

**No. Z-20025/ 15 /2016-LRC**  
Government of India  
Ministry of Labour & Employment

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Shram Shakti Bhavan, New Delhi  
Dated 17<sup>th</sup> August 2016

SUBJECT: Digitization of Labour related records/registers by establishments / business units for ease in compliance - reg.

Ministry of Labour & Employment (MoLE) has taken a number of initiatives to bring transparency and accountability in enforcement of Labour Laws and also in reducing complexity in compliance due to multiplicity of Labour Laws and enforcement agencies. A Unified Shram Suidha Portal has been launched by the Ministry of Labour & Employment since 16.10.2014, to facilitate transparent risk-based inspections, their timely reporting and submission of returns etc.

2. As per the provisions under various Central Labour legislations and the Rules made thereunder, establishments/business units have to maintain various registers and documents. Digitization of these Registers and other related documents has the potential to achieve economy and efficiency in working environment.

3. With introduction of Information Technology Act 2000, the maintenance of such registers is also being accepted in electronic format. Section 4 of the Information Technology Act, 2000 provides that "Where any law provides that information or any other matter shall be in writing or in the typewritten or printed form, then, notwithstanding anything contained in such law, such requirement shall be deemed to have been satisfied if such information or matter is rendered or made available in an electronic form; and accessible so as to be usable for a subsequent reference".

4. In view of the above, Ministry of Labour & Employment has envisaged digitization of these labour related records and to move towards a regime of online maintenance of all labour-related records by establishments and integrate the same with Shram Suidha Portal, to lessen the burden of avoidable compliance. To proceed further in this direction, a Concept Note on the issue has been prepared (copy enclosed)

5. Comments/suggestions of stakeholders/other members public are invited on this proposal for consideration in the Ministry of Labour & Employment. It is requested that the comments/suggestions should reach the Ministry **within one month time** from the date of issuance, on the address S. K. Tripathi, Under Secretary (LRC), Ministry of Labour & Employment, Room No. 17, Shram Shakti Bhavan, Rafi Marg, New Delhi – 110001, or through email to [sushil.tripathi@nic.in](mailto:sushil.tripathi@nic.in).

Encl: As above

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## **Ease of Compliance (e-Compliance) to maintain electronic registers envisaged in various Labour Laws**

### **Background**

Ministry of Labour & Employment in Government of India is responsible for improving working conditions and the quality of life of workers through laying down and implementing policies, programmes, schemes, projects; provide social security and welfare measures, regulating conditions of work, occupational health and safety of workers; eliminate child labour from hazardous occupations and processes; strengthening enforcement of labour laws, maintain harmonious industrial relations and employment services on a sustainable basis.

2. Ministry of Labour & Employment (MoLE) has recently taken a number of initiatives to bring transparency and accountability in enforcement of Labour Laws and also in reducing complexity in compliance due to multiplicity of Labour Laws and enforcement agencies. A Unified Shram Suvidha Portal has been launched by the Ministry of Labour & Employment since 16.10.2014, to facilitate transparent risk-based inspections, their timely reporting and submission of returns etc. The unified portal has been envisaged as a single point of contact between employer, employees and enforcement agencies to usher in transparency in day-to-day transactions and also to avoid the duplicity of information being collected by multiple agencies for enforcement of Labour Laws. Now to move further in this direction, Ministry proposes to move towards a regime of online maintenance of all labour-related records by establishments and integrate the same with Shram Suvidha Portal so that the information is available in real time to both establishment and the Ministry.

### **Objective**

3. There are 43 labour laws (**Annexure-A**) and various set of rules, which are in vogue to protect the interest of workers in the country. Out of these, 14 Labour Laws provide for maintaining more than 80 Registers/records in specified formats (**Annexure-B**). However on scrutiny, it is observed that information required in the registers overlaps and is being recorded in multiple registers resulting in duplicity, inconsistency, inaccuracy etc. Further the establishments have to submit Returns also, in prescribed manner under several legislations. These registers and records have to be produced/made available to the Inspectors during the inspection of the establishments, as per the law. With introduction of Information Technology Act 2000, the maintenance of such registers is also being accepted in electronic format. Section 4 of the Information Technology Act, 2000 provides that “Where any law provides that information or any other matter shall be in writing or in the typewritten or printed form, then, notwithstanding anything contained in such law, such requirement shall be deemed to have been satisfied if such information or matter is rendered or made available in an electronic form; and accessible so as to be usable for a subsequent reference”. In view of this provision, if an

employer/establishment makes available access to the electronic records to the Inspectors or any such authority authorised by the Law, then that employer / establishment will not be required to produce print/hard copy of these documents. Government has already issued directions to the Labour Enforcement Authorities for not insisting for print/hard copy of registers/records if they are made available in digitised format.

4. As mentioned earlier, more than 80 registers/records are required to be maintained by establishments to comply with the provisions of various Labour Acts/Rules (**Annexure-B**). The purpose of e-Compliance is to digitize various labour related records, improve the availability/reliability of real-time data, ease of doing business, to lessen the burden of compliance, move towards a paperless regime of registers/records and to bring transparency and accountability. Incidentally, it will also save a lot of tree cover and forest areas in the country used for production of paper thus, saving the environment. The Objectives of this exercise include:

- Simplification of Registers provided under 14 Central Acts/Rules (**Annexure-B**)
- To limit the need of maintaining multiple registers having identical/similar/same information
- Maintenance of on-line Registers/Records in establishments
- Accessibility through single portal i.e. Shram Suvidha with single sign-on
- Availability of real-time data
- To bring about economy and efficiency in working environment

### **Project Description**

5. The project envisages following: -

- Enable relating of relevant Act applicable to an Establishment (Applicability Matrix)
- Single sign-on through Shram Suvidha Portal
- Data Collection
  - Availability of On-line data entry forms to maintain similar information in multiple registers and to avoid duplicate work
  - Customised Data Entry specific to Acts applicable
  - Data import from Excel/CSV files
  - Integration with existing systems using APIs/web services
- Information Accessibility
  - Output reports in prescribed Registers as per Acts
  - Workers on their information
- Integration with other Social Security Schemes
- Employment Verification

- Reporting under Acts
  - Management Information System (MIS), Drill-down, Graphical Presentation
  - Performance Reports
  - Exception Reports
- Data Ownership and Retention Period (On-line, Archive and Off-line)

## Methodology

6. The approach to be adopted in this exercise includes:

- Categorisation of Registers according to nature of data being recorded
- Consolidation of more than 80 Registers into about 9 electronic registers with objective of removing data duplicity
  - Uniform Registers present in various Acts with more or less similar information
    1. Employee Register (**Annexure-C**)
    2. Wage Register including overtime, damage, fine and advances (**Annexure-D**)
    3. Attendance Registers for daily attendance and leaves (**Annexure-E**)
  - Act Specific Registers
    4. Accidents under Mines Act 1952 and Employees State Insurance Act 1948
    5. Bonus under Payment of Bonus Act 1965
    6. Contractors under Contract Labour Act 1970 and Inter State Migrant Labour Act 1979
    7. Health under Building and Construction Workers Act 1996
    8. Journey Allowance under Inter State Migrant Labour Act 1979
    9. Nominations under Payment of Wages Act 1936
- Design and development of e-Compliance Platform
- Provision of servers for hosting
- Integration of e-Compliance Platform with Shram Suvidha portal
- Capacity Building (Training and Awareness)

## Timelines

- The project is likely to be initiated soon.

Please find the list of Annexures:

1. [43 labour laws\(Annexure-A\)](#)
2. [80 registers/records are required to be maintained by establishments to comply with the provisions of various Labour Acts/Rules \(Annexure-B\).](#)
3. [Employee Register \(Annexure-C\)](#)
4. [Wage Register including overtime, damage, fine and advances \(Annexure-D\)](#)
5. [Attendance Registers for daily attendance and leaves \(Annexure-E\)](#)