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GOVERNMENT OF INDIA



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Part II - Section 3

केन्द्र-शासित प्रदेश लद्दाख प्रशासन
ADMINISTRATION OF UNION TERRITORY OF LADAKH

DEPARTMENT OF LABOUR
NOTIFICATION

Ladakh, the 20TH of JULY 2026

S.O.224— Whereas, the draft Code on Social Security (Ladakh) Rules, 2026, which the Administration of the Union Territory of Ladakh proposed to make in exercise of the powers conferred by sections 154 and 156 of the Code on Social Security, 2020 (36 of 2020), read with section 24 of the General Clauses Act, 1897 (10 of 1897), and in supersession of the Jammu and Kashmir Workmen's Compensation Rules, 1972, the Jammu and Kashmir Payment of Gratuity Rules, 1973, the Jammu and Kashmir Maternity Benefit Rules, 1974, the Jammu and Kashmir Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2006 and the Jammu and Kashmir Unorganised Workers' Social Security Rules, 2010, respectively, which stands repealed under section 164 of the Code on Social Security, 2020, save as respects things done or omitted to be done before such repeal, were

published, as required by sub-section (1) of section 156 of the said Code, vide Notification S.O. 183 dated the 29th of April, 2026, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of a period of forty-five days from the date on which copies of the Official Gazette containing the said notification were made available to the public;

And whereas, no objections or suggestions have been received from any person or stakeholder by the Labour and Employment Department, Administration of Union Territory of Ladakh, within the stipulated period;

Now, therefore, in exercise of the powers conferred by sections 154 and 156 of the Code on Social Security, 2020 (36 of 2020), read with section 24 of the General Clauses Act, 1897 (10 of 1897), the Administration of the Union Territory of Ladakh hereby makes the following rules, namely:—

DRAFT RULES

CHAPTER-I PRELIMINARY

- 1. Short title, extent and commencement.** — (1) These rules may be called the Code on Social Security (Ladakh) Rules, 2026.
 - (2) They shall extend to whole of the Union Territory of Ladakh.
 - (3) They shall come into force after the date of their final publication in the Official Gazette.
- 2. Definitions.** —(1) In these rules, unless the context otherwise requires:—
 - (a) “Administration” means the “Administration of the Union Territory of Ladakh”.
 - (b) “Board” means the Ladakh Unorganized Workers Social Security Board and the Ladakh Building and Other Construction Workers Welfare Board constituted under sub-section (9) of section 6 of the Code and under sub- section (1) of section 7 of the Code, respectively.
 - (c) “Cess Collector” means an officer appointed by the Administration of Union Territory of Ladakh for collection of cess under the Code.
 - (d) “Chairperson” means the Chairperson of the Board;
 - (e) “Code” means the Code on Social Security, 2020(Act No. 36 of 2020);
 - (f) “Form” means a form appended to these rules;
 - (g) “Member” means a member of the Board;
 - (h) “Nominations” means nominations made under section 55;
 - (i) “Section” means a section of the Code; and
 - (j) “Specified” means specified by the Administration by an order published in the

Official Gazette.

(2) All other words and expressions used in these rules which are not defined herein, but are defined in the Code shall have their respective meanings assigned to them in the Code.

CHAPTER-II

SOCIAL SECURITY ORGANISATIONS

A. LADAKH UNORGANIZED WORKERS SOCIAL SECURITY BOARD

3. Constitution of the Ladakh Unorganised Workers' Social Security Board:—

(1) Ladakh Unorganised Workers' Social Security Board shall be constituted under sub-section (9) of Section 6 of the Code by Notification in the Official Gazette to exercise the powers conferred on and to perform the functions assigned to it under the Code.

(2) In nominating the members under sub-clauses (i), (ii) and (iv) of clause (d) of sub-section (10) of Section 6 of the Code, the UT of Ladakh Administration shall consider the nominations from the unorganized workers, employers of unorganized workers and eminent persons from civil society.

4. Term of office of members.— (1) A member, other than an ex-officio member, shall hold office for a period not exceeding three years from the date of his nomination.

(2) A member nominated under sub-clauses (i), (ii) and (iv) of clause (d) of sub-section (10) of section 6 shall cease to be a member of the Board if he/she ceases to represent the category of interest from which he was so nominated:

Provided that out of seven persons nominated under sub-clause (i) of clause (d) of sub-section (10) of section 6, one member each shall be from the Scheduled Castes, Scheduled Tribes, Minorities and the Women.

(3) All members shall be eligible for re-nomination.

"Provided that a member, other than an ex officio member, shall not hold the office for more than total of two terms."

5. Resignation.— (1) A member of the Board, not being an ex-officio member, may resign from his office by a letter in writing addressed to the Chairperson.

(2) The seat of such a member shall fall vacant from the date on which his

resignation is accepted or on the expiry of thirty days from the date of receipt of intimation of resignation, whichever is earlier.

(3) The power to accept the resignation of a member shall vest in the Chairperson, who, on accepting the resignation, shall report to the Board at its next meeting.

6. **Removal of member.**— The Administration may remove from office any member of the Board, if, in its opinion, such a member has ceased to represent the interest which he purports to represent on the Board:

Provided that no such member shall be removed unless a reasonable opportunity is given to him of making any representation against the proposed action.

7. **Address of the members.**—

(1) Every Member shall furnish his address to the Member Secretary of the Board who shall thereupon enter his address in the official record.

(2) If a member changes his address, he shall furnish his new address to the Member Secretary of the Board who shall thereupon enter his new address in the official record:

Provided that if a member fails to furnish his new address, the address in the official record shall for all purposes be deemed to be the member's correct address.

8. **Manner of filling vacancies.**— When a vacancy occurs or is likely to occur on completion of the term of the Member in the membership of the Board, the Chairperson shall submit a report to the Administration and on receipt of such report, the Administration may, by notification, nominate a person to fill the vacancy:

Provided that when a vacancy occurs or is likely to occur due to removal or resignation of a member, the Member Secretary shall submit a report to the Administration and on receipt of such report, the Administration may, by notification, nominate a person to fill the vacancy and the person so nominated shall hold office for the remaining term of office of the member in whose place he is nominated.

9. **Allowances of members.**—

(1) The travelling allowance of an official member of the Board shall be governed by the rules applicable to him for journey performed by him on official duties and shall be paid by the authority paying his salary.

(2) The non-official members of the Board shall be entitled to the payment of travelling and daily allowance for attending the meetings of the Board at such rates as are admissible to Group 'A' Officers of the **Administration**.

- 10. Disposal of business.**— Every matter which the Board is required to take into consideration shall be considered at a meeting of the Board, or if the Chairperson so directs, by sending the necessary papers to every member for opinion, and the matter shall be disposed of in accordance with that decision of the majority:

Provided that where there is no opinion of majority on a matter and the members of the Board are equally divided, the Chairperson shall have a second or a casting vote.

Explanation.— The expression "Chairperson" for the purpose of the above proviso shall include a member nominated or chosen under sub-rule (2) of rule 11 to preside over a meeting.

11. Meetings.—

(1) The Board shall meet at such places and at such times as may be decided by the Chairperson and it shall meet at least once in a quarter of the year.

(2) The Chairperson shall preside over every meeting of the Board in which he is present and, in his absence, he may nominate a member of the Board to preside over such meeting in his place and in the absence of such nomination by the Chairperson, the members of the Board present in such meeting, may choose one member from amongst themselves to preside over the meeting.

12. Notice of meetings and list of business. —

(1) Ordinarily, two weeks' notice shall be given to the members of the Board of a proposed meeting:

Provided that the Chairperson, if he is satisfied that it is expedient so to do, may give notice of longer period not exceeding one month for such meeting.

(2) No business except which is included in the list of business for a meeting of the Board shall be considered at the meeting without the permission of the Chairperson.

(3) The Chairperson may at any time call a special meeting of the Board in case of urgency, after informing the members in advance about the subject matter of discussion and the reasons of urgency.

- 13. Quorum.**— (1) No business shall be transacted at any meeting of the Board unless atleast 1/3rd of total members are present in that meeting which shall include at least one non-official member.

Provided that if at a meeting, where less than 1/3rd of total members are present, the Chairperson may adjourn the meeting to another date informing the members present and giving notice to the other members that he proposes to dispose of the business at the adjourned meeting whether there is prescribed quorum or not, and it shall there upon be lawful for him to dispose of the business at the adjourned meeting irrespective of the number of members attending.

- (2) The Administration may prohibit any member other than ex-officio members, from taking part in the meeting of the Board if:—
- (a) he absents himself from three consecutive meetings of the Board without written information and consent of the Chairperson; or
 - (b) In view of the Administration, such member ceased to represent the interest which he purports to represent on the Board.

LADAKH BUILDING AND OTHER CONSTRUCTION WORKERS' WELFARE BOARD

- 14. Constitution of the Ladakh Building and Other Construction Workers' Welfare Board:**— The Ladakh Building and other Construction Workers' Welfare Board shall be constituted by Notification in the Official Gazette under section 7 of the Code to exercise the powers conferred on and perform the functions assigned to it under Section 7 and Chapter VIII of the Code.

- 15. Terms and conditions of appointment of the Chairperson and other members of the Board. —**

- (1) The term of office of Chairperson and other members of the Board shall be three years.
- (2) The Chairperson and other members of the Board shall be paid such salary and allowances, as may be determined by Administration in consultation with the Board.

- 16. Filling up of casual vacancies. —**

A member, nominated to fill a casual vacancy, shall hold office for the remaining period of the term of office of the member in whose place, he is nominated.

17. Terms and conditions of appointment of Secretary, other officers and employees of the Board.— The Secretary, other officers and employees of the Board shall be appointed on such terms and conditions and shall be paid such salary and allowances, as may be determined by the Board from time to time with the approval of the Administration.

18. Social security schemes and welfare measures under sub-section (6) of Section 7.—

(i) Board with the prior approval of “**Administration**” shall notify social security schemes and welfare measures prescribed in Clause (c), (d) and (e) of sub-section (6) of Section 7.

(ii) Board shall formulate social security schemes and welfare measures in which eligibility limit, detail of various benefits; application form procedure, determination of competent authority for sanction of benefit and manner of payment and other incidental matters thereto shall be clearly mentioned.

CHAPTER - III

EMPLOYEES INSURANCE

COURT

19. Procedure and fees.— (1) The procedure for filing application to the Employee Insurance Court: —

- i. An application under section 49 shall be presented in triplicate in **Form II** and shall contain the following particulars, namely: —
 - (a) The name of the Court in which an application is filed;
 - (b) Full name, description including age, occupation and full postal address of applicant and the opposite party;
 - (c) Where the applicant or the opposite party is a minor or a person of unsound mind, a statement to that effect and the full name, age, occupation and full postal address of his or her guardian, next-of-kin, or any other person authorized to act on his or her behalf;
 - (d) The fact constituting the cause of action and the date when it arose;
 - (e) The facts showing that court has jurisdiction; and
 - (f) The relief which the applicant claims;
- ii. Every application shall be verified in the same manner as a pleading in a Civil Court;

- iii. All the documents on which the application is based or has desired by applicant shall be appended to application with an accurate list thereof; and
- iv. All application shall be entered in a register in **Form III** to be maintained by the Court.

(2) Proceeding of Employees Insurance Court: —

(i) Every application to the Court shall be filed within three years on which the cause of action arose or as the case may be, the claim becomes due;

(ii) Where at any stage it appears to the Court that the application should be presented to another Court, or should be entertained by another Court, the first Court shall send the application or file of the case to the Court empowered to deal with it and shall inform the applicant and the opposite party accordingly and the Court to which application or file is transferred shall continue the proceedings as if the previous proceedings or any part of it had been taken before it.

(iii) The Court shall follow the rules of the Code of Civil Procedure, 1908 in respect of summoning of the parties, service of summons, procedure of hearing, framing of issues, statement and production of evidence, method of recording evidence, cross examination of witness and other related matters.

Explanation. — For the purpose of this sub-rule, — (a) the cause of action in respect of a claim for benefit shall not be deemed to arise unless the insured person or in the case of dependents' benefit, the dependents of the insured person claims or claim that benefit in accordance with the regulations made in that behalf within a period of twelve months after the claim became due or within such further period as the Employees' Insurance Court may allow on grounds which appear to it to be reasonable;

(b) the cause of action in respect of a claim by the Corporation for recovering contributions (including interest and damages) from the principal employer shall be deemed to have arisen on the date on which such claim is made by the Corporation for the first time;

Provided that no claim shall be made by the Corporation after five years of the period to which the claim relates;

(c) the cause of action in respect of a claim by the principal employer for recovering contributions from an immediate employer shall not be deemed to arise till the date by which the evidence of contributions having been paid is due to be received by the

Corporation under the regulations.

(3) Fees.— (i) The fee payable on an application in respect of any matter referred to in section 49 shall be hundred rupees.

(ii) The fee and costs payable in respect of any other matter shall be such as may be prescribed for the time being in force.

(iii) All fees referred to in this rule shall be collected by way of Court fee stamps.

20. **Second Appeal to Employee's Insurance Court under section 37 (7) (b).** – When the decision of the Medical Board with respect to cases as listed under section 37 (1) of the Code are appealed before the Medical Appeal Tribunal under section 37(7)(a)(i), then The insured person or the Corporation may file a second appeal to the Employees' Insurance Court by presenting an application within ninety days from the date of receipt of the copy of order of the Medical Appeal Tribunal and other cases related to Insured Person;

Provided that, the Employees' Insurance Court may entertain the appeal after the period of ninety days, if it is satisfied that the appellant had sufficient reasons for not presenting the appeal within the prescribed period. The applications to the Employees' Insurance Court, shall be in **Form I**.

CHAPTER-IV

GRATUITY

21. **Bank or other financial institution in which the gratuity shall be invested for the benefit of minor.**— In the case of nominee, or an heir, who is minor, the competent authority shall invest the gratuity amount deposited with him for the benefit of such minor in term deposit with the State Bank of India or any other Nationalized Bank.

Explanation.— "Nationalized Bank" means a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (Central Act 5 of 1970) or a corresponding new bank specified in the First Schedule of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (Central Act 40 of 1980).

22. **Time, form and manner of nomination by an employee.** —

(1) A nomination shall be in **Form IV** and submitted in duplicate by the employee either by personal service, after taking proper receipt or by registered post

acknowledgement due or electronically to the employer,

- (a) in the case of an employee who is already in employment for a year or more on the date of commencement of these rules but have not submitted the nomination, ordinarily, within ninety days from such date; and
- (b) in the case of an employee who completes one year of service after the date of commencement of these rules, ordinarily within thirty days of the completion of one year of service:

Provided that nomination in **Form IV** shall be accepted by the employer after the specified period, if filed and no nomination so accepted shall be invalid merely because it was filed after the specified period.

(2) Within thirty days of the receipt of nomination in **Form IV** under sub-rule (1), the employer shall get the service particulars of the employee, as mentioned in the form of nomination, verified with reference to the records of the establishment and return to the employee, after obtaining a receipt thereof, the duplicate copy of the nomination in **Form IV** duly attested either by the employer or an officer authorised in this behalf by him, as a token of recording of the nomination by the employer and the other copy of the nomination shall be recorded.

(3) An employee who has no family at the time of making a nomination shall, within ninety days of acquiring a family submit in the manner specified in sub-rule (1), a fresh nomination, as required under sub-section (4) of section 55, in duplicate in **Form V** to the employer and thereafter the provisions of sub-rule (2) shall apply mutatis mutandis as if it was made under sub- rule (1).

(4) A notice of modification of a nomination, including cases where a nominee predeceases an employee, shall be submitted in duplicate in **Form VI** to the employer in the manner specified in sub-rule (1), and thereafter the provisions of sub-rule (2) shall apply mutatis mutandis.

(5) A nomination or a fresh nomination or a notice of modification of nomination shall be, signed by the employee or, if illiterate, shall bear his thumb impression, in the presence of two witnesses, who shall also sign a declaration to that effect in the nomination, fresh nomination, or notice of modification of the nomination, as the case may be.

(6) A nomination, fresh nomination or notice of modification of nomination shall take effect from the date of receipt thereof by the employer.

23. Time within which and the form in which a written application shall be made.-

(1) Application for Gratuity. -

- (a) An employee who is eligible for payment of gratuity under the Code, or any person authorized, in writing, to act on his behalf, shall apply, ordinarily within thirty days from the date the gratuity became payable, in **Form VII** to the employer:

Provided that where the date of superannuation or retirement of an employee is known, the employee may apply to the employer before thirty days of the date of superannuation or retirement:

Provided further that an employee on fixed term employment shall be eligible for gratuity, if he renders service under the contract for a period of one year and he shall be paid gratuity at the rate of fifteen days' wages, based on the rate of wages last drawn by him, for every completed year of service or part thereof in excess of six months.

- (b) A nominee of an employee who is eligible for payment of gratuity under the second proviso to sub-section (1) of section 53 shall apply, ordinarily within thirty days from the date of gratuity became payable to him, in **Form VII** to the employer:

Provided that an application in plain paper with relevant particulars shall also be accepted. The employer may obtain such other particulars as may be deemed necessary by him.

- (c) A legal heir of an employee who is eligible for payment of gratuity under the second proviso to sub-section(1) of section 53 shall apply, ordinarily within one year from the date of gratuity became payable to him, in **Form VII** to the employer.

- (d) Where gratuity becomes payable under the Code before the commencement of these rules, the periods of limitation specified in clauses (a), (b) and (c) of sub-rule (1) shall be deemed to be operative from the date of such commencement.

- (e) An application for payment of gratuity filed after the expiry of the periods specified in this rule shall also be entertained by the employer, if the applicant adduces sufficient cause for the delay in preferring his claim, and no claim for gratuity under the Code shall be invalid merely because the claimant failed to present his application within the specified period. Any dispute in this regard shall be referred

to the competent authority for his decision.

(f) An application under this rule shall be presented to the employer either electronically, or by personal service or by registered post acknowledgement due.

(2) Notice for payment of gratuity. – (a) Within fifteen days of the receipt of an application under sub-rule (1) for payment of gratuity, the employer shall-

(i) if the claim is found admissible on verification, issue a notice in **Form VIII** to the applicant employee, nominee or legal heir, as the case may be, specifying the amount of gratuity payable and fixing a date, not being later than the thirtieth day after the date of receipt of the application, for payment thereof, or

(ii) if the claim for gratuity is not found admissible, issue a notice in **Form VIII** to the applicant employee, nominee or legal heir, as the case may be, specifying the reasons why the claim for gratuity is not considered admissible.

In the case of denial of gratuity, a copy of the notice shall be endorsed to the competent authority.

(b) In case payment of gratuity is due to be made in the employer's office, the date fixed for the purpose in the notice in **Form VIII** under sub-clause (i) of clause (a) of sub-rule (2) shall be re- fixed by the employer, if a written application in this behalf is made by the payee explaining why it is not possible for him to be present in person on the date specified.

(c) If the claimant for gratuity is a nominee or a legal heir, the employer may ask for such witness or evidence as may be deemed relevant for establishing his identity or maintainability of his claim, as the case may be. In that case, the time limit specified for issuance of notices under clause (a) of sub-rule (2) shall be operative with effect from the date such witness or evidence, as the case may be, called for by the employer is furnished to the employer.

(d) A notice in **Form VIII** shall be served on the applicant either by personal service after taking receipt or by registered post with acknowledgement due or electronically.

(e) A notice under sub-section (2) of section 56 shall be in **Form VIII**.

(3) Mode of payment of gratuity. —The gratuity payable under the Code shall be paid through Demand Draft or by crediting in the bank account of the eligible employee, nominee or legal heir, as the case may be:

Provided, that intimation about the details of payment shall also be given by

the employer to the competent authority of the area.

(4) Application to competent authority for direction under clause (b) of sub-section (5) of section 56.—

(a) if an employer-

(i) refuses to accept a nomination under sub-rule (1) of rule 19 or to entertain an application sought to be filed under sub-rule (1), or

(ii) issues a notice under clause (a) of sub-rule (2) either specifying an amount of gratuity which is considered by the applicant less than what is payable or rejecting eligibility to payment of gratuity, or

(iii) having received an application under sub-rule (1) fails to issue notice as required under sub-rule (2) within the time specified therein, the claimant employee, nominee or legal heir, as the case may be, may, within one hundred eighty days of the occurrence of the cause for the application, apply in **Form IX** to the competent authority for issuing a direction under sub-section (5) of section 56 with as many extra copies as are the opposite party:

Provided, that the competent authority may accept any application under this sub-rule, on sufficient cause being shown by the applicant, after the expiry of the specified period.

(b) application under clause (a) of sub-rule (4) and other documents relevant to such an application shall be presented in person to the competent authority or shall be sent by registered post acknowledgement due or electronically.

(5) Procedure for dealing with application for direction.— (a) on receipt of an application under sub-rule (4), the competent authority shall, by issuing a notice in **Form X**, by electronically or Registered Post Acknowledgment Due (RPAD) or in person call upon the applicant as well as the employer to appear before him on a specified date, time and place, either by himself or through his authorized representative together with all relevant documents and witnesses, if any.

(b) any person desiring to act on behalf of an employer or employee, nominee or legal heir, as the case maybe, shall present to the competent authority a letter of authority from the employer or the person concerned, as the case may be, on whose behalf he seeks to act together with a written statement explaining his interest in the matter and praying for permission so to act. The competent authority shall record thereon an order either according his approval or specifying, in the case of refusal to grant the

permission prayed for, the reasons for the refusal.

(c) a party appearing by an authorized representative shall be bound by the acts of the representative.

(d) after completion of hearing on the date fixed under clause (a), or after such further evidence, examination of documents, witnesses, hearing and inquiry, as may be deemed necessary, the competent authority shall record his findings to whether any amount is payable to the applicant under the Code. A copy of the finding shall be given to each of the parties.

(e) if the employer concerned fails to appear on the specified date of hearing after due service of notice without sufficient cause, the competent authority may proceed to hear and determine the application ex-parte. If the applicant fails to appear on the specified date of hearing without sufficient cause, the competent authority may dismiss the application:

Provided, that an order under clause (e) of sub-rule (5) may, on good cause being shown within thirty days of the said order, be reviewed and the application re-heard after giving not less than fourteen days' notice to the opposite party of the date fixed for rehearing of the application:

Provided, further that the time limit for disposal of application for direction shall not exceed ninety days from the date of filing of the application before the Competent Authority. In case of non-appearance by either of the parties, a maximum of three opportunities may be given before disposal of the application.

(6) **Place and time of hearing.** —The sittings of the competent authority shall be held at such times and at such places as he may fix and he shall inform the parties of the same in such manner as he thinks fit.

(7) **Administration of oath.** —The competent authority may authorize a clerk of his office to administer oaths for the purpose of making affidavits.

(8) **Summoning and attendance of witnesses.**—The competent authority may, at any stage of the proceedings before him, either upon or without an application by any of the parties involved in the proceedings before him, and on such terms as may appear to the competent authority just, issue summons to any person in **Form X** either to give evidence or to produce documents or for both purposes on a specified date, time and place.

(9) **Service of summons or notice.** —

(a) subject to the provisions of clause(b), any notice, summons, process or order issued

by the competent authority may be served either personally or by registered post acknowledgement due or electronically or in any other manner as prescribed under the Code of Civil Procedure, 1908 (Central Act 5 of 1908).

(b) where there are numerous persons as parties to any proceeding before the competent authority and such persons are members of any trade union or association or are represented by an authorized person, the service of notice on the Secretary, or where there is no Secretary, on the principal officer of the trade union or association, or on the authorized person shall be deemed to be service on such persons.

(10) Maintenance of records of cases by the competent authority. —

(a) the competent authority shall record the particulars of each case under section 56 and at the time of passing orders shall sign and date the particulars so recorded.

(b) the competent authority shall, while passing orders in each case, also record the findings on the merits of the case and file it together with the memoranda of evidence with the order sheet.

(c) any record, other than a record of any order or direction, which is required by these rules to be signed by the competent authority, may be signed on behalf of and under the direction of the competent authority by any subordinate officer appointed in writing for this purpose by the competent authority.

(11) Direction for payment of gratuity.—If a finding is recorded under clause (d) of sub-rule (5) that the applicant is entitled to payment of gratuity under the Code, the competent authority shall issue a notice to the employer concerned in **Form XI** electronically or registered post acknowledgement due or in person specifying the amount payable (including interest due, if any, under sub-section (4) of section 56 of the Code) and directing payment thereof to the applicant under intimation to the competent authority within thirty days from the date of the receipt of the notice by the employer. A copy of the notice shall be endorsed to the applicant employee, nominee or legal heir, as the case may be.

(12) Appeal.—

(a) the Memorandum of appeal under sub-section (8) of section 56 of the Code shall be submitted to the appellate authority with a copy thereof to the opposite party and the competent authority either through delivery in person or under registered post acknowledgement due or electronically.

(b) the Memorandum of appeal shall contain the facts of the case, the decision of the

competent authority, the grounds of appeal and the relief sought.

(c) there shall be appended to the Memorandum of appeal a certified copy of the finding of the competent authority and direction for payment of gratuity.

(d) on receipt of the copy of Memorandum of appeal, the competent authority shall forward records of the case to the appellate authority.

(e) within fourteen days of the receipt of the copy of the Memorandum of appeal, the opposite party shall submit his comments of each paragraph of the memorandum with additional pleas, if any, to the appellate authority with a copy to the appellant.

(f) the appellate authority shall record its decision after giving the parties to the appeal a reasonable opportunity of being heard. A copy of the decision shall be given to the parties to the appeal by electronically or registered post or in person and a copy thereof shall be sent to the competent authority returning his records of the case.

(g) the competent authority shall, on receipt of the decision of the appellate authority, make necessary entry in the records of the case maintained by him.

(h) on receipt of the decision of the appellate authority, the competent authority shall, if required under that decision, modify his direction for payment of gratuity and issue a notice to the employer concerned in **Form XI** specifying the modified amount payable and directing payment thereof to the applicant, under intimation to the competent authority within fifteen days of the receipt of the notice by the employer. A copy of the notice be endorsed to the appellant employee, nominee or legal heir, as the case may be, and to the appellate authority.

(i) the time limit for disposal of appeal shall not exceed ninety days from the date of filing of appeal. In case of non-appearance by either of the parties, a maximum of three opportunities may be given before disposal of the appeal.

(13) Application for recovery of gratuity.—Where an employer fails to pay the gratuity due under the Code in accordance with the notice by the competent authority under sub-rule (11) or sub-rule (12), as the case may be, the employee concerned, his nominee or legal heir, as the case may be, to whom the gratuity is payable may apply to the competent authority in duplicate in **Form XII** for recovery thereof under section 129 of the Code.

24. Manner of registration.— (1) Every Employer of an establishment covered by the

Code shall get his/her establishment registered electronically with competent authority in **Form XIII** within thirty days from the date of notification of the compulsory insurance specified under sub-section (1) of section 57 of the Code.

(2) The Board of Trustees shall include an equal number of representatives of the employer and the employees of the establishment.

(3) Any amount directed to be paid under sub-section (4) of Section 57 shall be recoverable as an arrear of land revenue.

25. Competent authority and Appellate Authority.— (1) The Administration by Notification appoint any officer not below the rank of the Assistant Labour Commissioner of the Labour Department to be the Competent Authority for implementation of any provision of Chapter V of the Code.

(2) The Administration may by notification appoint any officer above the rank of the Competent Authority appointed under sub-rule (1) as Appellate Authority for the purpose of Section 56 of the Code.

(3) The Memorandum of appeal under sub-section(8) of Section 56 of the Code shall be submitted to the appellate authority with a copy thereof to the opposite party and the competent authority either through delivery in person or under registered post acknowledgement due or electronically.

(4) The Memorandum of Appeal shall contain the facts of the case, the decision of the competent authority, the grounds of appeal and the relief sought.

(5) There shall be appended to the Memorandum of appeal a certified copy of the finding of the competent authority and direction for payment of gratuity.

(6) On receipt of the copy of Memorandum of appeal, the competent authority shall forward records of the case to the appellate authority.

(7) Within fourteen days of the receipt of the copy of the Memorandum of appeal, the opposite party shall submit his comments of each paragraph of the memorandum with additional pleas, if any, to the appellate authority with a copy to the appellant.

(8) The appellate authority shall record its decision after giving the parties to the appeal a reasonable opportunity of being heard. A copy of the decision shall be given to the parties to the appeal by electronically or registered post or in person and a copy thereof shall be sent to the competent authority returning his records of the case.

(9)The competent authority shall, on receipt of the decision of the appellate authority, make necessary entry in the records of the case maintained by him.

CHAPTER-V

MATERNITY

BENEFIT

26. Complaint and Appeal.— (1) Complaint, —

- (a) A complaint under sub-section (1) of section 72 shall be made in writing in **Form XIV** as the case may be.
- (b) When a complaint referred to in sub-section (2) of Section 72 is received by an Inspector-cum-Facilitator, he shall examine the relevant record maintained by the employer in this behalf, examine any person employed in the establishment and take down necessary statement for the purpose of the enquiry and if he is satisfied that the maternity benefit or the amount has been improperly withheld, he shall direct the employer to make the payment to the woman or to the person claiming the payment under section 63, as the case may be, immediately or within a specified period:

Provided that the time limit for disposal of complaint shall not exceed ninety days from the date of filing of complaint. In case of non-appearance by either of the parties, a maximum of three opportunities may be given before disposal of the complaint.

(2) **Appeal. —**

- (a) An appeal against the decision of the Inspector-cum-Facilitator under sub-section (2) of section 72, shall lie with the competent authority.
- (b) The aggrieved person shall prefer an appeal in writing to the prescribed authority in **Form XV** and file other supporting documents.
- (c) When an appeal is received, the prescribed authority shall call from the Inspector-cum-Facilitator before a fixed date, the record of the case. The prescribed authority shall, if necessary, also record the statements of the aggrieved person and of the Inspector-cum-Facilitator and seek clarification if any is required.
- (d) Taking into account the documents, the evidence produced before him and the facts presented to him or ascertained by him, the prescribed authority shall give his decision within a period of ninety days from filing of the application before him. In case of non-appearance by either of the parties, a maximum of three opportunities may be given before disposal of the appeal.

(3) Authority to whom an appeal may be preferred: A person aggrieved by the order

of Inspector-cum Facilitator under sub-section (2) of section 72 may appeal to the authority appointed by **the Administration** by way of notification for the said purpose.

CHAPTER-VI

EMPLOYEE'S

COMPENSATION

- 27. Amount to be deposited towards the expenditure of the funeral of the employee with the competent authority by the employer.**— If the injury of employee results in death, the employer shall in addition to compensation to be given under the code shall deposit with the competent authority a sum of fifteen thousand rupees or such amount as may be notified by the Administration through Gazette notification, for payment of the same to the eldest surviving dependents of the employee towards the expenditure of the funeral of such employee or where the employee does not have any dependent or was not living with his dependent at the time of his death to the person who actually incurred such expenditure.

Provided that the Administration may, by notification from time to time enhance the amount specified above.

- 28. Conditions when application for review is made without certificate of a medical practitioner. —**

Application for review of half-monthly payment under subsection (1) of section 79, may be made without being accompanied by a medical certificate; -

- (a) by the employer, on the ground that since the right to compensation was determined, the employee's wages have increased;
- (b) by the employee, on the ground that since the right to compensation was determined, his wages have diminished;
- (c) by the employee, on the ground that the employer, having commenced to pay compensation, has ceased to pay the same, notwithstanding the fact that there has been no change in the employee's condition such as to warrant such cessation;
- (d) either by the employer or by the employee, on the ground that the determination of the rate of compensation for the time being in force was obtained by fraud or undue influence or other improper means;
- (e) either by the employer or by the employee on the ground that in the determination of compensation, there is a mistake or error apparent on the face of the record.

- 29. Class of employers and the form of notice book. —** Every employer to which the Code applies, shall maintain a notice book in accordance with sub- section (4) of section 82 in **Form XVI**.

30. **Interval for medical examination.**— A employee who is in receipt of a half monthly payment shall not be required to submit himself for medical examination elsewhere than at the place where he is residing for the time being or more than twice in the first month following the accident or more than once in any subsequent month.

31. **Form of statement to be submitted by the employer.**— The statement for fatal accident required under sub- section (1) of section 88 shall be in **Form XVII**.

32. **Manner of Recording Memorandum.**—

(1) Form of Memorandum-Memorandum of agreement sent to the competent authority under sub-section (1) of section 89 shall unless the competent authority otherwise directs, be in duplicate, and shall be in as close conformity as the circumstances of the case admit with **Form XVIII**, or **Form XVIII A**, or **Form XVIII B** as the case may be.

(2) After receiving a memorandum of agreement, the competent authority shall, for taking decision to record memorandum or refusing to record, shall issue notice to parties to agreement in **Form XIX**, fixing date and place of hearing and in default of objections, he proposes to record the memorandum on the date so fixed. The notice may be sent personally or through registered post or speed post or electronically:

Provided that the notice may be communicated orally to any parties who are present at the time when notice in writing would otherwise issue.

(3) On the date so fixed, the competent authority, after hearing the parties to agreement shall take decision to record or refuse to record the memorandum:

Provided that, the issue of a notice under sub-rule(2), shall not be deemed to prevent the competent authority from refusing to record the memorandum on the date so fixed even if no objection has been made by any party concerned.

(4) If on such date the competent authority decides that the memorandum ought not to be recorded, he shall inform the parties present of his decision and of the reasons thereof and if any party desiring the memorandum to be recorded is not present, he shall send information to that party.

(5) **Registration of memorandum accepted for record.**— In recording a memorandum of agreement, the competent authority shall cause the same to be entered in a register in **Form XX** and shall cause an endorsement to be entered under

his signature on a copy of a memorandum to be retained by him in the following terms, namely-

“ The memorandum of agreement bearing serial no.____of 20____in the register has been recorded on this ____day of__.

(Signature)
Competent
Authority”

33. Qualifications and experience for competent authority.— The person to be appointed as the competent authority for the purpose of this Chapter shall be appointed by the **Administration** by notification as per section 91(1) of the code.

34. Manner in which matters may be dealt with by or before the competent authority—

(1) On receipt of the application, the competent authority shall verify the jurisdiction as per the parameters specified in clause (a), (b) and (c) of sub-section (1) of section 92.

(2) If it appears to the competent authority on receiving the application that it should be presented to another competent authority, he shall return it to the applicant after endorsing upon it the date of the presentation and return, the reason for returning it and designation of the competent authority to whom it should be presented.

(3) If at any stage of the case it appears to the competent authority the application should be entertained by another competent authority, he shall send file of the case to that authority who has the jurisdiction, and inform to the applicant and other parties in accordance with the procedure defined in subsection (3) of section 93 of the Code.

(4) The competent authority to whom the case has been transferred, shall continue to proceed as if the previous proceedings were done before him, provided he is satisfied that it shall not cause prejudice to the concerned parties.

35. Time-limit for disposal of application and cost incidental to the proceedings. —

(1) The competent authority shall dispose the application within six months from the date of receiving the application.

(2) Incidental Costs- (a) Any party to the dispute who desires to get certified copies of decision, decree or other document, may get the same on payment of cost at the following rate, namely: -

- (i) The cost for the copies of any document of record or statement or order or decree shall be rupees hundred per copy of the said documents.
- (ii) The cost of service or summons or notices or expenses of witnesses or the cost payable in respect of any of the matter not referred above shall be such amount as may be ordered in each case by the competent authority.
- (iii) The competent authority may, whenever it finds either on application of applicant or otherwise that the applicant is unable to pay the costs, it may exempt the applicant from the payment of cost.

(b) Any person who is not a party to dispute, may get the certified copy of decision, decree or other documents except the confidential documents, on payment of such fees as specified in the preceding clause.

36. Manner of authentication of memorandum. —

- (1) After framing of issues, parties may submit their evidence on affidavit, on which the opposite party shall have right to cross examination.
- (2) On application by any party to the proceedings and on deposit of fees and expenses fixed by the competent authority, the competent authority may summon any witness whose evidence, he thinks necessary for just decision of the case.
- (3) The evidence of all witnesses shall be recorded in the presence of competent authority and shall be authenticated by his signatures and seal.

CHAPTER-VII

SOCIAL SECURITY AND CESS IN RESPECT OF BUILDING AND OTHER CONSTRUCTION WORKERS

37. Time limit for payment of cess.—

- (1) The cess levied under the sub-section (1) of section 100 shall be paid by an employer, within thirty days of the completion of the construction project or within thirty days of the date on which assessment of cess payable is finished; whichever is earlier, to the Cess Collector.
- (2) Notwithstanding anything contained in sub-rule (1), where the duration of the project or construction work exceeds one year, cess shall be paid within thirty days of completion of one year from the date of commencement of work and every year thereafter at the notified rates on the cost of construction incurred during the relevant period.

38. Fees for appeal.— An appeal preferred under sub-section (1) of Section 105 shall be accompanied by non- refundable fee equivalent to half per cent, but not exceeding

rupees twenty five thousand of the amount in dispute or penalty or both, as the case may be, under such appeal which shall be paid on portal and shall be credited to the treasury in the head of the account as may be specified by **Administration** from time to time.

CHAPTER-VIII

FINANCE AND ACCOUNTS

39. Conditions to acquire, hold, sell or otherwise transfer any movable or immovable property. —

(1) Administration shall in consultation with the Ladakh Unorganised Social Security Board and the Ladakh Building and Other Construction Workers Welfare Board frame a detailed policy for the purposes specified in Section 120 of the Code.

(2) The conditions to acquire, hold, sell or otherwise transfer any movable or immovable property under sub- section (1) of section 120, conditions to invest moneys, re-invest or realize investments under sub-section (2) of section 120, terms to raise loans and take measures for discharging such loans under sub-section (3) of section 120 and terms to constitute to the benefit of officers and staff or any class of them, provident or other benefits under sub-section (4) of section 120 of the Code shall be as decided by the Board by a resolution approved by not less than 2/3rd majority.

40. Conditions and manner of writing off irrecoverable dues.— Where Ladakh Unorganized Workers' Social Security Board or the Ladakh Building and other Construction Workers' Welfare Board is of the opinion that the amount of contribution, cess, interest and damages due to the Board has become irrecoverable, the Board or any other officer authorized by it in this behalf, may sanction the writing off of the said amount, subject to the following conditions, namely: —

- (i) If the establishment has been closed for more than five years and the whereabouts of the employer cannot be ascertained, despite all possible efforts; or
- (ii) decree obtained by the Board could not be executed successfully for want of sufficient assets of the defaulting employer; or
- (iii) claim for contribution is not fully complied with by—
 - (a) the Official Liquidator in the event of factories or establishments having gone into liquidation; or
 - (b) in the event of factories or establishment being nationalized or taken over by the Administration.

CHAPTER - IX

AUTHORITIES ASSESSMENT COMPLIANCE AND RECOVERY

41. **Other powers of Inspector-cum-Facilitator.**— In addition to powers specified in sub-section (6) of section 122, the Inspector-cum-Facilitator may exercise such other powers as the Administration may deem fit from time to time.
42. **Form and manner for maintenance of records, registers, returns etc.**—
(1) The employer of every establishment in which women are employed shall prepare and maintain a register of women employees in **Form XXI** electronically or in hard copy and shall enter therein particulars of all women workers in the establishment.
(2) The register shall always be available for inspection under notified inspection scheme by the Inspector-cum-Facilitator.
(3) The employer may enter in the register of women employees such other particulars as may be required for any other purpose of the Code.
43. **Forms, Registers etc.**— Every employer to whom the Code applies shall maintain electronically or otherwise a register of employees, register of wage period, number of days and hours for which work performed by employees and deductions made from wages, register of leave wages and register of employment of employees, occupational details of employees, persons recruited during the particular period and vacancies for which suitable candidates were not available during the period in such forms as may be specified by the Administration by general or special order.
44. **Records:**— (1) The records to be maintained for the purposes of Chapter V of the Code and the rules framed thereunder shall be preserved for a period of three years from the date of their preparation.
45. **Annual Returns:**— (1) The employer to which the provisions of Chapter V of the Code applies, on or before the 1st day of February in each year, upload a unified annual return in **Form XXII** online on the web portal of the Administration, giving information as to the particulars specified, in respect of the preceding year:

Provided that, during inspection, the Inspector-cum-Facilitator may require the production of accounts, books, register and other documents maintained in electronic form or otherwise.

- (2) Every employer shall file such returns electronically or otherwise to such officer or authority as may be fixed by Administration by general or special order

Explanation. — (a) For the purposes of this sub-rule, the expression “electronic form” shall have the same meaning as assigned to it in clause (r) of section 2 of the Information Technology Act, 2000 (Central Act 21 of 2000).

(3) If the employer to which the Code applies, sells, abandons or discontinues the working of the establishment, he shall, within one month of the date of such sale or abandonment or four months of the date of such discontinuance, as the case may be, upload online, on the web portal of the Administration a further unified return in Form **XXII** in respect of the period between the end of the preceding year and the date of the sale, abandonment or discontinuance.

46. Display of Notices.— The employer shall display conspicuously a notice at or near the main entrance of the establishment in bold letters in English, Hindi and in a language understood by the majority of the employees specifying the name of the officer with designation authorised by the employer to receive, on his behalf, notices under the Code or the rules made therein.

CHAPTER – X

OFFENCES AND PENALTIES.

47. Competent Authority for composition of offences.— The Administration may by notification in the Official Gazette appoint any person not below the rank of the Assistant Labour Commissioner of the Labour Department for such areas as it thinks fit for the purpose of compounding of offences under sub-section (1) of the Section 138 of the Code in respect of those provisions for which the Administration of Union territory of Ladakh is the appropriate authority.

48. Form and manner of application for compounding of an offence.—

(1) The officer authorized by the Administration by notification for the purposes of compounding of offences under sub-section (1) of section 138 shall issue electronically a compounding notice in **Form XXIII** for the offences which are compoundable under section 138.

(2) The person receiving the notice may apply in Part III of **Form XXIII** to the officer electronically and deposit the entire compounding amount by electronic transfer or otherwise, within fifteen days of the receipt of the notice.

(3) The Compounding Officer shall issue a composition certificate in Part IV of **Form XXIII** within ten days of receipt of the composition amount, to such person from whom such amount has been received in satisfaction of the composition notice.

(4) If person receiving the notice fails to deposit the composition amount within the

prescribed time, the prosecution shall be instituted before the competent court for the offence in respect of which the compounding notice was issued, against such person.

(5) Composition after institution of prosecution.— (a) The court may compound any compoundable offence at any time after filing of a complaint under section 138 of the Code.

(b) The provisions of section 359 of BNSS, 2023 shall apply to such compositions.

CHAPTER - XI

EMPLOYMENT INFORMATION AND MONITORING

49. Manner and form of reporting vacancies and form of filing the return by the employer, to the concerned career centers. —

(1) Reporting of vacancies to Career Centers:

(a) After the commencement of this Code in the Union territory of Ladakh, the employer in every establishment in public sector, before filling up any vacancy in any employment in that establishment, report that vacancy or cause to be reported to such Career Centre as may be specified in the notification by the Administration.

(b) The employer in every establishment in private sector or every establishment pertaining to any class or category of establishments in private sector shall, before filling up any vacancy in any employment in that establishment, report that vacancy or cause to be reported to such Career Centre from such date as may be specified in the notification by the Administration.

(c) The Administration shall provide for mechanism (including digital) for receipt of vacancies reported by the employers, Career Centre to which the vacancies are reported, would provide a unique vacancy reporting number for the vacancy reported and convey it to the employer in writing, through email or digitally or through any other such media immediately but in any case, not later than three working days from the date of receipt of reporting of vacancies.

Explanation. — (1) “Establishment in public sector ”means an establishment owned, controlled or managed by —

- (i) the Administration;
- (ii) a Government company as defined in clause (45) of Section 2 of the Companies Act, 2013 (Central Act No. 18 of 2013);
- (iii) a corporation (including a co-operative society) or an autonomous organization or an authority or a body established by or under a Central or State Act, which is owned, controlled or managed by the Administration; and
- (iv) a local authority.

(2) "Establishment in private sector" means an establishment which is not an establishment in public sector and with ordinarily twenty or more employees or such number of employees as may be notified by **Administration**.

(2) Type of vacancies and respective Career Centre for reporting of vacancies. —

(a) The following are the types of vacancies, namely-

- (i) all vacancies in posts of Technical and Scientific nature carrying a minimum pay or pay level or both as notified by Administration occurring in establishments in respect of which the Administration is the appropriate Government under the Code; and
 - (ii) Vacancies which an employer may desire to be circulated to the Career Centres outside the Union territory in which the establishment is situated shall be reported to such Career Centre as may be specified by the Administration by notification.
- (b) Vacancies which have been reported to the Career Centre and for which recruitment is to be made on State or Inter-State or all India basis, shall also be reported to Career Centre (Central) or uploaded on a digital portal as specified by the Central Government by notification.

(3) Form and manner of reporting of vacancies.—

- (a) The vacancies shall be reported in writing or through valid official email or digitally to the Career Centre specified by the Administration.
 - (b) The vacancies shall be reported in the format given at **Form XXIV**, furnishing as many details as practicable, separately in respect of each type of vacancy.
 - (c) Any change in the particulars already furnished to the Career Centre under clause (a), shall be reported in writing or through official email or digitally, as the case may be, to the specified Career Centre.
- (4) Time limit in the reporting of vacancies.— Vacancies, required to be reported to the Career Centre, shall be reported at least fifteen days before the last date of receipt of the applications of the prospective candidates for purpose of appointment or taking interview or test against the vacancies reported.

(5) Maintenance of records. —

- (a) After the commencement of the Code, the employers in every establishment in the public sector shall maintain records manually or electronically or digitally about:-
 - (i) total number of employees (regular, contractual or fixed term employment) on 31st March of every year;

- (ii) persons recruited during the year ending on 31st March;
- (iii) occupational details of its employees on 31st March of every year;
- (iv) vacancies for which suitable candidates were not available during the year ending on 31st March; and
- (v) approximate number of vacancies likely to occur during the next financial year.

(b) The Administration may by notification, require that from such date as may be specified in the notification, the employer in every establishment in private sector or every establishment pertaining to any class or category of establishment in private sector shall maintain records manually or electronically or digitally about

- (i) total number of employees (regular, contractual or fixed term employment) on 31st March of every year;
- (ii) persons recruited during the year ending on 31st March;
- (iii) occupational details of its employees on 31st March of every year;
- (iv) vacancies for which suitable candidates were not available during the year ending on 31st March; and
- (v) approximate number of vacancies likely to occur during the next financial year.

- (6) Submission of returns.—An employer shall furnish to the concerned Career Centre yearly returns in **Form XXV**, the yearly returns shall be furnished manually or, electronically, or digitally, as the case may be, as specified by Administration in notification, within thirty days of the due date i.e. 31st March of the year.
- (7) Declaration of Executive Officer.— The Director/Deputy Director of Employment or an officer of equivalent or above rank, controlling the work of Career Centres of the Administration, shall declare in writing an officer looking after the work of Career Centres as Executive Officer for the purpose of enforcement and implementation of Chapter XIII of the Code. He shall be the officer who shall exercise the rights and perform duties referred to in section 139 of the Code, or authorize any person in writing to exercise those rights and perform duties.
- (8) Levy of penalty under the Chapter XIII of the Code.— The Director/Deputy Director of Employment or an officer of equivalent or above rank, controlling the work of Career Centres, of the Administration shall be the competent authority to approve institution or sanction the institution of levy of penalty for an offence under the Code as mentioned in section 133.

CHAPTER - XII

MISCELLANEOUS

50. Constitution of Fund.—

(1) The Fund shall be known as the Ladakh Social Security Fund and all the expenses towards the scheme(s) notified under sub-sections (2) of section 109 for the Unorganised Workers, shall be met out of this fund. In addition to the source of fund mentioned in clause (i) of sub- section (5) of section 141, the amount received from the following sources shall be credited to the Fund namely:-

- (a) amount given by Administration for the establishment of the fund;
- (b) the amount of grant given by the Government of India, Administration of Union territory of Ladakh and other authorities and other statutory bodies;
- (c) Amount received for registration or renewal of beneficiaries and their contribution;
- (d) Amount received for implementation of the scheme notified by the Government of India;
- (e) amount received for implementation of the scheme notified by Administration of Union territory of Ladakh;
- (f) contribution or donation or any other financial support from employer, their association or from Corporate Social responsibility (CSR) Fund as determined by the Administration of Union territory of Ladakh by general or special order;
- (g) any other source which is approved by Administration by notification in Official Gazette.

(2) The fund shall be administered by the Administration of Union territory of Ladakh through an agency designated by Administration in the manner, as notified by the Administration.

(3) The directions of Administration, if any shall be complied with by the agency designated for the Administration of the Ladakh Social Security Fund.

(4) The statement of accounts of the Ladakh Social Security Fund shall be maintained by the agency, in the form(s) and manner as specified by the Administration and shall be submitted to the Administration of Union territory of Ladakh from time to time.

(5) The accounts of the Ladakh Social Security Fund shall be audited by the

Comptroller and Auditor General of India or any other agency as the Administration may notify.

51. Conditions which the exempted establishment or the class of establishments or an employee or class of employees, as the case may be, shall comply with after such exemption under sub-section (2) of section 143.—

(1) The establishment to which exemption has been granted from the provision of Chapter IV of the Code—

- (a) shall maintain such records regarding the exempted employees and submit such returns and other information to the Corporation as may be specified in the Regulations; and
- (b) in case of change of legal status of an establishment which has been granted exemption under section 143 of the Code, due to merger, demerger, acquisition, sale, amalgamation, formation into a subsidiary, whether wholly owned or not, etc. the exemption shall be deemed to be cancelled and the establishment shall be required to apply afresh for exemption, to the appropriate Government.

(2) For the purposes of Chapter III, the establishment and/or employer, after the grant of exemption, shall comply with all such terms and conditions as may be specified in the Provident Fund Scheme or the Pension Scheme or the Insurance Scheme, as the case may be, framed under section 15 of the Code.

52. Conditions for management of the trust under sub-section (5) of section 143, which has been granted exemption under sub-section (1) of section 143.—(1) A Board of Trustees shall be established for the management of the Provident Fund or the Pension Fund according to such directions as may be given by the Central Government or the Central Provident Fund Commissioner, as the case may be, from time to time.

(2) The Board of Trustees shall consist of such equal number of representatives each of the employers and employees as may be prescribed in the Provident Fund Scheme or the Pension Scheme, as the case may be.

(3) The employer of such exempted establishment shall be the Chairperson of the Board of Trustees. The Chairperson may exercise a casting vote in an event of equality of votes. However, arm's length principles shall be maintained by the Chairperson in all meetings of the Board of Trustees.

(4) The Board of Trustees shall meet at least once in every three months and shall function in the accordance with the guidelines that may be issued from time to time by the Central Government or the Central Provident Fund Commissioner or any officer authorized by him.

(5) The terms and conditions, including the tenure of office of the Trustees, the procedure and manner for election or nomination of the representatives of the employees and of employers to the Board of Trustees, disqualification and cessation of trusteeship, re-election or re-nomination of trustees, the quorum at the meeting of the Board, records to be kept of the transaction of business and all such other matters and conditions for the management of the Trust shall be as provided for in the Provident Fund Scheme or the Pension Scheme, as the case may be.

(6) In case of any dispute or doubt on any general issues within the ambit of these terms and conditions, the matter shall be referred to the Regional Provident Fund Commissioner in whose jurisdiction the head office of the establishment is located. The decision of the Regional Provident Fund Commissioner in the matter shall be final and binding.

53. Submission of a copy of the Form to the office of the Director General, Labour Bureau .— A copy of **Form VIII** (notice for Payment or Rejecting claim of Gratuity) shall be shared electronically with the designated authority of Administration of Union territory of Ladakh and the Director General, Labour Bureau.

FORM I

[See rule 20]

Appeal to Employees' Insurance Court

To

The Authority,
(Appointed under the Code on Social Security, 2020)
..... (Address)

Sir

,

I....., the undersigned, employee of.....(Name and full address of the establishment)

*Feel aggrieved by the order of under sub section 7(a) of section 37 for the reasons attached here to, prefer this second appeal under sub-section 7 (b) of section 37 and request that the said

be ordered

.....

A copy of the order of.....

In this behalf is enclosed.

*Signature or thumb
impression of the
Aggrieved person*

Date

.....

*Signature of an Attester incase the
person is not able to sign and affixes
thumb impression.*

Form II
[See rule 19(1) (i)]

In the Employees Insurance Court at.....
.....

Applicant

(add description and
residence) Against

Opposite Party
(add description and residence)

Other Particulars of Application specified in rule 6(2)
.....

Signature of Applicant

Date

(verification by the applicant)

The statement of facts contained in this application is to the best of my
knowledge and belief, true and correct.

Date.....

Signature

FORM III
(See Rule 20 (1) (iv))

Employee's Insurance Court at _____
Register of proceedings in the year 20_____

1	Date of presentation of application	
2	No of proceedings	
3	Name	Applicant
4	Description	
5	Place of residence	
6	Particulars	Opposite party
7	Amount of value, if any	
8	Place of residence	Claim
9	Particulars	
10	Amount of value, if any	
11	When the cause of action accrued	
12	Day of parties to appear	Appearances
13	applicant	
14	Opposite party	
15	Date	Final
16	For whom	
17	Order	
18	Date of decision of appeal, if any	Appeal
19	Judgement in appeal,	
20	Date of application	Executive
21	Against whom	
22	For what and amount of money	
23	Amount of costs	
24	Date of ordering to transfer to another civil court	
25	Other remarks, if any	

FORM IV
[See rule 22]
NOMINATION

To

(Give here name or description of the establishment with full address) (Name in full here)

I, Shri/Shrimati/Kumari_____whose particulars are given in the statement below, hereby nominate the person(s) mentioned below to receive the gratuity payable after my death as also the gratuity standing to my credit in the event of my death before that amount has become payable, or having become payable has not been paid and direct that the said amount of gratuity shall be paid in proportion indicated against the name(s) of the nominee(s).

2. I, hereby certify that the person(s) mentioned is a/are member(s) of my family within the meaning sub section (33) of section 2 of the code.
3. I hereby declare that I have no family within the meaning of sub-section (33) of Section 2 of the Code.
4. (a) My father/mother/parents is/are not dependent on me.
(b) My husband's father/mother/parents is/are not dependent on my husband.

Nominee(s)

Name in full with full address of nominee(s)	Relationship with the Employee	Age of nominee	Proportion by which the gratuity will be shared
1.			
2.			
3.			
So on			

STATEMENT

1. Name of the employee in full.
2. Sex.
3. Religion.
4. Whether unmarried/married/widow/widower.
5. Department/branch/section where employed.
6. Post held with ticket no.,or serial no.,if any
7. Date of appointment.
8. Permanent address

Village,
Post office,

Police Station,
District,

Sub-
division,
State

Place
Date

signature/thumb-impression
of the employee

DECLARATION BY WITNESSES

Nomination signed/thumb-impressed before me	
Name in full and full address of witness	signature of witness
1.	1.
2.	2.

CERTIFICATE BY THE EMPLOYER

Certified that the particulars that of the above nomination have been verified and recorded in the establishment.
Employer’s reference no., If any.

*Signature of the
employer/officer
Authorized
Designation*

<i>Date</i>	<i>name and the address of the Establishment Or rubber stamp thereof.</i>
-------------	---

ACKNOWLEDGMENT BY THE EMPLOYEE

Received the duplicate copy of nomination in form ‘IV’ filed by me and duly certified by the employer.
Date *signature of the employee.*

Note- Strike out the words and paragraphs not applicable.

FORM V
[See rule 22 (3)]
FRESH NOMINATION

To

Give here name or description of the establishment with full address.)

I, Sri/Srimati.....(name in full here) whose particulars are given in the statement below, have acquired a family within the meaning of sub-section (33) of section 2 of the code with effect from the (date here)...in the matter indicated below and therefore
nominate afresh person(s) mentioned below to receive the gratuity payable after my death as also the gratuity standing to my credit in the event of my death before that amount has become payable or having become payable has not been paid. I direct that the said amount of gratuity shall be paid in proportion indicated against the name(s) of the nominee(s).

- 2. I hereby certify the person(s) nominated is a/are member(s) of my family within the meaning of sub-section (33) of section 2 of the code.
- 3. (a) my father/mother/parents is/are not dependent on me.
(b) my husband’s father/mother/parents is/are not dependent on my husband.
- 4. I have excluded my husband from my family by a notice, dated the..... to the controlling authority in terms of the proviso to sub-section (33) of section 2 of the code.

NOMINEES

S.no.	Name in full with address of nominee (s)	Relationship with the employee	Age of nominee	Proportion by which the gratuity will be shared
1. 2. 3. So on				

Manner of acquiring a ‘family’

(here give details as to how a family was acquired, i.e. whether by marriage or parents being rendered dependent or through other process like adoption.)

STATEMENT

- 1. Name of the Employee.
- 2. Sex.
- 3. Religion
- 4. Whether unmarried/married/widow/widower
- 5. Department/branch/section where employed
- 6. Post held with ticket no., or serial no., if any.
- 7. Date of appointment
- 8. Permanent
- 9. Address

Village,
Post office,

Police Station,
District,

Sub-
division,
State

Place

signature/thumb-impression

Date _____ of the employee _____

DECLARATION BY WITNESSES

Fresh nomination signed/ thumb-impressed before me.

Name in full and full address of witness.	Signature of witnesses
1.	1.
2.	2.

CERTIFICATE BY THE EMPLOYER

Certified that the particulars of the above nomination have been verified and recorded in this establishment.

Employer’s reference no.,
if any.

*Signature of the
employer/ Officer authorized
Designation.*

*Name and address of the establishment
or rubber stamp thereof.*

ACKNOWLEDGMENT BY THE EMPLOYEE

Received the duplicate copy of the nomination in form's’ filed by me on...,
duly certified by the employer.

Date: _____ *signature of the employee*

Note- Strikeout the words and paragraphs not applicable.

FORM VI
[See rule 22(4)]
MODIFICATION OF
NOMINATION

To.....

..... [Give here name or description of the
establishment with full address]

I, Shri/Shrimati/Kumari [Name in full here] whose particulars are given in
the statement below, hereby give notice that the nomination filed by me on
[date] and recorded under your reference no.....
Dated..... shall stand modified in the following manner.

[Here give details of modifications
intended]. STATEMENT

1. Name of employee in full.
2. Sex.
3. Religion.
4. Whether unmarried/married/widow/widower.
5. Department/Branch/Section where employed.
6. Post held with Ticket or Serial No. if any.
7. Date of appointment.
8. Address in full.

Place

*Signature/Thumb impression
of the employer*

Date:

DECLARATION BY WITNESSES

Modification of nomination signed/thumb impressed before me.

Name in full and full address of witnesses	Signature of witnesses
1.	2.
1.	2.
Place Date	

CERTIFICATE BY THE EMPLOYER

Certified that the above modification (s) has/have been recorded. Employer’s Reference No., if any.

Signature of the employer/officer authorized

Designation Name and address
Of the
Establishment or
rubber stamp
hereof.

ACKNOWLEDGMENT BY THE EMPLOYEE

Received the duplicate copy of the notice for modification in Form ‘VI’
filed by me on...duly certified by the employer.

Date
Note

Signature of the employee

FORMVII
[See rule 23 (1) (i) and (ii) and (iii)]

Application for gratuity by an
employee/nominee/legal heir (Strike out
the words not applicable)

To,

(Give here name or description of the establishment with
full address) Sir/Madam,

I, (name of employee/ nominee/ legal heir) /nominee of late (Name of the
employee)/ as a legal heir of

late(Name of the employee), beg to apply for payment of gratuity to which I am
entitled under sub-

section (1) of section 53 of the Code on Social Security, 2020 on account of-

- (a) my superannuation/ retirement/ resignation after completion of not less than five years
of continuous service/ total disablement due to accident/ total disablement due to
disease/ on termination of contract period under fixed term employment with effect
fromthe or;
- (b) death of the aforesaid employee while in service/
superannuation on.....after completion of years of
service/ total disablement of the aforesaid employee
due to accident or disease while in service with effect from the or; death of aforesaid
employee of your establishment while in service/superannuation
on.....(date) without making any nomination after completion of
years of service/total disablement of the aforesaid employee due to accident or disease
while in service with effect from.....

Necessary particulars relating to my appointment are given in the statement below:

1. Name of employee in full, (if, the gratuity is claimed by an employee)
 - a. Marital status of employee (unmarried/ married/ widow/ widower)
 - b. Address in full of employee.
- Or
2. Name of nominee/ legal heir, (if the gratuity is claimed by nominee/ legal heir)
 - a. Name of Employee
 - b. Marital status of nominee/legal heir(unmarried/married/widow/widower)
 - c. Relationship of nominee/legal heir with the employee
 - d. Address in full of nominee/legal heir
 - e. Date of death and proof of death of the employee
 - f. Reference No. of recorded nomination if available
3. Department/Branch/Section where last employed
4. Post held by employee.
5. Date of appointment.
6. Date and cause of termination of service
7. Date of Death
8. Total period of service of the employee
9. Total wages last drawn by the employee.
10. Total gratuity payable to the employee/ share of gratuity claimed by a nominee/ legal heir.

11. Payment may please be made by crossed bank cheque/ credit in my bank account no.....

Yours faithfully,

*Signature/Thumb-
impression of the applicant
employee/ nominee/legal heir.*

Place:

Date:

FORM VIII
[(See rule 23 (2) (i) (a) and rule 23 (2)
(i) (b)] Notice for Payment/ Rejecting
claim of Gratuity (Strike out the words
not applicable)

To,.....

..... (Name and address of the applicant
employee/nominee legal heir)

You are hereby informed that

(a) *as required under clause (b) sub-rule (2) of rule 8 of the Code on Social Security Rules, 2020, that your claim for payments of gratuity as indicated on your application in Form VII under the said rules is not admissible for the reasons stated below:

Reasons (Here specify the reasons); or

(b) *as required under clause (a) sub-rule (2) of rule 8 of the Code on Social Security Rules, 2020 that a sum of Rs. (Rupees) is payable to you as gratuity/as your share of gratuity in terms of nomination made by..... on.....and recorded in this as a legal heir of an employee of this establishment.

2. *Please call aton..... (Here specify place)..... (date) at (time) for collecting your payment of gratuity crossed cheque.

3. Amount payable shall be sent to you through demand draft or shall be credited in your bank account as desired by you.

4. Brief statement of calculation

- (a) Date of appointment.
- (b) Date of termination/superannuation/resignation/disablement/death.
- (c) Total period of service of the employee concerned: years months.
- (d) Wages last drawn:
- (e) Proportion of the admissible gratuity payable in terms of nomination/as a legal heir:
- (f) Amount payable:

Place:

Date:

Signature of the Employer/
authorized officer.

Name or description of establishment or
rubber stamp thereof.

Copy to: The Competent Authority in case of denial of gratuity.

Copy also to: Office of DG Labour Bureau, Ministry of Labour and Employment,
Ladakh.

FORM IX
[(See rule 23(4)(i)(c))]
Application for direction before the Competent
Authority for Chapter V under the Code on
Social Security, 2020

Application No.

Date

BETWEEN

(Name in full of the applicant with full address)

AND

(Name in full of the employer concerned with full address)

The applicant is an employee of the above-mentioned employer/a nominee of late an employee of the above-mentioned employer/a legal heir of late..... and

employee of

the above mentioned employer, and is entitled to payment of gratuity under section 53 of the Code on Social Security, 2020 on account of his own/aforesaid employee's superannuation on.....(date)/his own retirement/aforesaid employees' resignation on...(date) completion of years of continuous service/his own/aforesaid employees' total disablement with effect from (date) due to accident/disease death of aforesaid employee on.....

2. The applicant submitted an application under Rule _____ of the Code on Social Security (*Ladakh*) Rules, 2026 on the.....but the above-mentioned employer refused to entertain it/issued a notice dated the under clauseof sub-rule of rule..... offering an amount of

gratuity which is less than my due/issued a notice dated the..under clause.....of sub-rule of rule rejecting my eligibility to payment of gratuity.

The duplicate copy of the said notice is enclosed.

3. The applicant submits that there is a dispute on the matter (specify the dispute).

4. The applicant furnishes the necessary particulars in the annexure hereto and prays that the Competent Authority may be pleased to determine the amount of gratuity payable to the petitioner and direct the above- mentioned employer to pay the same to the petitioner.

5. The applicant declares that the particulars furnished in the annexure hereto are true and correct to the best of his knowledge and belief.

Signature/Thumb impression of the applicant.

Date:

ANNEXURE

1. Name in full of applicant with full address
2. Basis of claim
(Death/Superannuation/Retirement/Resignation/Disablement
of Employee/Completion of contract period under Fixed Term
Employment)
3. Name and address in full of the employee
4. Marital status of the employee (unmarried/married/widow/widower)
5. Name and address in full of the employer
6. Department/Branch/Section where the employee was last employed (if known)
7. Post held by the employee with Ticket or Sl. No., if any(if known)
8. Date of appointment of the employee (if known)
9. Date and cause of termination of service of the employee(Superannuation/ retirement
/resignation/disablement/death/Completion of contract period under
Fixed Term Employment)
10. Total period of service by the employee
11. Wages last drawn by the employee
12. If the employee is dead, date and cause thereof
13. Evidence/witness in support of death of the employee
14. If a nominee, No. and date of recording of nomination with the employer
15. Evidence/witness in support of being a legal heir if a legal heir
16. Total gratuity payable to the employee (if known)
17. Percentage of gratuity payable to the applicant as nominee/legal heir
18. Amount of gratuity claimed by the applicant

Signature/Thumb-impression of the applicant

Place:

Date:

FORM X
[(See Rule 23 (5) (a) & Rule 23 (8)]
Notice for Appearance before the Competent Authority/Summon (Strike out
the words not applicable

To,

(Name and address of the employer/applicant)

Whereas Sh./Smt. _____ (name of employee) employed under you or a nominee(s)/ legal heir(s) of Shri..... an employee under the above-mentioned employer, has/have filed an application under sub rule.....of rule.....of the Code on Social Security (**Ladakh**) Rules, 2026 alleging that (A copy of the said application is enclosed, if, summon is issued then copy of application is not required).

Now, therefore, you are hereby called upon/summoned to appear before the Competent Authority at..... (place) either personally or through a person duly authorized in this behalf for the purpose of answering all material questions relating to the application on theday of.....20.....at 'O'clock in the forenoon/afternoon in support of/to answer the allegation; and as the day fixed for your appearance is appointed for final disposal of the application, you must be prepared to produce on that day all the witnesses upon whose evidence, and the documents upon which you intend to rely in support of your allegation/defence.

Take notice that in default of your appearance on the day before-mentioned, the application will be dismissed/heard and determined ex-parte in your absence.

Whereas your attendance is required to give evidence or you are required to produce the documents mentioned in this list below, on behalf of.....in this case arising out of the claim of gratuity by Form IX and referred to this Authority by an application under section 56 of the Code on Social Security, 2020, you are hereby summoned to appear personally before this Authority on the.....day of..... 20.....at 'O' Clock in the forenoon/afternoon and to bring with you for to send to this Authority) the said documents.

List of documents

- 1.
- 2.
3. so on

Given under my hand and seal, this.....day of.....20.....

*Competent Authority Under the Code
on Social Security Code, 2020*

Note:

1. Strike out the words and paragraphs not applicable.
2. The portion not applicable to be deleted.
3. The summons shall be issued in duplicate. The duplicate is to be signed and returned by the persons served before the date fixed.
4. In case the summons is issued only for producing a document and not to given evidence it will be sufficient compliance to the summons if the documents are caused to be produced before the Competent authority on the day and hour fixed for the purpose.

FORM XI

[(See Rule 23(11) and Rule 23(12))]

Notice for Payment of Gratuity as Determined by Competent/Appellate Authority

(Strikeout the words not applicable)

To,

(Name and address of employer)

1. Whereas Shri/Smt./Kumari of an employee.....(address) under you/a nominee (s)/legal heir(s) of late.....an employee under you, filed an application under section 56 of the Code on Social Security, 2020, before me; or
Whereas a notice was given to you on.....requiring you to make payment of Rs.....Rupees to Shri/ Smt./ Kumari.....as gratuity under the Code on Social Security, 2020.
2. And whereas the application was heard in your presence on... and after the hearing have come to the finding that the said Shri/Smt./Kumari..... is entitled to a payment of Rs..... as gratuity under the Code on Social Security, 2020; or
Whereas you/the applicant went in appeal before the appellate authority, who has decided that an amount of Rs....is due to be paid to Shri./Smt./Kumari as gratuity due and the amount as interest due under the Code on Social Security, 2020.

Now, therefore, I hereby direct you to pay the said sum of Rs..... to Shri./Smt./Kumar.....within thirty days of the receipt of this notice with intimation thereof to me.

Given under my hand and seal, this.....day of.....20.....

Competent
Authority Under the Code on
Social Security, 2020

Copy to:

1. The Applicant- He is advised to contact the employer for collecting payment.
2. The Appellate Authority, if applicable.

Note-(Strike out paragraphs if not applicable)

FORM XII
[(See Rule 23 (13))]
Application for Recovery of
Gratuity

Before the Competent Authority for Chapter V under the Code of Social Security, 2020.

Application No.

Date

BETWEEN

(Name in full of the applicant with full address)

AND

(Name in full of the employer/Trust/Insurer concerned with full address)

1. The applicant is an employee of the above-mentioned employer/a nominee of late an employee of the abovementioned employer/a legal heir of latean employee of the above-mentioned employer, and you were pleased to direct the said employer in your notice datedthe of Code on Social Security(**Ladakh**) Rules, 2026 for payment of a sum of Rs...as gratuity payable under the Code on Social Security, 2020.
2. The applicant submits that the said employer failed to pay the said amount of gratuity to me as directed by you although I approached him for payment.
3. The applicant therefore prays that a certificate may be issued under section 129 of the Code for recovery of the said sum of Rs... due to me as gratuity in terms of your direction.

Signature/Thumb-impression
of applicant.

Place:

Date:

Note.—Strike out the words not applicable.

FORM XIII
[See Rule 24]

Application for Registration of an Establishment under sub-section (3) Of Section 57

A. Establishment Details.

1. Retrieve details of Establishment through LIN/Registration Number:
2. Name of Establishment:
3. Location and Address of the Establishment:
4. Other details of Establishment:
 - a. Total Number of employees engaged directly in the establishment:
 - b. Total Number of the contract employees engaged:
 - c. Total Number of Inter-State Migrant workers employed:
5. Ownership Type/Sector:
6. Activity as per National Industrial Classification (NIC):
7. Details of Selected NIC Code:
8. Identification of the establishment e-sign/digital sign of employer/ representative:

B. Details of Employer:-

1. Name & Address of Employer/Occupier/Owner/Agent/Chief Executive-
2. Designation:
3. Father's/Husband's name of the Employer:
4. Email Address, Telephone & Mobile No:

C. Manager/Agent Details

1. Full name & Address of Manager/ Agent or person responsible for supervision and control of the Establishment;
2. Address of Manager/Agent:
3. Email Address, Telephone & Mobile No:

D. Details of Approved Gratuity Fund/Insurance obtained for liability of payment towards the Gratuity;

E. Others Details:-

*Signature/E-
sign/ digital sign
of employer*

Dated:-

Place:-

FORM XIV
[See Rule 26 (1)(a)]

Complaint to the Inspector-cum-Facilitator

The Inspector-cum-Facilitator
(Under The Code on Social

Security, 2020) Sir,

I..... (name of the women) employed in (name and full address of the establishment) or I, (name), a person nominated under section 62 or by a legal representative of(name of the women) employed in (name and full address of the establishment) having fulfilled the conditions laid down in the Code on Social Security 2020, and the rules there under, ad entitled to Rs.....being Maternity benefit / or Rs.....being the medical bonus and / or Rs.....being wages for leave due under section 65 but the same has been improperly withheld by the employer/discharged or dismissed during or on account of her absence from work in accordance with the provisions of this chapter V of Code on Social Security, 2020.

You are therefore requested, to direct the employer to pay the amount to me/to set aside the discharge or dismissal done by the employer.

Date.....
.....

Signature or thumb
impression of
theWoman/nominee/
legal representative

Signature of an Attester in case the
woman/ nominee/legal
representative is
unable to sign and affixes thumb
impression.

Full address of the women/nominee/
legal representative.

FORM XV
Appeal [See Rule 26 (2) (b)]

To,

The
Authority,
(Appointed under the Code on Social Security, 2020)
..... (Address)

Sir,

I....., the undersigned, women employee of.....(name and address of the establishment) feel aggrieved by the order of Inspector-cum-Facilitator under sub section (2) of the section 72 for the reasons attached hereto, prefer this appeal under sub- section 3 of section 72 and request that the said employer be ordered to pay the abovementioned amount to me. A copy of the order of Inspector-cum-facilitator in this behalf is enclosed; or

*Shri....., Inspector-cum- Facilitator, having directed under sub section (2) of section 72 to pay the maternity benefit or other amount being (nature of amount) to which.....(name of woman) is said to be entitled/ to set aside my discharge or dismissal during or on account of absence from work in accordance with the provisions of this Chapter V of the Code on Social Security, 2020 (Strike out unnecessary portion).

I prefer this appeal under sub-section (3) of Section 72. In view of the facts mentioned in the memorandum attached hereto and other documents filed herewith it is submitted that the woman is not entitled to the maternity benefit or the said amount and hence the order of the Inspector-cum-Facilitator in the copy of which is enclosed, may be set aside.

*Strike out unnecessary portion.

Signature or thumb impression of the woman/
Aggrieved Person

Dated.....

Signature of an Attester in case
the woman is not able to sign and fixes
thumb impression. Full Address of the
nominee/legal representative.

(Notice Book of the Accidents)

Name of the employer/occupier.....

[illegible]

FORM XVII

[See rule 31]

Statement of Fatal Accidents

To,
Competent Authority,

.....

Sir,

1. I have the honor to submit the following statement of an accident which occurred in (date), at (here enter details of premises) and which resulted in the death of the employee/ employees of whom particulars are given in the statement annexed.
2. The circumstances relating to the death of the employee/employees were as under:-
 - a. Time of accident.
 - b. Brief History of Accident
 - c. Place where the accident occurred.
 - d. Manner in which deceased was/were employed at the time.
 - e. Cause of the accident.
 - f. Accident reported at the local police station(Copy of FIR, if any) (Y/N)
 - g. Any Other relevant information
3. I am responsible for payment of compensation.
4. Details of employee
 - a. Name of the employee:
 - b. Age of the employee :
 - c. Wages of the employee:
5. The establishment is not responsible for payment of compensation due to reasons mentioned below

*(Signature and
designation of person
making the statement)*

Name
Mobile:
Address:

FORM XVIII
[See Rule 32(1)]
Memorandum of
Agreement

It is hereby submitted that on theday of..... 20.....
personal injury was caused to Sri./ Smt./Ms. (name).....residing at
.....(address) by accident
arising
out of and in the course of his employment in(Name of the
establishment with
address). The said injury has resulted in permanent disablement to the
said workman of the following nature, namely (Disablement details to
be furnished)

The said employee's monthly wages are estimated at Rs The employee
is
over the age of 15 years.

The said employee has, prior to the date of agreement, received the
following payments,
namely:-

Rs.....on.....Rs.....on.....
.....
Rs.....on.....Rs.....on.....
.....
Rs.....on.....Rs.....on.....
.....

It is further submitted that the employer of the said employee has
agreed to pay, and the said employee has agreed to accept, the sum of Rs...
.....in full settlement
of all
and every claim under the Code on Social Security, 2020 in receipt of the
disablement stated above and all disablement now manifest. It is therefore
requested that this memorandum be duly recorded.

Dated at.....on theday of20.....

Witness:

Signature of employer

Signature of employee

Note- Application to register an agreement can be presented under signature
of one party: provided that the other party has agreed to the terms. But both
signatures should be appended, whenever possible.

Receipt (to be filled in when the money has actually been paid)

In accordance with the above agreement, I have this day received the sum of
Rs.....

Dated at.....on theday of.....20.....

Employee

The money has been paid and this receipt signed in my presence.

Witness

Note- This form may be varied to suit special cases, e.g. injury by occupational
disease, agreement when employee is under legal disability, etc.

FORM XVIII-A

[See Rule 32(1)]

**Memorandum of
Agreement**

It is hereby submitted that on the.....day of.....
20.....personal injury was caused to (name)residing at
.....(address) by accident arising out
of said in
the course of employment in.....(Name of the Establishment with
address). The said injury has resulted in permanent disablement to the said
employee of the following nature, namely (Disablement details to be
furnished)

The said employee's monthly wages prior to the accident are estimated at Rs
.....The
employee is subject to a legal disability by reason of.

It is further submitted that the employer of the employee has agreed to pay and on
behalf of the said employee....has agreed to
accept.....half-monthly payments at the rate of Rs...
for the period of the said temporary disablement. This agreement
is subject to the condition that the amount of the half-monthly payments may
be varied in accordance with provisions of the said Act on account of an
alteration in the earnings of the said employee during disablement. It is
further stipulated that all rights of commutation under Section 7 of the said
Act are unaffected by this agreement it is therefore requested that this
memorandum be duly recorded.

Dated at.....on theday
of.....20.....

*Signature of
employer/
Authorised
signatory.*

Witness:

Signature of employee

Note-An application to register and agreement can be presented under
the signature of one party: provided that the other party has agreed to the
terms. But both signatures should be appended, whenever possible.

Receipt (to be filled in when the money has actually been paid)

In accordance with the above agreement, I have this day received the sum of
Rs.....

Dated at.....on theday of.....20.....

Employee

The money has been paid and this receipt signed in my presence.

Witness

Note- This form may be varied to suit special cases, e.g., injury by occupational disease, etc.

FORM XVIII-B
[See Rule 32 (1)]
Memorandum of
Agreement

It is hereby submitted that on the.....day of.....20.....personal injury was caused to..... (Name of injured employee) residing at (address) by accident arising out of and in the course of his employment in..... Th
e said injury has resulted in death to the said workman.

The said employee's monthly wages are estimated at Rs The employee is over the age of 15 years.

The said employee's has, prior to the date of the agreement, received the following payments, namely:-

Rs.....on.....Rs.....on.....
..... Rs.....on.....
.....Rs.....on.....
Rs.....on.....Rs.....on.....

It is further submitted that the employer of the said employee has agreed to pay, and dependent(s) of the said employee has agreed to accept, the sum of Rs. _____ In full settlement of all and every claim under the Code on Social Security, 2020 in receipt of death stated above. It is therefore requested that this memorandum be duly recorded.

Dated aton theday of.....20.....

Witness:

Signature of Employer

Signature or dependent(s)

Witness:

Note- Application to register an agreement can be presented under signature of one party: provided that the other party has agreed to the terms. But both signatures should be appended, whenever possible.

RECIEPT

(to be filled in when the money has actually been paid)

In accordance with the above agreement, I have this day received the sum of Rs.....

Dated at.....on theday of.....20.....

Dependent(s)

The money has been paid and this receipt signed in my presence.

Witness

FORM XIX
[See Rule 32(2)]

Whereas, a Memorandum of agreement to pay compensation is said to have been reached between (name and address of employee).....and(name and address of the employer) on.....;

And whereas, has/have applied for registration of the agreement under Section 89 of the Code of Social Security, 2020;

Now, therefore, notice is hereby given that the said said Memorandum of agreement will be taken into consideration onday of20...and that any objections to the registration of the said Memorandum of agreement should be made on that date. And it is hereby conveyed that in the absence of valid objections it is my intention to proceed to the registration of the agreement.

Dated at.....on theday of.....20.....

Competent Authority

FORM XX
[See Rule 32(5)]

Register of Agreement for year 20.....

Sr. No.	Date of Memorandum of agreement	Date of registration	Employer	Employee	Initial of competent authority	Reference to orders of Rectifying the register
(1)	(2)	(3)	(4)	(5)	(6)	(7)

FORM XXI
[(See Rule 42 (1))]
REGISTER OF WOMEN EMPLOYEES

Name of establishment-					
1	Serial Number				
2	Name of woman and her father's (or, if married, husband's) name				
3	Date of appointment.				
4	Nature of work.				
5	Dates with month and year in which she is employed, laid off and not employed.				
	Month	No. of days employed	No. of days laid off	No. of days not employed	Remark
	(a)	(b)	(c)	(d)	(e)
6	Date on which the woman gives notice under section 62				
7	Date of discharge/dismissal, if any				
8	Date of production of proof of pregnancy under section 62				
9	Date of birth of child				
10	Date of production of proof of delivery/miscarriage/Medical Termination of pregnancy/ tubectomy operation/ death / adoption of child				
11	Date of production of proof of illness referred to in section 65				
12	Date with the amount of maternity benefit paid in advance of expected delivery.				
13	Date with the amount of subsequent payment of maternity benefit.				
14	Date with the amount of bonus, if paid, under section 64.				
15	Date with the amount of wages paid on account of leave under section 65 (1) & 65(3).				
16	Date with the amount of wages paid on account of leave under section 65(2) and period of leave granted.				
17	Name of the person nominated by the woman under section 62				
18	If the woman dies, the date of her death, the name of the person to whom maternity benefits and/or other amount was paid, the amount thereof, and the date of payment.				
19	If the woman dies and the child survives, the name of the person to whom the amount of maternity benefit was paid on behalf of the child and the period for which it was paid.				
20	Signature of the employer of the establishment authenticating the entries in the register of women employees.				
21	Remarks column for the use of the Inspector-cum-Facilitator.				

FORM XXII
[(See Rule 45(3))]
Unified Annual Return

A.	General Part	
	(a) Name of the establishment Address of the establishment House No./Flat No Street No./ Plot No Town District State Pin code	
	(b) Name of the employer Address of the employer House No./Flat No Street No./Plot No Town District State Pincode e E-mail ID Telephone Number Mobile Number	
	(c) Name of the manager or person responsible for supervision and control of establishment Address House No./Flat No Street No./Plot No Town District State Pincode E-mail ID Telephone Number Mobile number	

B.	Employer’s Registration/ Licence number under the Codes mentioned in column (2) of the table below:		
S. No.	Name	Whether Registration obtained (Yes/No)	If yes (Registration No.)
1	2	3	4
01.	The Code on Occupational Safety Health and working Conditions Code, 2020.		
02	The Code on Social Security 2020.		
03	Any other Law for the time being in force.		

C.	Details of Employer, Contractor and Contract Labour	
1.	Name of the employer in the case of a contractor’s establishment	
2.	Date of commencement of the establishment	
3.	Number of Contractors engaged in the establishment during the year	
4.	Total Number of days during the year on which Contract Labour was employed	
5.	Total number of man-days worked by Contract Labour during the year	
6.	Name of the Manager or Agent	
7.	Address House No./Flat No Street/Plot No Town	

	District State PIN Code Email ID Telephone Number Mobile Number				
D.	Working hours and weekly rest day (if, there are more than one establishment we may provide option in the form). 1. Number of days worked during the year 2. Number of man-days worked during the year 3. Daily hours of work 4. Weekly day of rest				
E.	Maximum number of persons employed in any day during the year:				
	Sl. No.	Males	Females	Adoloscents (between the age of 14 to 18 years.)	Total
	(1)	(2)	(3)	(4)	(5)

	(a) Detail of establishment, medical and para-medical staff 1. Date of opening of establishment 2. Date of closing, if closed 3. Name of Medical Officer i. Qualification of Medical Officer ii. Is Medical Officer at (the mines or circus)? iii. If a part time, how often does he/she pay visit to iv. Is there any Hospital? v. If so, how many beds are provided? vi. Is there a lady Doctor? vii. If so, what is her qualification? viii. Is there a qualified mid-wife? ix. Has any crèche been provided?
	(b) Leave Granted under the Code on Social Security, 2020 1. Total number of female employees in the establishment 2. Total number of days of leave granted 3. Number of employees granted maternity leave/benefited by ESI

Declaration

It is to certify that the above information is true and correct and also I certify that I have complied with the all provisions of Labour Laws applicable to my establishment.

Signature

Place
:
Date
:

FORM XXIII
[See rule 48 (1)]

PART – I

**Notice to the Employer who committed an offence for the first time for
compounding of offence under sub section (1) of section 138 of the Code
on Social Security, 2020**

Notice No.....

Date:

To,
.....
.....
.....
.....

This is to inform you that your establishment M/s.was inspected
by Inspector-cum-Facilitator on Dt:.....at.....

On the basis of records and documents produced before me, the undersigned
has reasons to believe that you, being the employer of the establishment M/s.
..... (Registrati
on
No...), have committed an offence for the violation of provision of the Code or the
Schemes or the Rules or the Regulations framed thereunder as per the details given
below:-

1.	Name of the person:	
2.	Name and Address of the establishment :	
3.	Registration No. of the establishment:	
4.	Particulars of the offence:	
5.	Provisions of the Code/Scheme/Rules/Regulations under which the offence is committed:	
6.	Compounding amount required to be paid towards composition of the offence:	
7.	Name and details of account for depositing the amount specified in serial no. 6:	

PART-II

In view of the above, and as per provisions of sub-section (1) of Section 138 you have an option to pay the above-mentioned amount within fifteen days from the date of issue of this notice and return the application duly filled in Part – III of this notice.

The compounding amount mentioned in Column 6 of Part 1 of this notice can be deposited in the account mentioned in column 7 of Part 1 of this notice through treasury challan or electronically on the designated web portal of the Administration of Ladakh as the case may be.

In case the said amount is not paid within the specified time, necessary action for filing of prosecution shall be initiated without giving any further opportunity in this regard.

**(Signature of
the Compounding Officer)**

Date:

Place:

To:

... **(Employer/Establishment)**

... **(Name and registration number)**

... **(Address)**

Part III

**[See rule-
48(2)]**

APPLICATION UNDER SUB-SECTION (4) OF SECTION 138 FOR COMPOUNDING OF OFFENCE

To,

Compounding Officer,
.....

Kindly refer to your notice nodated..... I/we hereby applying for composition offence. I have deposited Rs...../-as the amount of Composition by depositing through Treasury Challan in the account as per column 7 of Part 1 of the notice No..... Dated: _____or electronically on the designated web portal of the U.T. Ladakh. Kindly accept my application and close the proceedings under the Code.

Dated:
Enclosure: The Treasury Challan/Payment receipt of electronic Payment.
(Signature) Name of the Applicant

- (1) Name of the establishment:.....
- (2) Address of Establishment:.....

Part IV
[See rule 48(3)]
Composition Certificate

Ref: Notice No.....

Date:

This is to certify that the offence under sub-sectionof section 133 of the Code and Rule in respect of which notice no.....dated.....was issued to Sh.....(Applicant), the employer of M/s..... (name and registration number of establishment) has been compounded on account of remission of full amount of Rs.....(Rupees_____) towards the composition of offences to the satisfaction of the said notice.

(Signature)

Name and Designation of the

Officer

Date:

Place:

.....(Employer/Establishment)

.....(Name and registration number)

.....(Address)

FORM XXIV

[See rule 49(3)(b)]

Form for Reporting Vacancies to Career Centres

(Separate forms to be used for each type of posts)

1.	Particulars of the Employer: Name: Address with pin code: Telephone No. : Mobile No.: Email address : Name and Type of Establishment (Central Government, State Government, PSU, Autonomous, Private, etc) Registration No of establishment under the Code: Economic activity details:		
2.	Particulars of the indenting officer: Name: Designation : Telephone No.: Mobile No.: Email address :		
3.	Particulars of vacancy(ies): a. Designation/nomenclature of the vacancy(ies) to be filled b. Description of duties of the post (job role/functional role) c. Qualifications/Skills required (educational, technical, experience)	Essential	Desirable/Preferable
	i. Educational qualifications ii. Technical qualifications iii. Skills iv. Experience		
	d. Age limits, if any (Age as on last date of application)		
	e) Preferences (such as ex-servicemen, persons with disabilities, women, etc) if any		
	(f) duration of employment (i) 3-6 months (ii) 6-12 months (iii) 12 months and more	Number of posts	
4.	Whether there is any obligation for arrangement for giving reservation/ preference to any category of persons such as Scheduled Castes (SCs), Scheduled Tribes (STs), Economically Weaker Sections (EWSs), Other Backward Classes (OBCs), Ex- serviceman and persons with disabilities (pwd) , etc, in filling up the vacancies: Yes/No (if yes, give the number of vacancies to be filled by such categories of persons as detailed below)		
	Category	Number of vacancies to be filled	
	(a) Scheduled Caste (b) Scheduled Tribe (c)OBC (d) EWS (e) Ex-Serviceman (f) Persons with disabilities (pwd) (g) Women (h) Others(specify)	Total	*By Priority candidates *(Applicable for Central Government vacancies)
5.	Pay and Allowances: For Government vacancies: Mention pay level/pay scale of the post with basic pay/pay per month with other details, if any. For others: Mention minimum total emoluments per month with other details, if any.		
6.	Place of work (Name of the town/village and district, pin code ,etc. in which it is situated)		
7.	Mode of application (email, online, in writing, etc) and last date for receipt of applications.		
8.	Particulars of officer to whom the applications be sent/candidates should approach (Mention Name, designation, email id, address , telephone No., website address in case of online)		

9.	Mode of recruitment {Through career centre, placement agency , self-management, any other mode(specify) }	Yes/No
10	Would like to obtain list of eligible candidates registered with Career Centre	
11.	Any other relevant information	

*Signature,
Name & Designation of
Authorized Signatory of
Career Centre with seal &
date*

(For Official Use- to be filled by Career Centre)

12	Name, address, email id of the Career Centre	
13	Date of receipt of Vacancies	
14	NIC Code of the establishment/	
15	NCO Code of the post	
16	Unique Vacancy ID(number)	

*Signature Name& Designation
of Authorised Signatory
of Career Centre with seal & date*

NOTE:

1. Career Centre to which the vacancies are reported, would provide a unique vacancy reporting number for the vacancy reported and convey it to the employer in writing, through email or digitally or through any other such media immediately but in any case not later than three working days from the date of receipt of reporting of vacancies.
2. An employer, if advertises that vacancy in any media or makes recruitment through any agency or any other mode, may invariably quote that unique vacancy reporting number in that advertisement or recruitment process.
3. Any change in the particulars already furnished to the Career Centre, shall be reported in writing or through valid official email or digitally (including through a portal)as the case may be, to the appropriate Career Centre.

FORM XXV
[See rule 49 (6)]
Form EIR
(Employment Information Return)

Yearly Return to be submitted to the Career Centre (Regional) for the Year ended.....

The following information is required to be submitted under the Code on Social Security, 2020 (Chapter XIII – Employment Information and Monitoring).

Name and address of the employer		
Whether- Head Office		
Branch Office Type of Establishment (Public /Private Sector)		
Nature of business/principal activity		
Establishment Registration No. under the Code		
1. EMPLOYMENT		
Total number of <i>manpower of establishment</i> including working <i>proprietors/partners/contingent</i> paid and contractual workers, out-sourced workers excluding part-time workers and apprentices. (The figures should include every person whose wage or salary is <i>paid</i>).		
Category	On the last working day of the previous year	On the last working day of the year under report
Men		
Women		
Other (Transgender)		
TOTAL: PWD (Persons with disabilities) out of above total		

2. Number of vacancies* occurred and reported to career centre during the year and the number of vacancies filled during the year				
Occurred	Reported		Filled	Source (career centre/NCS Portal/Govt. Recruiting Agencies/Private Placem ent Organisations /others)
	Career centre (Regional)	Career centre (central)		
1	2	3	4	5

3. MANPOWER SHORTAGES			
Name of the occupation or designation of the post	Number of unfulfilled vacancies/posts		
	Skill/ qualifications educational / technical/ experience) prescribed	Essential	Desirable
(1)	(2)	(3)	(4)

(Please list any other occupations also for which this establishment had any difficulty in obtaining suitable applicants recently.)

4. Estimated Manpower Requirement by Occupational Classification during the next financial year (Please give below the number of employees in each occupation separately).

Occupation	Number of Employees				
	Please give as far as possible approximate number of vacancies in each occupation you are likely to fill during the next financial year due to retirement/expansion or re-organisation.				
Description	Men	Women	Others (transgender)	Total	PWD Persons with disabilities out of total
1	2	3	4	5	
Total:					

*In the column(description) -Use exact terms such as Engineer (Mechanical), Assistant Director (Metallurgist); Research Officer (Economist); Supervisor (Tailoring), Inspector (Sanitary), Superintendent (Office), Manager (Sales), Manager (Accounts), Executive (Marketing), Data Entry Operator so on.

*Signature, Name and Designation of
Authorised Signatory of
establishment/ employer with
seal and date*

To
The Career Centre,

.....

Note:- 1. This return is to be rendered to the Career Centre (Regional) within 30 days after the end of the financial year concerned by establishments/employers vide their obligation under the Code on Social Security, 2020(Chapter XIII- Employment Information and Monitoring).

2. The main purpose in obtaining the information from employers is to know (i) the vacancies/employment opportunities available; (ii) type of personnel who are in short supply; and (iii) future job opportunities for providing vocational guidance to the jobseekers and connecting them with the employers. This is helpful in ascertaining the skill needs also. Employers too will be able to call on the Career Centres for getting suitable candidates as per their requirements.

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