

## **Madhya Pradesh Asangathit Karmkar Kalyan Rules, 2005**

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## **SCHEDULE 1 :- SCHEDULE**

### **Madhya Pradesh Asangathit Karmkar Kalyan Rules, 2005**

## **CHAPTER 1 PRELIMINARY**

### **1. Short title, application and commencement :-**

(1) These rules may be called the Madhya Pradesh Asangathit Karmkar Kalyan Rules, 2005.

(2) They shall apply to the employments specified in the schedule in which appropriate Government is the State Government under the Act.

(3) They shall come- into force on such date, as the State Government may, by notification, appoint.

### **2. Definition :-**

In these rules, unless the context otherwise requires:

(a) "Act" means the Madhya Pradesh Asangathit Karmkar Kalyan Adhiniyam, 2003 (No. 9 of 2004).

(b) "Board" means the Madhya Pradesh Rural unorganized workers welfare Board and the Madhya Pradesh Urban unorganized workers

welfare board, as the case may be, constituted under section 3 of the Act;

(c) "Form" means forms appended to these rules;

(d) "Section" means a section of the Act;

(e) "State Government" means the Government of Madhya Pradesh;

(f) words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Act.

## **CHAPTER 2** WELFARE BOARD FOR UNORGANIZED WORKERS OF RURAL AND URBAN AREAS

### **3. Constitution of the Board :-**

The Madhya Pradesh Rural Unorganized Workers Welfare Board and the Madhya Pradesh Urban Unorganised workers welfare Board shall separately consists of:

(a) The Minister for Labour, Madhya Pradesh as the ex-officio Chairperson for each Board;

(b) Secretary to the Government in charge of Labour Department;

(c) Labour Commissioner Madhya Pradesh;

(d) Secretary to the Government in charge of Finance Department over his nominee not below the rank of Deputy Secretary;

(e) Six members to be appointed by the. State Government representing employers of unorganized sector for each Board separately;

(f) Six members to be appointed by the State Government representing unorganized workers, two of whom shall be women for each Board separately and one of whom shall be from Scheduled Castes, one from Scheduled Tribes and one from Other Backward classes.

### **4. Terms of Office :-**

(1) "A member appointed under clauses (e) and (f) of rule 3 shall hold office at the pleasure of the State Government.

(2) Subject to the provisions of sub-rule (1), a member specified therein shall, unless he resigns his office or dies or otherwise, vacate his office at an earlier date, hold office for a period for three years from the date of publication of the notification in the Madhya Pradesh Gazette appointing him as a member of the Board for each "Board separately and shall be eligible for re-appointment.

### **5. Resignation :-**

(1) A member appointed under clauses (e) and (f) of rule 3 may resign his office by writing under his hand addressed to the State Government.

(2) The resignation shall take effect from the date of its acceptance by the State Government.

#### **6. Vacation of office :-**

A member appointed under clauses (e) and (f) of rule 3 shall be deemed to have vacated his office, if -

(a) he is declared to be of unsound mind or an undischarged insolvent by a competent court, or

(b) he is convicted of ,an offence which, in the opinion of the State Government, involves moral turpitude; or

(c) he is absent from three consecutive meetings of the Board without leave of absence from the Chairperson or

(d) he ceases to represent the interest for representing which he was appointed.

#### **7. Filling; up of casual vacancies :-**

A member appointed to fill a casual vacancy, arising due to death resignation or otherwise of the member shall hold office for the remaining period of the term of office of the member, in whose place he is appointed.

#### **8. Meeting of each Board and Quorum :-**

(1) The each Board shall ordinarily meet once in three month:

Provided that the Chairperson shall, within fifteen days of the receipt of a requisition in writing from not less than one third of the members of the Board, call a special meeting thereof.

(2) No business shall be transacted at any meeting of the Board, unless at least six members are present, of whom at least one shall be from among those appointed under clause (a), (b) and (c) of rule 3.

#### **9. Notice of meeting and list of business :-**

Notice intimating the date, time and venue of every meeting, together with a list of business to be transacted at the meeting, shall be sent by registered post or by special messenger, to each member fifteen days before the meeting for each Board separately;

Provided that when the Chairperson, calls a meeting for considering any matter which in his opinion is of urgent nature, notice of not less than three days shall be deemed sufficient.

**10. Chairperson to preside at meetings :-**

The Chairperson shall preside over all meetings of the each Board, if the Chairperson is, for any reason, unable to attend a meeting of the Board, Member appointed under clause b) and if the Chairperson and the member appointed under clause (b) are, for any reason, unable to attend a meeting of the Board, member appointed under clause (c) shall preside at the meeting.

**11. Transaction of Business :-**

All questions which come up before any meeting of the each Board shall be decided by a majority of votes of the members present and voting, and in the event of equality of votes, the Chairperson, or in his absence, the person presiding, shall have a second or casting vote.

**12. Minutes of meeting :-**

The proceedings of each meeting of the each Board shall be recorded and circulated to all members after approval by the Chairperson as soon after the meeting as possible, subject to confirmation in the next meeting of the Board. After such confirmation, they shall be recorded in a Minute Book, which shall be kept for permanent record.

**13. Allowances payable to Non-official members :-**

Every non-official members shall be paid traveling allowance and daily allowance for attending meetings of the each Board and its sub-committees at the rates decided by the Board.

**14. Sub-Committees of the each Board :-**

(1) The Board may appoint such sub-committees, as it may deem fit for the proper discharge of its duties.

(2) Every sub-committee shall include at least one member appointed to the Board under clause (a), (b) and (c) of rule 3.

Provided that the sub-committee shall continue in office until a new sub-committee is constituted.

(3) The Board may frame regulation for conduct of business of the subcommittees. Recommendations of every sub-committee shall be placed before the Board for decision.

**15. Duties and functions of the each Board :-**

(1) The Board shall be responsible for:

(a) All matters connected with the administration of the Fund, including laying down policies for the investment of the amount standing therein;

(b) Submission of annual budget, annual report and audited accounts to the Government under sections 10, 11 and 12 respectively of the Act;

(c) Proper maintenance of accounts and their annual audit in accordance with the provisions of section 12 of the Act;

(d) Collection of contribution to the fund and other charges;

(e) Proper and timely recovery of amounts due to the Board;

(f) Performing functions specified and prescribed under section 7 of the Act.

(2) Each Board shall furnish to the Government such information as it may seek from time to time.

**16. Appointment of Secretary, other officers and Staff :-**

( 1 ) Each Board shall, with prior concurrence of the State Government appoint an officer not below the rank of a Deputy Labour Commissioner as Secretary of the Board.

Provided that one person may be appointed as secretary of both the Boards;

(2) Each Board may appoint such other officers and employees, as it may consider necessary for the efficient discharge of its functions:

Provided that no post shall be filled up in the each Board, unless its creation, has first been approved by the State government.

**17. Recruitment procedure and service conditions of officers and staff of the Board :-**

(1) The following, rules applicable to employees of the State Government shall, mutates mutandis, apply to officers and employees of the each Board:

(a) Madhya Pradesh Civil Services (General Conditions of Service) Rules, 1961;

- (b) Madhya Pradesh Civil Services (Conduct) Rules, 1965;
  - (c) Madhya Pradesh Civil Services (Classification, Control and Appeal Rules, 1966;
  - (d) Madhya Pradesh Civil Services (Medical Examination Rules, 1972)
  - (e) Madhya Pradesh Civil Services (Leave) Rules, 1977;
  - (f) Madhya Pradesh Civil Services (Joining Time) Rules, 1982.
  - (g) Madhya Pradesh Ex-servicemen (Reservation of vacancies in the State Civil Services on Posts of Class III and Class IV) Rules, 1985;
  - (h) Madhya Pradesh Civil Services (Special Provision of appointment of Women) Rules, 1997;
  - (i) Madhya Pradesh Public Services (Promotion) Rules, 2002.
- (2) Classification, pay scales, allowances, recruitment procedure, and terms and conditions of service of officers and employees of the Board, to the extent not expressly provided in the Rules specified in sub-rule (1), shall be such, as may be determined by the Board with the prior approval of the State Government.

**18. Madhya Pradesh Rural Unorganized Workers Welfare Fund and Madhya Pradesh Urban Unorganized Workers Welfare Fund :-**

- (1) Each Board may, as soon as may be, after coming into force of these rules, constitute a fund to be called the Madhya Pradesh Rural unorganized workers Welfare fund and Madhya Pradesh Urban Unorganized Workers Welfare Fund in accordance with the provisions of the Act and these rules.
- (2) The fund shall vest in and be administered by concerning Board.

**19. Investments :-**

All moneys belonging to the fund may be invested in Scheduled Banks or in securities referred to in clauses (a) to (d) of section 20 of the Indian Trust Act, 1882 (Central Act 2 of 1882)

**20. Budget :-**

- (1) Each Board shall prepare and approve before 10th March every year its budget for the next financial year, showing its estimated receipts and expenditure.
- (2) The Budget shall be prepared in Form-I and after approval by the Board, shall be forwarded to the State Government so as to

reach by 20th March every year.

## **21. Annual Report :-**

A report on the functioning of the Board during every financial year shall be approved by the Board before 15th June of the following financial year and shall be submitted to the Government by the 31st July of that year in the Form-II.

## **22. Execution of Contract :-**

All orders and other instruments on behalf of the Board shall be made and executed in the name of each Board and shall be authenticated by such person as each Board may specify.

## **CHAPTER3** Registration of Unorganized Workers as Member of Welfare Fund

## **23. Procedure for registration as a member :-**

(1) An application for registration as member under Sub-Section (1) of Section 14 of the Act, shall be made in duplicate in Form-III annexed to these Rules separately to the Officer authorized by Madhya Pradesh Rural Unorganized workers Welfare Board and the Madhya Pradesh Urban Unorganized Workers Welfare Board in this behalf under subsection (3) of Section 14, and shall be accompanied by the following documents namely :

(a) Proof of age in one or more of the following forms, namely:

(i) Certificate or Mark Sheet awarded by an Examination Board or University, or School leaving Certificate issued by the last school attended.

(ii) Certificate from the Registrar of Births and Deaths,

(iii) Certificate from the Gram Panchayat or Chief Municipal Officer.

(iv) In the absence of the above certificates, a certificate from a Medical Officer not below the rank of an Assistant Surgeon in Government Service.

(b) Proof of status as unorganized worker for at least ninety days during the preceding one year, which would normally be a certificate to that effect issued by the employer, for whom the applicant has been working. However, in appropriate cases, the following may also be considered as proof of status, namely: -

(i) a Certificate issued by unorganized workers Union registered under the Trade Unions Act, 1926.

(ii) A certificate issued by the Inspector having jurisdiction over the



concerned area.

(iii) A Certificate issued by the Chief Executive Officer of the Janpad Panchayat or the Municipal body concerned, by whatever name called.

(c) A Nomination in Form-IV.

(d) Two Passport Size Photographs.

(2) Every application referred in sub-rule (1) shall be accompanied by a fee of Rs. 10/- (Rupees Ten) payable to the concerned board in cash or an account payee Demand Draft.

(3) Receipt of every application referred to in sub - rule (1) shall be acknowledged by the concerned Board.

(4) If the officer referred to in sub-rule (1) is satisfied after due inquiry that the applicant fulfils the eligibility criteria specified in sub-section (1) of section 14 of the Act and has complied with the provisions of the Act and the Rules made there under, he shall enter the name of the worker as a member in a Register, of members which shall be maintained in Porm-V and shall also issue to him an identity card in Form-VI.

Provided that the authorized officer may, after giving the applicant an opportunity of being heard, reject the application if, after enquiry, he comes to the conclusion that the applicant does not fulfill the eligibility criteria and/or has not complied with the provisions of the Act and these rules:

Provided further that every application received under sub-rule (1) shall ordinarily be decided within a maximum period of one month, and in the event of rejection, reasons thereof shall be communicated to the applicant in writing.

(5) If in relation to a member any change occurs in any particulars specified in the identity card referred to in sub-rule (4) any updating becomes necessary therein, the member shall intimate the officer referred to in sub-rule (1), within sixty days from the date when such change takes place or the updating becomes necessary, as the case may be, the date and particulars of such change or the need of updating and the reasons thereof, in Form-VII.

(6) Where, on receipt of the intimation referred to in sub-rule (5), the officer is satisfied that there has occurred a change in the particulars of the member as entered in the identity card, or that such particulars need to be updated, he shall amend the said card and also record the change which has occurred in the register referred to in sub - rule(4).

(7) If an identity card is lost, mutilated or the pages contained

therein are exhausted, the member concerned may apply in Form-VIII to the officer specified in sub-rule (1) for issue of a Duplicate/Continuation Identity card. The application for a Duplicate Identity Card shall be accompanied by a fee of Rupees Ten only payable to the Board in cash or an account payee Demand Draft.

(8) On receipt of an application under sub-rule (7), the officer concerned shall, after checking its contents with the entries in the Register of members and satisfying himself as to the bona-fides of the application, issue a duplicate or continuation identity card; Provided that an application for duplicate identity card may be rejected for reasons to be recorded, after giving the applicant an opportunity of being heard.

#### **24. Appeal :-**

(1) Any person aggrieved by a decision under sub-rule (4) of Sub rule (8) of Rule 23 ,may, within thirty-days from the date of such decision, prefer an appeal to the Secretary or any other officer specified by the Board in this behalf (hereinafter referred to as the appellate officer).

(2) A memorandum of appeal shall be accompanied by a certified copy of the order appealed against and a, fee of Rs. 10/- (Rupees Ten) payable to the concerned Board in cash or an account payee Demand Draft.

(3) Where the memorandum of appeal is in order, the appellate officer shall admit the appeal, endorse thereon the date of its receipt, and shall enter it in a Register to be kept for the purpose, called the "Register of Appeals" in Form-IX.

(4) When an appeal has been admitted under sub-rule (3); the appellate officer shall requisition the record of the case from the concerned registering officer, and shall, on receipt of the record, dispose of the appeal through a written order after examining the record of the case and hearing the appellant and such other persons, as he may consider necessary.

#### **25. Register of Members :-**

(1) Every employer in relation to an establishment to which the Act applies on the date of commencement of these Rules, shall, within thirty days from such commencement, shall maintain a Register in Form-X showing details of employment of Members employed by him.

(2) The Register mentioned in Sub-Rule (1) may be inspected, without any prior notice by the secretary of the Board concerned, or any other person duly authorized by the Board concerned.

## **26. Contribution to the Fund :-**

(1) Every member shall contribute to the Fund at such monthly rate as may be specified in the notification issued by the State Government under section 18 of the Act. The contribution shall be remitted in advance on a monthly or quarterly basis in any of the banks specified by the Board in the district in which the member resides.

(2) A member may authorize his employer to deduct his contribution from his monthly wages and to remit the same, within fifteen days from such deduction, to the Board.

(3) If a member commits default in payment of contribution continuously for a period of one year, he shall cease to be a member.

Provided that if the Secretary of the Board concerned is satisfied that the non-payment of contribution was due to a reasonable cause and that the member is willing to deposit the arrears, he may allow the member to deposit the arrears of his contribution and on such deposit being made the registration of member shall stand restored.

## **CHAPTER 4 BENEFITS AND GENERAL WELFARE ACTIVITIES**

### **27. Benefits :-**

Subject to the provisions of the Act and these rules, the Board concerned may extend all or any of the benefits specified in the table below, to the members (including in appropriate cases, to their dependants), Who have contributed to the Fund.

Benefits

TABLE

1. Pension

1. Old Age Pension

2. Family Pension

3. Disability Assistance and Pension

2. Assistance for Housing

(1) Loan for purchase or construction of House.

(2) Interest subsidy for Housing Loan, taken from a housing finance institution.

### 3. Education

(1) Scholarship

(2) Education Loan

(3) Interest subsidy for Education Loan taken from a financial institution.

(4) Cash award to meritorious students.

### 4. Assistance for Income Augmentation

(1) Loan for purchase of Tools and small machines

(2) Interest subsidy for supplementary income generating activities.

### 5. Marriage Assistance

### 6. Medical Assistance

### 7. Maternity Assistance

### 8. Insurance Assistance

(1) Group Insurance

(2) Assistance for payment of Insurance Premium

### 9. Assistance in Case of Death

(1) Funeral Assistance

(2) Ex-gratia Payment

## **28. Main provision regarding Benefits :-**

(1) Unless otherwise specified by or under these rules, no moneys payable by way of a Benefit shall be paid in cash, but shall be credited into the bank account of the member or other eligible recipient, as the case may be, maintained in a Scheduled bank or a regional rural bank or a District Central Co-operative Bank.

(2) Detailed provisions in respect of the following matters concerning benefits enumerated in rule 27 namely:

(a) nature of benefit;

(b) person to whom benefit shall be payable;

(c) broad guidelines, if any, governing the rate at which benefit shall be paid.

## **29. Board to notify schemes laying down procedural and other residual matters regarding benefits :-**

The Board concerned shall draw up and, with the previous approval of the State Government, notify, in respect of each benefit or group of benefits, specified in rule 27 a Scheme laying down procedure, Forms and all other residuary matters not expressly provided in the Act and these rules, which shall include ;

(i) rates at which various benefits shall payable.

- (ii) procedure and Form for making application.
- (iii) procedure for an authority competent to grant sanction.
- (iv) any other incidental matters.

### **30. General Welfare Activities :-**

(1) In addition to granting benefits referred to in rule 27 and 28 to individual member, the Board concerned may undertake the following activities with a view to promoting general welfare of unorganized workers, namely:

(a) Commissioning surveys, studies etc. to ascertain pattern of employment, skills, income, wages and working conditions of workers, and the impact of various programmes of the Government and the Board meant for their welfare.

(b) Spreading awareness among workers about their statutory rights, procedure of enforcing those rights, redressing grievances, and availing of various welfare and development schemes.

(c) Promoting health of women and children, the small family norms, and elimination of social evils like drinking, dowry, child marriage etc.

(d) Organizing sports, cultural and recreational, activities for workers, and study tours for groups of workers; and

(e) any other activities with the prior approval of the State Government aimed at promoting welfare of workers as a whole.

(2) The expenditure in any financial year on activities enumerated in sub-rule (1) shall not exceed five percent of the total expenditure of the Board concerned in that year.

## **CHAPTER 5      REGISTRATION      OF ESTABLISHMENTS      AND CONTRIBUTION TO THE BOARD**

### **31. Manner of making application for registration of establishments :-**

(1) Every employer in relation to an establishment to which the Act applies, on the date of commencement of the Act, shall within sixty days from such commencement, make an application referred to in sub-clause (a) or (b) of sub section (1) of section 22 of the Act in triplicate, in Form-XI annexed to these rules to registering officer of the area appointed under section 20 of the Act.

(2) Every application referred to in sub-rule (1) shall be accompanied by a demand draft showing payment of fees for the registration of the establishment

(3) Every application referred to in sub-rule (1) shall be either personally delivered to the registering officer or sent to him by registered post.

(4) On receipt of the application referred to in sub-rule (1), the registering officer shall, after noting thereon the date of receipt by him of the application, grant an acknowledgement to the applicant.

### **32. Grant of Certificate of Registration :-**

(1) The Registering Officer, after receiving application under sub-rule (1) of rule 31 shall register the establishment and issue a certificate or registration to the application within fifteen days of receipt of application, if such applicant has complied with all the requirements, as laid down in these rules and has made the application within such period, as specified under clause (a) and (b) of sub-section (1) of Section 22 of the Act. The certificate of registration to be granted by the registering officer shall be in Form-XII annexed to these rules.

(2) The registering officer shall maintain a register in Form-XIII annexed to these rules showing the "particulars of establishments in relation to which Certificates of Registration have been issued by him.

(3) If, in relation to an establishment, any change occurs in the ownership or management or other particulars specified in the certificate of registration the employer of the establishment shall intimate the registering officer, within thirty days from the date, when such change takes place, the date and particulars of such change, and the reasons thereof.

### **33. Payment of additional fees and amendment of register etc :-**

(1) Where on receipt of the intimation under sub-rule (3) of rule 32, the registering officer is satisfied that an amount higher than the amount, which has been paid by the employers as fees for the registration of the establishment is payable, he shall require such employer to pay additional sums which, together with the amount already paid by such employer, would be equal to such higher amount of fees payable for the registration of the establishment.

(2) Where, on receipt of the intimation referred to in sub-rule (3) of rule 32 the registering officer is satisfied that there has occurred a change in the particulars of the establishment, as entered in the register in Form-XIII annexed to these rules, he shall amend the

said register and record therein the change which has occurred. Provided that the registering officer shall not carry out any amendment in the register in Form-XIII annexed to these rules, unless the appropriate fees have been deposited by the employer.

#### **34. Conditions of registration :-**

(1) Every certificate of registration issued under rule 32 shall be subject to the following conditions, namely :

- (a) The certificate of registration shall be non-transferable;
- (b) The number of workers employed shall not, on any day, exceed the maximum number specified in the certificate of registration, and
- (c) Save as provided in these rules, the fees paid for the grant of registration certificate shall be non refundable.

(2) The employer shall intimate the change, if any, in the number of workers or the conditions of work to the Registering Officer within fifteen days.

#### **35. Fees :-**

(1) The fees to be paid for the grant of a certificate of registration under rule 32 shall be as specified below, namely :

If the number of workers proposed to be employed as unorganized workers, to work on one day :

- (a) is up to 100 Rs. 50.00
- (b) Exceeds 100 but does Rs. 250.00 not exceed 500
- (c) exceeds 500 Rs. 500.00

### **CHAPTER 6 APPEAL, COPIES OF ORDERS, PAYMENT OF FEES ETC.**

#### **36. Filing of appeal before the appellate officer :-**

(1) Every appeal under sub-section (1) of Section 24 of the Act shall be preferred in the form of a memorandum signed by the aggrieved person or his authorized advocate and presented to the appellate officer in person or sent to him by registered post.

(2) The memorandum shall be accompanied by a certified copy of the order appealed against and a demand draft for rupees one hundred.

(3) The memorandum shall set forth concisely and under distinct heads and grounds of appeal.

(4) Where the memorandum of appeal does not comply with the provisions of sub-rule (2) and sub-rule (3), it may be returned to

appellant for the purpose of being amended with in a time to be fixed by the appellate officer which shall not exceed thirty days from the date, on which the order appealed against has been communicated to the appellant.

(5) Where the memorandum of appeal is in order, the appellate officer shall admit the appeal, endorse thereon the date of hearing of such appeal, and shall register the appeal in a book to be kept for the purpose.

(6) (i) When the appeal has been admitted under sub rule (5), the appellate officer shall send the notice of the appeal to the Registering Officer against whose order the appeal has been preferred and the registering officer shall thereupon send the record of the case to the appellate officer.

(ii) On receipt of the record, the appellate officer shall send a notice to the appellant to appear before him at such date and time, as may be specified in the notice for the hearing of the appeal.

### **37. Failure to appear on the date of hearing :-**

If on the date fixed for hearing, the appellant does not appear, the appellate officer may dismiss the appeal for default of appearance of the appellant.

### **38. Restoration of appeals :-**

Where an appeal has been dismissed under rule 37, the appellant may apply appeal to the Appellate Officer for the restoration of the appeal and if the appellate officer is satisfied that the appellant was prevented by sufficient cause from appearing, the appellate officer shall restore the appeal on its original number.

Provided that an application for restoration under this rule shall not be entertained by the appellate officer after thirty days from the date of such dismissal.

### **39. Hearing of Appeal :-**

(1) If the appellant is present when the appeal is called on for the hearing, the appellate officer shall proceed to hear the appellant or his authorized advocate and pass an order on the appeal, either confirming, reversing or varying the order appealed against.

(2) The order of the appellate officer shall state that points for determination, the decisions thereon and reasons for such decisions.



(3) The order shall be communicated to the appellant and copy thereof shall be sent to the registering officer against whose order, the appeal has been preferred.

#### **40. Copy of order of Registration or of Order in Appeal :-**

Copy of the order of the registering officer or of the appellate officer may be obtained by the person concerned or a person authorized by him on payment of fees of rupees fifty for each order on making application to the registering officer or the appellate officer, as the case may be, specifying the date and other particulars of the order made by the officer concerned. A copy of the certificate of registration on loss or mutilation of such certificate may at so be obtained in the like manner and on payment of like fees.

#### **41. Payment of Fees :-**

All amounts of money payable on account of registration, appeal, supply of copies or duplicate copies of certificate of registration shall be paid in the designated account of the Board.

#### **42. Contribution by employers :-**

(1) Every employer shall contribute to the Madhya Pradesh Urban Unorganized workers Welfare Board or the Madhya Pradesh Rural Unorganized workers Welfare Board, as the case may be at such monthly rate, as may be specified in the notification issued by the State Government under sub-section (1) of section 26 of the Act. The contribution payable shall be paid by means of demand draft in favour of the secretary or such other officer of the such Board as specified.

(2) The employer commits default in payment, of contribution after issuing a notice as specified under sub-section (5) of section 26 of the Act the Board may issue a certificate to the Collector of the District concerned for the recovery of the amount stated there in as arrears of land revenue, and the Collector shall, thereupon, proceed to recover the amount as arrears of land revenue and remit it to the concerned Board;

Provided that if an employer submits a representation in reply to a Notice issued under sub-section (5) of section 26 showing cause. Certificate as above shall be issued only after taking such representation into consideration, making such enquiry, as may be

necessary, and passing a speaking order giving reasons for rejecting the representation.

## **SCHEDULE 1**

### **SCHEDULE**

#### **List of Employments**

##### **Part-1**

- 1- Employment in agriculture, including horticulture and agro-processing.
- 2- Employment in dairy, poultry, piggery and other animal husbandry.
- 3- Employment in fisheries.
- 4 - Employment in forestry-including in activities pertaining to extraction and collection of major and minor forest produce.
- 5- Employment in Sericulture.

##### **part-2**

- 1- Employment in quarrying and extraction of laterite boulder, building stone, road metal, gravel, murrum, sand and clay.
- 2- Employment in breaking and crushing of stone.
- 3- Employment in brick kilns and tile making.

##### **Part-3**

- 1- Employment in connection with loading, unloading, stacking, packing, carrying, weighing, measuring or such other manual work including work preparatory or incidental to such operations :
  - (a) in any market or shop or depot, or factory or ware- house or godown or any other establishment;
  - (b) in any market under the control of Market Committees constituted under the Madhya Pradesh Krishi Upaj Mandi Adhiniyam, 1972 (No. 24 of 1973).
- 2- Employment in connection with loading of goods into public transport vehicles or unloading of goods therefrom, and any other operation incidental or connected thereto.
- 3- Employment in connection with loading, unloading and carrying of food grains into godowns, sorting and cleaning of food grains, titling food grains in bags, stitching of such bags and such other work incidental and connected thereto.

##### **Part-4**

- 1- Employment in Khadi, handloom and powerloom industry.
- 2- Employment in bleaching, dyeing and printing of cloth.
- 3- Employment in tailoring.

##### **Part-5**

- 1- Employment in making of-incense sticks (agarbatti)
- 2- Employment in embroidery, smocking and making of ready-made garments.
- 3- Employment in making of papad, pickles, jams, jellies, other preserved food items, ready-to-use spices and condiments.
- 4- Employment in cooking food.
- 5- Employment in making of toys.

##### **Part-6**

- 1- Employment in tanning and processing of leather.
- 2- Employment in making and repair of footwear and other leather.
- 3- Employment in cleaning and scavenging services.

##### **Part-7**

- 1- Employment in rag picking.
- 2- Employment in door-to-door collection (and sale) of old newspapers (raddi) and discarded articles (kabadi).
- 3- Employment as hawker and street - vendor.

#### Part-8

- 1- Motor transport workers, as defined in Motor Transport Workers Act, 1961 (No 27 of 1961).
- 2- Employment in plying of cycle rickshaws, auto-rickshaws and taxis, but not qualifying as motor transport workers.
- 3- Employment in Flour, Oil, Dall and Rice Mills.
- 4- Employment in Private Security Services
- 5- Employment in plastic Industries.
- 6- Employment in Wood Working Units
- 7- Employment in Utensil-making.
- 8- Employment as Artisans eg. Blacksmith, Carpenter, Potter, Cobbler, etc.
- 9- Employment in Durrie & Carpet-making
- 10- Employment in Fireworks and Match industry.
- 11 - Employment in making cartons and other packing materials.