

Bill Summary

The Employment Exchanges (Compulsory Notification of Vacancies) Amendment Bill, 2013

- The Employment Exchanges (Compulsory Notification of Vacancies) Amendment Bill, 2013 was introduced in the Rajya Sabha on April 22, 2013 by the Minister of Labour and Employment, Mr. Mallikarjun Kharge.
- The Bill amends the Employment Exchanges (Compulsory Notifications of Vacancies) Act, 1959 (EE Act). The EE Act provides for the compulsory notification of vacancies to employment exchanges.
- The Bill changes the title of the Act to Employment Guidance and Promotion Centres (Compulsory Notifications of Vacancies) Act, 1959. It changes the nomenclature of employment exchanges to Employment Guidance and Promotion Centres.
- **Definitions:** The Bill changes the definition of an employee to include any person who is employed for a period two hundred and forty days or more in an establishment. It changes the definition of an employer to include any person who employs one or more other persons to do any work for two hundred and forty days or more in an establishment.
- The Bill seeks to include individuals seeking vocational careers and self employment within the ambit of the Act, and adds plantations to the list of establishments that are covered under it. The Bill includes employment in unskilled office work within its ambit.
- The EE Act excluded employment in the Parliament from its ambit. The current bill also seeks to exclude state legislatures. Additionally, the Bill seeks to exclude vacancies carrying a remuneration of less than sixty rupees per month.
- **Notification of vacancies:** The Bill requires all employers in the public sector and those in the private sector employing twenty-five or more persons to notify any vacancies to the prescribed Employment Guidance and Promotion Centres (EGPCs).
- **Furnishing information:** Employers are required inform the EGPC within 30 days of filling up notified vacancies. The amendment requires employers in the private sector employing less than twenty-five people to furnish information required by the EGPCs for the collection of employment data.
- This information will be accessible to any authorised government official or a person authorised by him (or her) in writing.
- **Penalties:** The amendment changes the penalty for non notification of vacancies, or failure to furnish information from five hundred rupees to up to five thousand rupees for the first offence. The fine for every second offence may extend to ten thousand rupees. Every subsequent offence may have a fine of ten thousand rupees or lead to imprisonment which may extend to one month or both. Employers in the private sector employing less than twenty-five people are liable to pay up to five thousand rupees after two defaults, if they fail to furnish information to the EGPC.
- The Bill makes the person in charge of the conduct of business of the concerned company liable to be punished in case of an offence. Any other officer who is found responsible for the offence is also liable to be punished.

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