



Standing Committee Report Summary

The Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Amendment Bill, 2011

- The Standing Committee on Labour submitted its 21st Report on 'The Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Amendment Bill, 2011' on November 11, 2011. The Chairperson was Hemanand Biswal.
- The Bill seeks to amend the Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1988. The Act exempts small establishments from furnishing returns and maintaining registers under certain labour laws. The amendments seek to widen the ambit of the Act to other establishments.
- The Committee recommended that the Ministry needs to reconsider the amendments in order to secure the rights of the workers and in light of the acute manpower shortage in the office of the Labour Commissioner. It also suggested that the nomenclature of the Act be changed to 'The Labour Laws (Simplification of Procedure for Furnishing Returns and Maintaining of Registers by Certain Establishments) Bill, 2011.
- The Bill amends the definition of "small establishments" to cover establishments that employ between 10 and 40 people (from 10 and 19 people). The Committee was of the opinion that since the turnover of high-tech establishments with a lesser number of employees may be high, many large and medium industries will be converted to small industries. Therefore, it recommended that status quo be maintained with regard to the number of employees for inclusion in small establishments. At most it could be increased to 25.
- The Committee recommended that penal provisions be added if establishments do not furnish returns. This would deter the possible defaulters.
- The Committee recommended that till the organisations that maintain the information furnished by the small establishments are fully computerised, the information may also be kept manually.
- The Committee suggested that the Central Statistical Organisation be requested to conduct a survey to find out the number of small establishments and the workforce deployed by them.
- The Committee found that there is a shortage of man power with the office of the Labour Commissioner, which is the enforcing authority. It therefore recommended that adequate and efficient human resource be put in place for strengthening of the enforcement machinery.
- The Committee noted that the date of submission of annual returns is January 31 of every year. It recommended that the date be changed to March 31 so that there is uniformity on the date on which establishments need to submit returns.

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