The Labour Laws (Simplification of Procedure for Furnishing Returns and Maintaining Registers by certain Establishments Act, 1988

(Act No 51 of 1988)

[*As on the* 21st *May,* 2025]

AMENDING ACT

1.The Labour Laws (Exemption from the furnishing returns and maintenance Registers by certain establishments) Amendment Act, 2014 (33 of 2014).

LIST OF ABBREVIATIONS USED

Cl., cls.	*for*	Clause, clauses.
Ins.	„	Inserted.
Notifn.	„	Notification.
S., ss.	„	Section, sections.
Sch.	„	Schedule.
Subs.	„	Substituted.
w.e.f.	„	with effect from.

THE LABOUR LAWS (SIMPLIFICATION OF PROCEDURE FOR FURNISHING RETURNS AND MAINTAINING REGISTERS BY CERTAIN ESTABLISHMENTS) ACT, 1988

ARRANGEMENT OF SECTIONS

SECTIONS

1.Short title, extent and commencement.

2.Definitions.

3.Amendment of certain labour laws.

4.Exemption from furnishing or maintaining of returns and registers required under certain labour laws.

5.Savings.

6.Penalty.

7.Power to amend Form.

8.Power to remove difficulties.

SECOND SCHEDULE.

THE LABOUR LAWS (SIMPLIFICATION OF PROCEDURE FOR FURNISHING RETURNS AND MAINTAINING REGISTERS BY CERTAIN ESTABLISHMENTS) ACT, 1988

ACT NO. 51 OF 1988

[24*th September*, 1988.]

[1][An Act to provide for the simplification of procedure for furnishing returns and maintaining registers in relation to establishments employing a small number of persons under certain labour laws.]

BE it enacted by Parliament in the Thirty-ninth Year of the Republic of India as follows:—

1. Short title, extent and commencement.—(*1*) This Act may be called the Labour Laws [2][Simplification of Procedure for] Furnishing Returns and Maintaining Registers by certain Establishments) Act, 1988.

(*2*) It extends to the whole of India:

Provided that nothing contained in this Act, in relation to the Plantations Labour Act, 1951 (69 of 1951) shall extend to the State of Jammu and Kashmir*.

(*3*) It shall come into force on such date[3] as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different States, and any reference in any provision of this Act to the commencement of this Act shall be construed as a reference to the coming into force of that provision in that State.

2. Definitions.—In this Act, unless the context otherwise requires,—

(*a*) "employer", in relation to a Scheduled Act, which defines such expression, has the same meaning assigned to it in that Act, and in relation to any other Scheduled Act, means the person who is required to furnish returns or maintain registers under that Act;

(*b*) "establishment" has the meaning assigned to it in a Scheduled Act, and includes—

(*i*) an 'industrial or other establishment' as defined in section 2 of the Payment of Wages Act, 1936 (4 of 1936);

(*ii*) a 'factory' as defined in section 2 of the Factories Act, 1948 (63 of 1948);

(*iii*) a factory, workshop or place where employees are employed or work is given out to workers, in any scheduled employment to which the Minimum Wages Act, 1948 (11 of 1948), applies;

(*iv*) a 'plantation" as defined in section 2 of the Plantations Labour Act, 1951 (69 of 1951), and

(*v*) a 'newspaper establishment' as defined in section 2 of the Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955);

(*c*) "Form" means a Form specified in the Second Schedule;

(*d*) "Scheduled Act" means an Act specified in the First Schedule and is in force on the commencement of this Act in the territories to which such Act extends generally, and includes the rules made thereunder;

(*e*) "small establishment" means an establishment in which not less than ten and not more than [4][forty] persons are employed or were employed on any day of the preceding twelve months;

1. Subs. by Act 33 of 2014, s. 2, for the long title (w.e.f. 1-1-2015).

2. Subs. by s. 3, *ibid*., for "Exemption from" (w.e.f. 1-1-2015).

3. 1st May, 1989, *vide* Notifn. No. G.S.R.436(E), dated 10th April, 1989, *see* Gazette of India, Extraordinary, Part II; sec. 3(*i*).

4. Subs. by Act 33 of 2014, s. 4, for "nineteen" (w.e.f. 1-1-2015).

*. *Vide* Notifn. No. S.O. 3912(E), dated 30th October, 2019, this Act is made applicable to the Union territory of Jammu and Kashmir and the Union territory of Ladakh.

(*f*) "very small establishment" means an establishment in which not more than nine persons are employed or were employed on any day of the preceding twelve months.

3. Amendment of certain labour laws.— On and from the commencement of this Act, the Scheduled Acts shall have effect subject to the provisions of this Act.

[1]**[4. Exemption from furnishing or maintaining of returns and registers requires under certain labour laws.—** (*1*) Notwithstanding anything contained in a Scheduled Act, on and from the commencement of the Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by certain Establishments) Amendment Act, 2014, it shall not be necessary for an employer in relation to any small establishment or very small establishment to which a Scheduled Act applies, to furnish the returns or to maintain the registers required to be furnished or maintained under that Scheduled Act:

Provided that such employer—

(*a*) furnishes, in lieu of such returns, annual return in Form I; and

(*b*) maintains, in lieu of such registers,—

(*i*) registers in Form II and Form III, in the case of small establishments, and

(*ii*) a register in Form III, in the case of very small establishments,

at the work spot:

Provided further that every such employer shall continue to—

(*a*) issue wage slips in the Form prescribed in the Minimum Wages (Central) Rules, 1950 made under sections 18 and 30 of the Minimum Wages Act, 1948 (11 of 1948) and slips relating to measurement of the amount of work done by piece-rated workers required to be issued under the Payment of Wages (Mines) Rules, 1956 made under sections 13A and 26 of the Payment of Wages Act, 1936 (4 of 1936); and

(*b*) file returns relating to accidents under sections 88 and 88A of the Factories Act, 1948 (63 of 1948) and sections 32A and 32B of the Plantations Labour Act, 1951 (69 of 1951).

(*2*) The annual return in

Form I and the registers in Forms II and III and wage slips, wage books and other records, as provided in sub-section (*1*), may be maintained by an employer either in physical form or on a computer, computer floppy, diskette or other electronic media:

Provided that in case of computer, computer floppy, diskette or other electronic form, a printout of such returns, registers, books and records or a portion thereof is made available to the Inspector on demand.

(*3*) The employer or the person responsible to furnish the annual return in

Form I may furnish it to the Inspector or any other authority prescribed under the Scheduled Acts either in physical form or through electronic mail if the Inspector or the authority has the facility to receive such electronic mail.

(*4*) Save as provided in sub-section (*1*), all other provisions of a Scheduled Act, including, in particular, the inspection of the registers by, and furnishing of their copies to, the authorities under that Act, shall apply to the returns and registers required to be furnished or maintained under this Act as they apply to the returns and registers under that Scheduled Act.

(*5*) Where an employer in respect of an establishment referred to in sub-section (*1*), to whom a Scheduled Act applies, furnishes returns or maintains the registers as provided in the proviso to sub-section (*1*), nothing contained in that Scheduled Act shall render him liable to any penalty for his failure to furnish any return or to maintain any register under that Scheduled Act.]

5. Savings.—The commencement of this Act shall not affect—

(*a*) the previous operation of any provision of any Scheduled Act or the validity, invalidity, effect or consequence of anything done or suffered under that provision, before the relevant period;

1. Subs. by Act 33 of 2014, s. 5, for s. 4 (w.e.f. 1-1-2015).

(*b*) any right, privilege, obligation or liability already acquired, accrued or incurred under any Scheduled Act, before the relevant period;

(*c*) any penalty, forfeiture or punishment incurred or inflicted in respect of any offence committed under any Scheduled Act, before the relevant period;

(*d*) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment aforesaid,

and any such investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment shall be instituted, continued or disposed of, as the case may be, in accordance with that Scheduled Act.

*Explanation***.—**For the purpose of this section, the expression "relevant period" means the period during which an establishment is or was a small establishment or a very small establishment under this Act.

6. Penalty.—Any employer who fails to comply with the provisions of this Act shall, on conviction, be punishable—

(*a*) in the case of the first conviction, with fine which may extend to rupees five thousand; and

(*b*) in the case of any second or subsequent conviction, with imprisonment for a period which shall not be less than one month but which may extend to six months or with fine which shall not be less than rupees ten thousand but may extend to rupees twenty-five thousand, or with both.

7. Power to amend Form.— (*1*) The Central Government may, if it is of opinion that it is expedient so to do, by notification in the Official Gazette, amend any Form and thereupon such Form shall, subject to the provisions of sub-section (*2*), be deemed to have been amended accordingly.

(*2*) Any notification issued under sub-section (*1*) shall be laid before each House of Parliament, if it is sitting as soon as may be after the issue of the notification, and if it is not sitting, within seven days of its re-assembly and the Central Government shall seek the approval of Parliament to the notification by a resolution moved within a period of fifteen days beginning with the day on which the notification is so laid before the House of the People, and if Parliament makes any modification in the notification or directs that the notification should cease to have effect, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be, but without prejudice to the validity of anything previously done thereunder.

8. Power to remove difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date on which this Act receives the assent of the President.

[1][THE FIRST SCHEDULE

[*See* section 2(*d*)]

1. The Payment of Wages Act, 1936 (4 of 1936).

2. The Weekly Holidays Act, 1942 (18 of 1942).

3. The Minimum Wages Act, 1948 (11 of 1948).

4. The Factories Act, 1948 (63 of 1948).

5. The Plantations Labour Act, 1951 (69 of 1951).

6. The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955).

7. The Motor Transport Workers Act, 1961 (27 of 1961).

8. The Payment of Bonus Act, 1965 (21 of 1965).

9. The Beedi and Cigar Workers (Conditions of Employment) Act, 1966 (32 of 1966).

10. The Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970).

11. The Sales Promotion Employees (Conditions of Service) Act, 1976 (11 of 1976).

12. The Equal Remuneration Act, 1976 (25 of 1976).

13. The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979).

14. The Dock Workers (Safety, Health and Welfare) Act, 1986 (54 of 1986).

15. The Child Labour (Prohibition and Regulation) Act, 1986 (61 of 1986).

16. The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996).

1. Subs. by Act 33 of 2014, s. 6, for I Schedule and II Schedule (w.e.f. 1-1-2015).

THE SECOND SCHEDULE

[*See* section 2(*c*)]

FORM I

[*See* section 4 (*1*)]

ANNUAL RETURN

(To be furnished to the Inspector or the authority specified for this purpose under the respective Scheduled Act before the 30th April of the following year)

(ending 31st March_____)

1. Name of the establishment, its postal address, telephone number, FAX number, e-mail address and location_____

_____

2. Name and postal address of the employer_____

_____

3. Name and address of principal employer, if the employer is a contractor_____

_____

4. Name of the Manager responsible for supervision and control_____

(*i*) Name of business, industry, trade or occupation carried on by the employer_____

_____

(*ii*) Date of commencement of the business, industry, trade or occupation_____

_____

5. Employer's number under ESI/EPF/Welfare Fund/PAN No., if any_____

6. Maximum number of workers employed on any day during the year to which this return relates to:

Category	Highly Skilled	Skilled	Semi-skilled	Un-skilled
Male				
Female				
Children (those who have not completed 18 years of age)				
Total				

7. Average number of workers employed during the year:

8. Total number of mandays worked during the year:

9. Number of workers during the year:

(*a*) Retrenched :

(*b*) Resigned :

(*c*) Terminated :

10. Retrenchment compensation and terminal benefits paid (provide information completely in respect of each worker)_____

_____

11. Mandays lost during the year on account of—

(*a*) Strike :

(*b*) Lockout :

(*c*) Fatal accident :

(*d*) Non-fatal accidents :

12. Reasons for strike or lockout :

13. Total wages paid (wages and overtime to be shown separately):

14. Total amount of deductions from wages made :

15. Number of accidents during the years :

	Reported to Inspector of Factories/Dock Safety	Reported to Employees' State Insurance Corporation	Reported to Workmen's Compensation Commissioner	Others
Fetal				
Non-Fatal				

16. Compensation paid under the Workmen's Compensation Act, 1923 (8 of 1923) during the year_____

(*i*) Fatal accidents :

(*ii*) Non-fatal accidents

: 17. Bonus*

(*a*) Number of employees eligible for bonus :

(*b*) Percentage of bonus declared and number of employees who were paid bonus:

(*c*) Amount payable as bonus :

(*d*) Total amount of bonus actually paid and date of payment

: Signature of the

Manager/Employer with full name in capital letters.

Place:

Date:

ANNEXURE I*

Name and address of the Contractor	Period of contract From to	Nature of work	Maximum number of workers employed by each contractor	Number of days worked	Number of mandays worked
1	2	3	4	5	6

ANNEXURE II

(*See* Item No. 6)

Serial Number	Name of the employee/worker	Date of employment	Permanent address
1	2	3	4

* Delete, if not applicable.

FORM II

[*See* section 4(*1*)]

REGISTER OF PERSONS EMPLOYED-CUM-EMPLOYMENT CARD

Name of the establishment, address, telephone number, FAX number and e-mail address_____

Location of work_____

Name and address of principal employer if the employer is a contractor_____

_____ 1.

Name of workman/employee_____ 2.

Father's/Husband's name_____ 3.

Address:

(*i*) Present_____

(*ii*) Permanent_____

4. Name and address of the nominee/next of kin_____

5. Designation/Category_____

6. Date of Birth/Age_____

7. Educational qualifications_____

8. Date of entry_____

9. Worker's ID No./ESI/EPF/L.W.F. No._____

10. If the employed person is below 14 years, whether a certificate of age is maintained_____

11. Sex: Male or Female_____

12. Nationality_____

13. Date of termination of employment with reason_____

_____

14. Signature/thumb impression of worker/employee_____

15. Signature of the employer/Authorised officer with designation_____

_____

Signature of the contractor/
authorised representative
of the principal employer.

FORM III

[*See* section 4(*1*)]

MUSTER ROLL-CUM-WAGE REGISTER

Name of the establishment and address_____ Location of work_____ Name and address of employer_____

1	2	3	4	5	6	7	8
Serial number	Name of the worker (ID No. if any) and father's/husband's name	Designation /category/ nature of work performed	Attendance (Dates of the month 1, 2, .. to 31)	Leave due (Earned leave and other kind of admissible leave)	Leave availed (specify)	Wage rate/pay or piece rate/wages per unit	Other allowances, *e.g.* (a) Dearness Allowance (b) House Rent Allowance (c) Night Allowances (d) Displacement Allowance (e) Outward Journey Allowance (a) (b) (c) (d) (e)

9	10	11	12	13	14	15	16
Overtime worked number of hours in the month	Amount of overtime wages	Amount of advance and purpose of advance	Total/gross earnings	Deduction e.g. (a) Provident Fund (b) Advance (c) Employees' State Insurance (d) Other amount (a) (b) (c) (d)	Net amount payable (12-13)	Signature /receipt of wages/allowances for column number 14	Remarks

Certificate by the principal employer if the employer is contractor.

This is to certify that the contractor has paid wages to workmen employed by him as shown in this register.

Signature of principal employer/

authorised representative of principal employer.]

STATEMENT OF OBJECTS AND REASONS

Rules and regulations framed under various labour laws provide for maintenance of registers in prescribed formats and periodical submission of returns in prescribed forms. There has been persistent demands from small business and industrial establishments for the simplification and reduction in the number of forms and registers required to be maintained/submitted by small establishments. A Working Group appointed for the purpose had suggested undertaking of legislation as well as other appropriate measures for simplification and reduction in the number of forms and registers required. to be maintained by small establishments. In the light of the recommendations of the Working Group. the matter was considered further at various fora and Government has considered it desirable that establishments

employing smaller number of persons should be exempted to a limited extent, from maintaining registers in the prescribed form and from submitting the various returns under certain existing labour laws.

2. A small establishment has been defined in the Bill as an establishment in which not less than ten and not more than nineteen persons are employed or were employed on any day of the preceding twelve months. A very small establishment has been defined as an establishment in which not more than nine persons are employed or were employed on any day of the preceding twelve months.

3. Small establishments will be required to maintain only three muster registers and will be required to submit only one core return in lieu of the existing returns prescribed under the various labour laws. Similarly, very small establishments would be allowed to combine the three muster registers into a single register. Further, they would be required to submit only one annual core return in lieu of the existing return prescribed under the various labour laws. The forms of the register and returns have been prescribed in the Bill itself.

4. However, in view of the special requirements of social security legislation such' as, recovery of contribution from employers and employees, their accountability, reimbursement, etc., no exemption has been given in relation to social security legislation. The enactments from which exemption is sought to be given have been mentioned in the Schedule to the Bill.

5.The Bill seeks to achieve the above objects.

P. A. SANGMA.

NEW DELHI;
The 12*th August,* 1987.