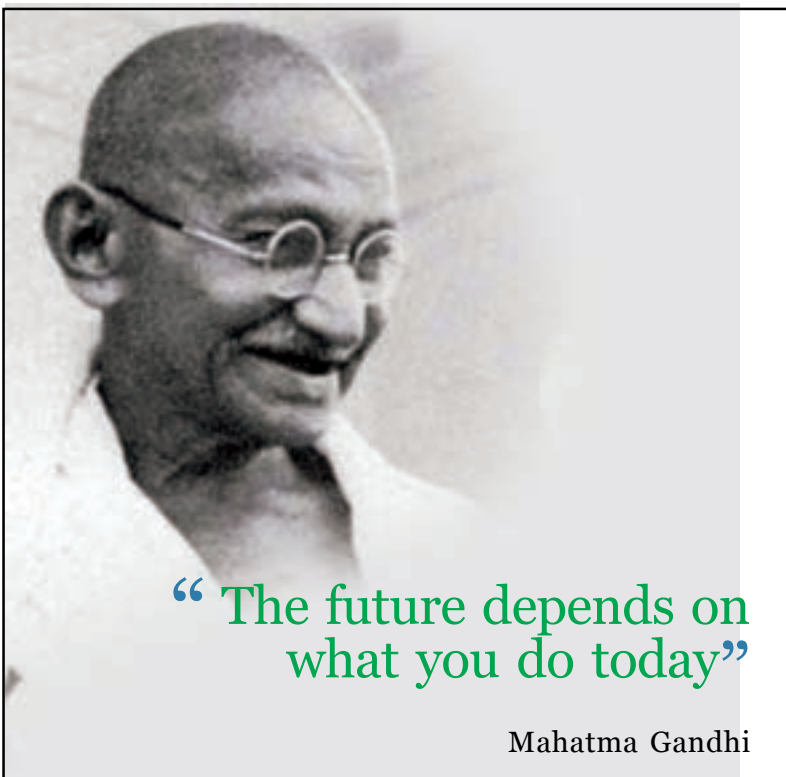
### തൊഴിൽനിയമ പുസ്തകങ്ങളുടെ സൗജന്യ വിതരണം

തിരുവനന്തപുരം: കേരള ഇൻസ്റ്റിറ്റ്യൂട്ട് ഓഫ് ലേബർ ആൻഡ് എംപ്ലോയ്മെന്റ് (കിലെ) തൊഴിലാളികൾക്കും പൊതുജനങ്ങൾക്കും വേണ്ടി തയ്യാറാക്കിയ പുസ്തകങ്ങൾ സൗജന്യമായി വിതരണം ചെയ്യും. പൊതുജനങ്ങളുടെ സൗകര്യം തൊഴിൽ വകുപ്പിന്റെ പ്രാദേശിക ഓഫീസുകൾ വഴിയാണ് വിതരണം. ഞാനും എന്റെ തൊഴിൽ നിയമങ്ങളും, പുസ്തക ശ്രേണിയിലെ മലയാളഭാഷയിലുള്ള എംപ്ലോയീസ് പ്രോവിഡന്റ് ഫണ്ട് നിയമവും പദ്ധതികളും, കേരള ചുമട്ടുതൊഴിലാളിനിയമം 1978, തൊഴിൽ നൈപുണ്യ വകുപ്പ് നടപ്പാക്കുന്ന ക്ഷേമപദ്ധതികൾ-2016 എന്നീ പുസ്തകങ്ങളാണ് ലഭിക്കുക. ഫോൺ: 0471 2309012, 2307742, 2308947.

കക്ഷമപദ്ധതി പുസ്തകങ്ങൾ പ്രാദേശിക ഓഫീസുകളിലും



Courtesy: The Economic Times



# Through History



**DR. A. NEELALOHITHADASAN NADAR**

Dr. A. Neelalohithadasan Nadar, senior Janatha Dal leader, was born as the son of K.P. Appi Nadar and A. Kunjulekshmy on 28th August 1947. A Law graduate, he holds a Doctorate in Hindi as well. Taking an active interest in political affairs even during his student days, he joined Indian National Congress in 1964, became the KSU District Secretary in 1967-68 and later its President. He was Member of State Youth Congress Committee in 1968 and became its President in 1969. Besides, he was a member of KPCC and AICC. He also served as Chairman, Kerala University Union in 1972. During the emergency period he left INC and associated in the formation of the Congress For Democracy and became its State President. Subsequently he joined the Janatha Party when CFD merged with the Janatha Party. Later, he became the Parliamentary Party Leader and State Chairman of DSP. When the name of DSP was changed as Lok Dal, he became its Member, National Standing Committee and also State President. Dr. Neelalohithadasan Nadar became elected to KLA for the first time in 1977 from Kovalam constituency. Again he was elected to KLA in 1987, 1996 and 2001 from the same constituency. He had been elected to KLA in 1991 too from Kovalam; however the election was declared void by the Kerala High Court on 11-12-1991. Dr. Neelalohithadasan Nadar held the portfolio of Law, Electricity, Irrigation, Labour and Housing in the C.H. Mohammed Koya Ministry from 16-11-1979 to 1-12-1979. He also held the Office of the Minister for Sports and Youth Affairs in the E.K. Nayanar Ministry from 2-4-1987 to 17-6-1991 and the Minister for Forests and Transport in Nayanar Ministry from 20-1-1999 to 13-2-2000. Dr. Neelalohithadasan Nadar also had a remarkable stint as Member of Lok Sabha from 1980 to 1984. Also as the founder of “Kamaraj Foundation of India” in 1976, he worked as its Chairman and was Member of State Library Council too. He worked as Manager, Printer and Publisher of the monthly “Yagadeepam”. He started “Gandhian Balakendras” in 1987 and worked as its Chief Patron. He has been the Janatha Dal Legislature Party leader besides being a Member of Janatha Dal National Executive Committee. Earlier, he was also its State Secretary General, till 1999. Jameela Prakasham is his wife and they have two daughters.

In view of the provisions in the Memorandum of Association of KILE the Minister holding the charge of Labour Department would become the President of the General Body of KILE. Thus Dr. Neelalohithadasan Nadar became the president of KILE from 16.11.1979 to 1.12.1979. He was the President who held the office of KILE for the shortest period.

*Courtesy: Kerala Legislative Assembly Website*

# Letters



**KILE NEWS**



**Sumitha Krishnan,**  
Software Professional, Thiruvananthapuram

Sir, I am writing this letter on behalf of a group of Software Professionals working in different organisations in Technopark, Thiruvananthapuram. We have heard about the WPS, the initiative of the Labour Department but not familiar with the objective and process of its implementation. Your article on the Wage Protection System in the KILE NEWS, September, 2015 issue enabled us to understand the importance of the system and the usefulness to the employees. Besides ensuring the payment of wages the registration of the establishment under the system will establish the relationship of the employees with the establishment / organisation where they are engaged. We appreciate KILE for giving us these information through your esteemed publication which was a great help for people like us who don't get time to get acquaintance with the government policies and projects.

We would be greatly obliged to KILE if KILE take the lead role to organise a workshop on the initiative and its implementation to the companies / employees working in the Technopark, Thiruvananthapuram.

**Ramesh Karanavar,** Ernakulam

I understand that KILE have published a number of booklets and brochures on various labour laws and rules applicable in the State and distributing it free of cost through Department offices. Let me first congratulate KILE for having taken up such a great decision when government publications on the matter are not available to the public. I heard there was a manual of Kerala Labour Laws published by the Labour Department in early seventies but nobody has cared to amend it and publish even after four decades of its publication. Here KILE deserves the credit. Thank U.

**Ebi George ,** Kochi.

I am in charge of the HR Department of a major industrial concern in the industrial capital of the State. We have nine registered trade unions of which three are effectively functioning and very cooperative with the establishment but the rest are only on paper. Some of them are creating problems in the day to day functioning of the establishment and thereby a congenial atmosphere in the establishment is disturbed. Now we would like to conduct a referendum among the Unions and recognise them for the effective functioning. We understand that Government have enacted a special legislation for the purpose. But the copies of the enactment are not available in the market. KILE may publish it through the KILE NEWS and take steps to publish it and issue free of cost for the easy availability to the public.

**Renuka G. Nair,** Law Intern, Kochi

Very recently I had an occasion to go through the KILE NEWS of the institute. It seems to be professional in outlook and quality. I understand that the institute have so many other publications also in its credit. Since the institute is functioning in Thiruvananthapuram the public are facing problem to get it easily. So the authorities may please take necessary steps to supply these publications through the District Information Offices and the regional offices of the Labour and Employment Departments. Also it is appreciable to see that these publications are available in the institute's website.

*All letters to the editor may be sent to*

**The Executive Director,**  
Kerala Institute of Labour and Employment,  
Thozhil Bhavan,  
Thiruvananthapuram-695033  
or  
email to: kiletvm@gmail.com

# KILE NEWS

A quarterly publication from KILE



A reference journal | Articles on divergent topics

Information on schemes, services, authorities | Activities

Legal updates | Data updates | Special columns etc.etc.

Publication in progress

# **MANUAL OF LABOUR LAWS**

(A compilation of Labour Acts and Rules)  
in Two Volumes

