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मध्यप्रदेश राजपत्र

(असाधारण)

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क्र. 2835-207-इककीस-अ(प्रा.).—मध्यप्रदेश विधान सभा का निम्नलिखित अधिनियम, जिस पर दिनांक 8 जुलाई 2004 को राष्ट्रपति की अनुमति प्राप्त हो चुकी है, एतद्वारा सर्वसाधारण की जानकारी के लिये प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
एम. पी. नेमा, अतिरिक्त सचिव.

MADHYA PRADESH ACT

No. 9 OF 2004.

THE MADHYA PRADESH ASANGATHIT KARMKAR KALYAN ADHINIYAM, 2003

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MADHYA PRADESH ACT

No. 9 OF 2004.

THE MADHYA PRADESH ASANGATHIT KARMKAR KALYAN ADHINIYAM, 2003

[Received the assent of the President on the 8th July, 2004; assent first published in the "Madhya Pradesh Gazette (Extra-ordinary)" dated the 16th July, 2004.]

An Act to provide for the Constitution of Welfare Board and Welfare Fund for the unorganised workers of rural and urban areas of the State of Madhya Pradesh and for matters connected therewith or incidental thereto.

Be it enacted by the Madhya Pradesh Legislature in the Fifty-fourth year of the Republic of India as follows:—

CHAPTER I—PRELIMINARY

Short title and commencement.

1. (1) This Act may be called the Madhya Pradesh Asangathit Karmkar Kalyan Adhiniyam, 2003.
- (2) It extends to the employments specified in the Schedule.
- (3) It shall come into force on such date as the Government may, by notification, appoint and different dates may be appointed for different areas, for different employments and for different provisions of this Act.

Definitions.

2. In this Act, unless the context otherwise requires.—
 - (a) "Benefit" means a benefit which may be provided under sub-section (2) of Section 7;
 - (b) "Board" means a Board constituted under Section 3;
 - (c) "Contractor" means a person who undertakes to produce a given result for an establishment, other than a mere supply of goods or articles of manufacture, by engaging unorganised workers or who supplies such works for any work in the establishment and includes a sub-contractor and an agent;
 - (d) "employer" in relation to an unorganised worker engaged by or through a contractor, means the principal employer and in relation to any other unorganised worker, the person who has ultimate control over the affairs of the establishment and includes any other person to whom the affairs of such establishment are entrusted, whether such person is called an agent, manager or by any other name prevailing in the scheduled employment;
 - (e) "establishment" means any place or premises including the precincts thereof, in which or in any part of which any scheduled employment is being or is ordinarily carried on;
 - (f) "family" in relation to an employer means the spouse, son, daughter, father, mother, brother or sister of such employer who lives with him and is wholly dependent on him;
 - (g) "Fund" means a Welfare Fund constituted under Section 8;
 - (h) "Inspector" means an Inspector appointed under Section 27;
 - (i) "Labour Commissioner" means the Commissioner of Labour for the State appointed by the State Government under Section 3 of the Madhya Pradesh Industrial Relations Act, 1960 (No. 27 of 1960);

- (j) "member" in relation to a Welfare Fund constituted under this Act means, unorganised worker registered as a member under section 14;
- (k) "normally resident of a rural or, as the case may be, an urban area" means a person who has lived in such area for the better part of the previous twelve months and is expected to continue to do so in the next twelve months;
- (l) "principal employer" means an employer who engages unorganised workers by or through a contractor in any scheduled employment;
- (m) "rural area" means areas which are not urban areas;
- (n) "scheduled employment" means an employment specified in the Schedule and includes any process or branch of work forming part of such employment;
- (o) "scheme" means a Scheme made under this Act;
- (p) "schedule" means a Schedule appended to this Act;
- (q) "statutory Welfare Fund" means a fund established for welfare of workers under a State or Central Legislation other than this Act and declared to be a "Statutory Welfare Fund" by the State Government by a Notification issued in this behalf;
- (r) "unorganised worker" means a person who is engaged in one or more scheduled employment(s), directly or through any agency or contractor, whether for wages or not, or who works in such scheduled employment(a) on his or her own account, with only family labour, in any place of work, including his or her home, field or any public place, which may or may not be under the control of others and includes:—
- (i) a person who is a home-based worker, or casual or contract worker or a self-employed worker, and
- (ii) a person who is given raw material by an employer or a contractor for altering it or for making a product or for any work, or is given finished goods for hawking or street-vending or is given vehicle, tools or machinery for providing mobile or door-to-door service, but does not include any member of the family of an employer;
- (s) "urban area" means the area notified as 'larger urban area' and 'smaller urban area' by the Governor of Madhya Pradesh under Article 243-Q of the Constitution of India;
- (t) "wages" shall have the same meaning as assigned to it in clause (vi) of Section 2 of the Payment of Wages Act, 1936 (4 of 1936).

CHAPTER-II—WELFARE BOARDS FOR UNORGANISED WORKERS OF RURAL AND URBAN AREAS

Constitution of Welfare Board for Unorganised Workers of Rural and Urban Areas.

3. (1) The State Government shall, with effect from such date as it may, by notification, appoint, constitute Boards to be known as the Madhya Pradesh Rural Unorganised Workers' Welfare Board and the Madhya Pradesh Urban Unorganised Workers' Welfare Board, to exercise the powers conferred on and perform the functions assigned to them under this Act :

Provided that different dates may be appointed for constitution of each Board.

(2) Each Board constituted under sub-section (1) shall be a body corporate by the name aforesaid, having perpetual succession and a common seal and shall by the said name sue and be sued.

(3) Each Board shall consist of a Chairperson and such number of other members, not exceeding fifteen, as may be appointed to it by the State Government :

Provided that the Board shall include an equal number of members representing the State Government, the employers and the Unorganised Workers, and that as nearly one third of the members representing unorganised workers as may be, shall be women.

(4) The terms and conditions of appointment and the salaries and other allowances payable to the Chairperson and the other members of a Board, and the manner of filling of casual vacancies of the members of the Board, shall be such as may be prescribed.

4. (1) Each Board constituted under Section 3, shall appoint a Secretary and such other officers and employees as it considers necessary for the efficient discharge of its functions under this Act :

Secretary and other officers of a Board.

Provided that the Secretary of the Board shall be appointed with the prior approval of the State Government :

Provided further that one person may be appointed as Secretary of both the Boards.

(2) The Secretary of the Board shall be its Chief Executive Officer.

(3) The terms and conditions of appointment and the salary and allowances payable to the Secretary and the other officers and employees of the Board shall be such as the Board may specify by regulations.

5. (1) The Board shall meet at such time and place and observe such rules of procedure in regard to the transaction of business at its meetings (including the quorum at such meetings) as may be prescribed.

Meetings of Board.

(2) The Chairperson or, if for any reason he is unable to attend a meeting of the Board, any member nominated by the Chairperson in this behalf and in the absence of such nomination, any other member elected by the members present from amongst themselves at the meeting, shall preside at the meeting.

(3) All questions which come up before any meeting of a 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 a casting vote.

6. No act or proceedings of a Board shall be invalid merely by reason of .—

- (a) any vacancy in, or any defect in the constitution of, the Board, or
- (b) any defect in the appointment of a person acting as a member of the Board; or
- (c) any irregularity in the procedure of the Board not affecting the merits of the case.

Vacancies, etc., not to invalidate proceedings of a Board.

7. (1) The jurisdiction of the Madhya Pradesh Rural Unorganised Workers' Welfare Board and the Madhya Pradesh Urban Unorganised Workers' Welfare Board shall extend to the unorganised workers who are normally resident in rural and urban areas of the State, respectively.

Jurisdiction and Functions of Boards.

(2) Subject to the provisions of sub-section (1), a Board may provide all or any of the following benefits to members entitled under Section 13; namely :—

- (a) immediate assistance to a member in case of accident;
- (b) pension to members who have completed the age of sixty years;
- (c) loans and advances to a member for construction of a house;
- (d) payment of premia for Group Insurance of members;
- (e) financial assistance for the education of children;
- (f) assistance for treatment of major ailments of a member or such dependent as may be prescribed;
- (g) maternity benefit to female members; and
- (h) such other benefits as may be prescribed.

(3) Eligibility criteria for grant of a benefit, scale on which it may be provided, procedure for application and sanction, and all other incidental matters connected with grant of a benefit, shall be such as the Board may provide by a Scheme made in this behalf.

(4) The Board may grant loan or subsidy to a local authority or an employer in aid of any scheme approved by the State Government for the purpose connected with the welfare of unorganised workers in any establishment.

(5) The Board may pay annually grant-in-aid to a local authority or to an employer who provides to the satisfaction of the Board welfare measures and facilities of the standard specified by the Board for the benefit of unorganised workers and members of their family, so, however, that the amount payable as grant-in-aid to any local authority or employer shall not exceed :—

- (a) the amount spent in providing welfare measures and facilities as determined by the State Government or any person specified by it in this behalf, or
- (b) such amount as may be prescribed.

Whichever is less :

Provided that no grant-in-aid shall be payable in respect of any such welfare measures and facilities where the amount spent thereon determined as aforesaid is less than the amount prescribed in this behalf.

Constitution of
Welfare Funds
and their
application.

8. (1) As from the dates appointed by the State Government under sub-section (1) of Section 3 for constituting the Madhya Pradesh Rural Unorganised Workers' Welfare Board and the Madhya Pradesh Urban Unorganised Workers' Welfare Board, there shall be constituted funds to be known, respectively, as the Madhya Pradesh Rural Unorganised Workers' Welfare Fund and the Madhya Pradesh Urban Unorganised Workers' Welfare Fund.

(2) The Madhya Pradesh Urban Unorganised Workers' Welfare Fund shall vest in and be administered by the Madhya Pradesh Rural Unorganised Workers' Welfare Board, while the Madhya Pradesh Rural Unorganised Workers' Welfare Fund shall vest in and be administered by the Madhya Pradesh Urban Unorganised Workers' Welfare Board.

(3) There shall be credited into a Fund :—

- (a) the grants and loans made to the concerned Board by the State Government or the Central Government;
- (b) the contributions received from the Members of the Fund;
- (c) the contributions received from employees under Section 26;
- (d) all sums payable into the Fund in accordance with the provisions of Sections 33 and 34.

(4) The Fund shall be applied for meeting .—

- (a) expenses of the Board in the discharge of its functions under Section 7;
- (b) salaries, allowances and other remuneration of the members, officers and other employees of the Board; and
- (c) expenses on objects and for purposes authorised by this Act.

(5) The Board shall not, in any financial year, incur expenses towards salaries, allowances and other remuneration to its members, officers and other employees and for meeting the other administrative expenses, exceeding fifteen percent of its total expenses during that financial year.

9. (1) The State Government may, on the advice of a Welfare Board or otherwise, by Order, create sub-fund to be known by such name as may be specified in the order and direct that a part of the moneys standing in the Fund, as on the date specified in the Order, be credited into one or more Sub-Funds.

Power to create and merge Sub-Funds.

(2) The Order referred to in sub-section (1) shall also specify .—

- (i) the areas and/or the scheduled employments for which the Sub-Fund is to be created,
- (ii) the extent to which and the manner in which money standing in the Fund on the date specified in the Order, and also future accruals into the Fund, are to be credited into the Sub-Fund, and
- (iii) the mechanism, not inconsistent, with the provisions of this Act and the Rules made thereunder, for ensuring that the moneys credited into the Sub-Fund are utilised for the Welfare of members of the Fund belonging to the areas and/or the scheduled employments referred to in clause (i) above, and
- (iv) any other matters incidental to the creation of the Sub-Fund :

Provided that the mechanism referred to in clause (iii) may include constitution of Sub-Committee of the Board, in such manner as may be prescribed :

Provided further that such Sub-Committees may include coopted members, not being members of the Board, who may be nominated by the State Government in such manner as may be prescribed:

Provided also that coopted members shall have the right of participation but not of voting at meetings of the Sub-Committee to which they are nominated.

(3) The State Government may, on the advice of a Board or otherwise, by Order, direct that:—

- (i) a Sub-Fund created under sub-section (1) may be further sub-divided into two or more Sub-Funds,

- (ii) one or more Sub-Funds created under sub-section (1) and/or under clause (i) above may be merged into the Fund out of which it was created,
- (iii) two or more Sub-Funds created under sub-section (1) and/or under clause (i) above may be merged into a simple Sub-Fund.

(4) An Order passed under sub-section (3) shall also contain provisions, *mutatis-mutandis*, on points mentioned in clauses (i), (ii), (iii) and (iv) of sub-section (2).

(5) It shall be the duty of the Board to give effect to every Order passed under this Section.

Budget.

10. The Board shall prepare, in such form and at such time each financial year, as may be prescribed, its budget for the next financial year, showing the estimated receipts and expenditure of the Board and forward the same to the State Government.

Annual Report.

11. The Board shall prepare, in such form and at such time each financial year as may be prescribed, its annual report, giving a full account of its activities during the previous financial year, and submit a copy thereof to the State Government.

Accounts and Audit.

12. (1) The Board shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed.

(2) The Accounts of a Board shall be audited by the Director, Local Fund Audit, in accordance with the provisions of the Madhya Pradesh Sthaniya Nidhi Sampariksha Adhiniyam, 1973 (No. 43 of 1973), and provisions of the said Act shall apply to the Board as if it is a local body.

(3) The Board shall furnish to the State Government before such date as may be prescribed its audited copy of accounts together with the auditor's report.

(4) The State Government shall cause the annual report and auditor's report to be laid, as soon as may be after they are received, on the table of the Legislative Assembly.

CHAPTER III—REGISTRATION OF UNORGANISED WORKERS AS MEMBERS OF WELFARE FUND

Members of the Fund.

13. Subject to the provisions of this Act, every unorganised workers registered as a member under this Act shall be entitled to the benefits provided by a Board from the Fund administered by it under this Act.

Registration of unorganised workers as Members.

14. (1) Every unorganised worker who has completed eighteen years of age but has not completed sixty years of age, and who is not eligible to receive benefits under any other statutory welfare fund shall be eligible for registration as a member under this Act :

Provided that the State Government may, by notification, prescribe one or more of the following criteria, non-fulfilment of any of which shall render an unorganised worker ineligible for registration as a Member :—

- (i) maximum size of land holding;
- (ii) maximum family income;

Provided further that the State Government may specify different maximum sizes of land holdings for lands of different categories or situated in different parts of the State.

(2) Unorganised workers normally resident in a rural area shall be eligible for registration as

a Member of the Madhya Pradesh Rural Unorganised Workers' Welfare Fund, while unorganised workers normally resident in an urban area shall be eligible for registration as a Member of the Madhya Pradesh Urban Unorganised Workers' Welfare Fund constituted under Section 8:

(3) An application for registration shall be made in such form, as may be specified in Regulations, and to such officer as may be authorised by the Board concerned in this behalf.

(4) Every application under sub-section (3) shall be accompanied by such documents together with such fee not exceeding fifty rupees as may be specified in Regulations.

(5) If the order authorised by the Board concerned under sub-section (3) is satisfied that the applicant has complied with the provisions of this Act and the rules made thereunder, he shall register the name of the worker as a Member under this Act :

Provided that an application for registration shall not be rejected without giving the applicant an opportunity of being heard.

(6) Any person aggrieved by the decision under sub-section (5) may, within thirty days from the date of such decision, prefer an appeal to the Secretary of the Board concerned or any other officer specified by the Board in this behalf and the decision of the Secretary or such other officer on such appeal shall be final :

Provided that the Secretary or any other officer specified by the Board in this behalf may entertain the appeal after the expiry of the said period of thirty days if he is satisfied that the person was prevented by sufficient cause from filing the appeal in time.

(7) The Secretary of the Board shall cause to be maintained such registers as may be prescribed.

15. The Board concerned shall give to every Member an identity card with his photograph daily affixed thereon and with enough space for entering details of the work done by him in scheduled employment.

Identity Cards.

16. (1) An unorganised worker who has been registered as a Member under this Act shall cease to be as such,—

Cessation as a Member.

- (i) as a consequence of the operation of Section 19, or
- (ii) when he :
 - (a) attains the age of sixty years, or
 - (b) is registered as a Member, identity Card holder, or beneficiary, etc. under any other statutory welfare fund, which renders him eligible to receive benefits from such fund.

(2) Notwithstanding anything contained in sub-section (1), if a person had been a Member for at least three years continuously immediately before attaining the age sixty years, he shall be eligible to get such benefits as may be prescribed.

17. Every employer in relation to an establishment to which this Act applies under Section 21, shall maintain a register in such form as may be prescribed showing details of employment of members employed him. The Register so maintained may be inspected without any prior notice by the Secretary of the Board concerned or any other officer duly authorised by the Board in this behalf.

Register of Members.

18. An unorganised worker who has been registered as a Member under this Act shall, until he attains the age of sixty years, contribute to the Fund at such rate, as may be specified by the Board, and different rates of contribution may be specified for different classes of unorganised workers.

Contribution by Members.

Provided that rates of contribution shall normally be revised once in every five years.

Effect of non-payment of contribution.

19. Where a Member has not paid his contribution under Section 8 for a continuous period of not less than one year, beyond the date when it becomes due he shall cease to be a Member:

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

CHAPTER IV—PAYMENT OF CONTRIBUTION BY CERTAIN CATEGORIES OF EMPLOYERS

Appointment of Registering Officers.

20. The State Government may, by order notified in the Official Gazette,—

- (a) appoint such persons being Officers of Government or local bodies, as it thinks fit, to be Registering Officers for the purpose of Section 22 of this Act; and
- (b) define the limits within which a registering officer shall exercise the powers conferred on him by or under this Act.

Power to require registration of establishments.

21. The State Government may, by notification, require that every establishment fulfilling such criteria and conditions as may be stipulated in the notification, shall get itself registered in accordance with the provisions of this Act, and the Act shall then be deemed to apply to every such establishment.

Registration of establishments.

22. (1) Every employer shall,—

- (a) in relation to an establishment to which this Act applies on the issue of a notification under Section 21, and
- (b) in relation to any other establishment to which this Act may be applicable at any time after the issue of such notification,

with in a period of sixty days from the date on which this Act becomes applicable to such establishment, make an application to the Registering Officer for the registration of such establishment:

Provided that the Registering Officer may entertain any such application after the expiry of the period aforesaid, if he is satisfied that the applicant was prevented by sufficient cause from making the application within such period.

(2) Every application under sub-section (1) shall be in such form, contain such particulars and be accompanied by such fees as may be prescribed.

(3) On receipt of an application under sub-section (1), the Registering Officer shall register the establishment and issue a certificate of registration to the employer in such form and within such time and subject to such conditions as may be prescribed.

(4) Where, after the registration of an establishment under this section any change occurs in the ownership or management or under prescribed particulars in respect of such establishment, the particulars regarding such change shall be intimated by the employer to the Registering Officer within thirty days of such change in such form as may be prescribed.

Revocation of Registration in certain cases.

23. If the registering officer is satisfied, either on a reference made to him in this behalf or otherwise, that the registration of any establishment has been obtained by misrepresentation or suppression or any material fact or that the provision of this Act are not being complied with in

relation to any work carried on by such establishment, or that for any other reason the registration has become useless or ineffective and, therefore, requires to be revoked, he may, after giving an opportunity to the employer of the establishment to be heard, revoke the registration.

24. (1) Any person aggrieved by an order made under Section 23 may, within thirty days from the date on which the order is communicated to him, prefer an appeal to the appellate officer who shall be a person nominated in this behalf by the State Government : **Appeal.**

Provided that the appellate officer may entertain the appeal after the expiry of the said period of thirty days if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) On receipt of an appeal under sub-section (1), the appellate officer shall, after giving the appellant an opportunity of being heard, confirm, modify or reverse the order of revocation as expeditiously as possible.

25. No employer of an establishment to which this Act applies under Section 21, shall,—

Effect of non-registration.

- (a) in the case of an establishment required to be registered under Section 21, but which has not been registered under that section;
- (b) in the case of an establishment the registration in respect of which has been revoked under Section 23 and no appeal has been preferred against such order of revocation under Section 24 within the period prescribed for preferring of such appeal or where an appeal has been so preferred, such appeal has been dismissed,

employ unorganised workers in the establishment after the expiry of the period referred to sub-section (1) of Section 22, or after the revocation of registration under Section 23 or after the expiry of the period for preferring an appeal under Section 24 or after the dismissal of the appeal, as the case may be.

26. (1) Every employer, registration of whose establishment is required under Section 21, shall, before the 15th day of every month, pay to the Board specified in sub-section (2) a sum equivalent to such percentage not exceeding five percent, as may be notified by the State Government in this behalf, of the wages payable by him to the unorganised workers employed by him, during the previous month;

Contribution by Employers.

(2) An employer shall pay his contribution under sub-section (1) to the Madhya Pradesh Urban Unorganised Worker's Welfare Board or the Madhya Pradesh Rural Unorganised Workers' Welfare Board depending on whether his establishment is located in an urban or a rural area.

(3) The contribution payable under sub-section (1) shall be paid by means of a demand draft drawn in favour of the Secretary or such other officer of the Board as may be specified by the Board in this behalf, accompanied by a statement in such form as the Board may specify.

(4) No deduction shall be made by the employer from the wages payable to the unorganised worker, as a result of the contribution payable under sub-section (1).

(5) If a Board is of the opinion that any sum payable under this Act by an employer has not been paid by the date specified in sub-section (1), it shall issue a Demand Notice in such form as may be prescribed, requiring the employer to deposit the sum within one month, or show cause why it should not be recovered as arrears of land revenue.

(6) If, in pursuance of a Notice issued under sub-section (5), an employer fails to deposit the amount within the period specified in the Notice as also to show cause to the satisfaction of the

Board, the Board may issue a Certificate to the Collector of the district concerned for the recovery of the amount stated therein 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 Board :

Provided that if an employer submits a representation in reply to a Notice issued under sub-section (5) 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.

(7) The powers of the Board under sub-sections (5) and (6) shall be exercised by its Secretary, and such other officers as may be authorised by the Board in this behalf.

CHAPTER V—INSPECTIONS

Appointment of Inspectors.

27. (1) The State Government may, by notification, appoint such of its officers, officers of the Board, and of its Agents appointed under Section 44, as it thinks fit, to be Inspectors for the purpose of this Act and may assign to them such local limits as it may think fit.

(2) Every Inspector appointed under this Section shall be subject to the control of the Labour Commissioner, and shall exercise his powers and perform his functions under this Act subject to general control and supervision of the Labour Commissioner.

(3) Every Inspector appointed under this section shall be deemed to be a public servant within the meaning of Section 21 of the Indian Penal Code No. (No. 45 of 1860).

Powers of Inspectors.

28. (1) Subject to any rules made in this behalf, an Inspector may, within the local limits for which he is appointed and with a view to enforcing the provisions of Chapter IV :—

- (a) enter and search, at all reasonable hours, with such assistants (if any) being persons in the service of the Government or any local or other public authority as he thinks fit, any premises or place where unorganised workers are employed or from where work is given out to them, for the purpose of examining any register or record or notices required to be kept or exhibited by or under this or any other Act;
- (b) examine any person whom he finds in any such premises or place and who, he has reasonable cause to believe is an unorganised worker employed therein or to whom work is given out therein;
- (c) require any person giving work to any unorganised worker, to give any information, which is in his power to give with respect to the names and address of the persons for and whom the work is given out or taken, and with respect to the payments to be made for the said work;
- (d) seize or take copies of such register, record of wages or notices or portions thereof as he may consider relevant in respect of an offence under this Act, which he has reason to believe has been committed by the employer; and
- (e) exercise such other powers as may be prescribed :

Provided that the powers under this sub-section shall be exercised in accordance with such general or special orders of the State Government or the Labour Commissioner as may be issued by them in this behalf :

(2) Any person required to produce any document or to give any information required by an Inspector under sub-section (1) shall be deemed to be legally bound to do so within the meaning of Section 175 and Section 176 of the Indian Penal Code (No. 45 of 1860).

(3) The provisions of the Code of Criminal Procedure, 1973 (No. 2 of 1974), shall, so far as may be, apply to such search or seizure under sub-section (1) as they apply to any search or seizure made under the authority of a warrant issued under Section 94 of the said Code.

CHAPTER VI—CESSES, ETC. FOR WELFARE OF UNORGANISED WORKERS

29. The duty imposed under the Indian Stamps Act, 1899 (No. 2 of 1899), on instruments relating to sale, gift or mortgage of immovable property, shall be increased by such rate not exceeding one percent of the value of such property, or in the case of mortgage, the amount secured by the instrument, as the case may be, as the State Government may, by notification, specify from time to time :

Additional duty on transfer of property.

Provided that such additional stamp duty imposed in respect of mortgage shall not exceed the amount of stamp duty thereon :

Provided further that no additional stamp duty shall be imposable in respect of instrument exempted from payment of stamp duty under the Indian Stamp Act, 1899, or the rules made thereunder.

30. Rates of quarterly tax on motor vehicles specified in the First Schedule to the Madhya Pradesh Motor Yan Karadhan Adhiniyam, 1991, shall be increased by such rate not exceeding five percent, as the State Government may, by notification, specify from time to time.

Additional tax on motor vehicles of certain categories.

31. (1) There shall be levied and collected a welfare cess on every sale and supply of forest produce by the Forest Department at such rate not exceeding one percent of the price at which such forest produce is sold or supplied, as the State Government may, by notification, specify from time to time

Welfare Cess on sale or supply of forest produce.

(2) The welfare cess levied under sub-section (1) shall be in addition to any tax leviable on forest produce under any other law for the time being in force :

(3) The welfare cess payable under sub-section (1) in respect of forest produce sold or supplied by the Forest Department shall be payable by the person to whom the forest produce is sold or supplied and shall be collected by and recovered by the officer or official of the Forest Department concerned with such sale or supply at the time of such sale or supply.

Explanation :—The expressions "Forest Department" and "Forest Produce" shall have the meanings assigned to them in Section 6 of the Madhya Pradesh Karadhan Adhiniyam, 1982 (No. 15 of 1982).

32. As from the date to be specified by the State Government by Notification issued in this behalf an amount equal to five percent of the royalty or dead rent payable under sub-section (3) of Section 15 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957), in respect of minor minerals, included in Schedule 1 of the Madhya Pradesh Minor Mineral Rules, 1996, shall be set apart and defnyed accordance with the provisions of Section 33.

Provision regarding royalty and dead rent on certain Minor Minerals.

33. (1) The proceeds of the additional stamp duty, motor vehicle tax and welfare cess levied under Sections 29, 30 and 31 respectively, and of royalty or dead rent set apart under Section 32, shall be collected and, in the first instance, be credited into the Consolidated Fund of the State in such manner as may be prescribed.

Procedure for collection of amounts levied under Section 29 to 31, and setting apart of amount under Section 32, and their credit into Funds constituted under Section 8.

(2) The State Government shall, at the commencement of each financial year, after due appropriation has been made by law withdraw from the Consolidated Fund of the State an amount equivalent to the proceeds realised under the said Sections 29, 30 and 31, and set apart under Section 32 in the preceeding financial year, and pay the amount so withdrawn into the Funds constituted under Section 8 of this Act, not later than 31st July of the financial year, in the following manner, and such credit into the said Funds shall be an expenditure charged on the Consolidated Fund of the State :—

- (i) amounts realised under Section 31 and 32 shall be credited into the Madhya Pradesh Rural Unorganised Workers' Welfare Fund,

- (ii) amount realised under Section 30 shall be credited into the Madhya Pradesh Urban Unorganised Workers' Welfare Fund, and
- (iii) amounts realised under Section 29 shall be apportioned between the two funds constituted under Section 8 in such manner as may be prescribed.

Welfare Cess on sale of notified agricultural produce.

34. (1) There shall be levied on the sale of every notified agricultural produce, on which market fee is levied under Section 19 of the Madhya Pradesh Krishi Upaj Mandi Adhiniyam, 1972 (No. 24 of 1973), a welfare cess at such rate not exceeding ten percent of the market fee, as the State Government may, by notification, specify from time to time.

(2) The welfare cess under sub-section (1) shall be collected by the Market Committee along with the market fee to be levied and collected by it under the said Section 19.

(3) The welfare cess shall be payable by the same person who is liable to pay market fee under sub-section (2) of the said Section 19.

(4) The amount of welfare cess collected every month by a Market Committee shall be remitted by it to the Madhya Pradesh Rural Unorganised Workers' Welfare Board not later than the fifteenth day of the subsequent month, and the Board shall deposit all amounts so received into the Madhya Pradesh Rural Unorganised Workers' Welfare Fund.

(5) The procedure for collection of welfare cess by a Market Committee, its accounting and transfer to the Board shall be such as may be prescribed.

Explanation :—The expressions "Market Committee", "market fee" and "notified agricultural produce" shall have the same meanings respectively as assigned to them in the Madhya Pradesh Krishi Upaj Mandi Adhiniyam, 1972 (No. 24 of 1973).

CHAPTER VII—PENALTIES AND PROCEDURE

Penalty for obstruction.

35. (1) Whoever obstructs an Inspector in the discharge of his duties under this Act or refuses or willfully neglects to afford the Inspector any reasonable facility for making any inspection, examination, inquiry or investigation authorised by or under this Act in relation to an establishment shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

(2) Whoever willfully refuses to produce on the demand of an Inspector any register or other document kept in pursuance of this Act or prevents or attempts to prevent or does anything which he has reason to believe is likely to prevent any person from appearing before, or being examined by, an Inspector acting in pursuance of his duties under this Act shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

Penalty for other offences.

36. (1) Whoever contravenes any other provision of this Act or any rules made thereunder or who fails to comply with any provision of this Act or any rules made thereunder shall be punishable with fine which may extend to one thousand rupees for every such contravention or failure, as the case may be, and in the case of a continuing contravention or failure, as the case may be, with an additional fine which may extend to one hundred rupees for every day during which such contravention or failure continues after the conviction for the first such contravention or failure.

(2) A penalty under sub-section (1) may be imposed by the Labour Commissioner or such other officer not below the rank of an Assistant Labour Commissioner as may be empowered by the State Government by Notification issued in this behalf.

(3) No penalty shall be imposed under sub-section (1) unless the person concerned is given a notice in writing,—

- (a) informing him of the grounds on which it is proposed to impose a penalty; and
- (b) giving him a reasonable opportunity of making a representation in writing within such reasonable time as may be specified in the notice against the imposition of penalty mentioned therein, and, if he so desires, of being heard in the matter.

(4) Without prejudice to any other provision contained in this Act, the Labour Commissioner and such other officers as may be empowered under sub-section (2) shall have all the powers of a civil court under the Code of Civil Procedure, 1908 (No. 5 of 1908), while exercising any powers under this section, in respect of the following matters, namely :—

- (a) summoning and enforcing the attendance of witnesses;
- (b) requiring the discovery and production of any document;
- (c) requisitioning any public record or copy thereof from any court or office;
- (d) receiving evidence on affidavits; and
- (e) issuing commissions for the examination of witnesses or documents.

(5) Nothing contained in this section shall be construed to prevent the person concerned from being prosecuted under any other provision of this Act or any other law for any offence made punishable by this Act or by that other law, as the case may be, or for being liable under this Act or any such law to any other or higher penalty or punishment than is provided for such offence by this section :

Provided that no person shall be punished twice for the same offence.

37. (1) Any person aggrieved by the imposition of any penalty under Section 36 may prefer an appeal,—

- (a) where the penalty has been imposed by the Labour Commissioner to the State Government;
- (b) where the penalty has been imposed by an officer subordinate to the Labour Commissioner, to such authority as may be prescribed,

within a period of three months from the date of communication to such person of the imposition of such penalty :

Provided that the State Government or the prescribed authority, as the case may be, may, if it is satisfied that the appellant was prevented by sufficient cause from preferring an appeal within the aforesaid period of three months, allow such appeal to be preferred within a further period of three months.

(2) The appellate authority may, after giving the appellant an opportunity of being heard, if he so desires, and after making such further inquiry, if any, as it may consider necessary, pass such order as it thinks fit confirming, modifying or reversing the order appealed against or may send back the case with such directions as it may think fit for a fresh decision.

38. Where any fine imposed on any person under Section 36 is not paid,—

- (i) the Labour Commissioner or, as the case may be, other officer empowered under

Recovery of
Fine.

sub-section (2) of Section 36, may recover the amount so payable by detaining or selling the goods belonging to such person which are under his control; or

- (ii) if the amount cannot be recovered from such person in the manner provided in clause (i), the Labour Commissioner or, as the case may be, the officer empowered by the State Government may prepare a certificate signed by him specifying the amount due from such person and send it to the Collector of the district in which such person owns any property or resides or carries on his business and the said Collector, on receipt of such certificate shall proceed to recover from such person the amount specified thereunder as if it were an arrear of land revenue.

Offences by companies.

39. (1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

- (a) "company" means any body corporate and includes a firm or other association of individuals; and
- (b) "director" in relation to a firm, means a partner in the firm.

Cognizance of offences.

40. (1) No court shall take cognizance of any offence punishable under this Act except on a complaint made by,—

- (a) an inspector, or
- (b) an office-bearer of a voluntary organisation registered under the Societies Registration Act, 1860 (No. 21 of 1860); or
- (c) an office-bearer of any concerned trade union registered under the Trade Unions Act, 1926 (No. 16 of 1926).

with the previous sanction in writing of the Labour Commissioner or of such other officer as may be authorised by the State Government in this behalf.

(2) No court inferior to that of a Judicial Magistrate of the first class shall try any offence punishable under this Act.

Limitation of prosecutions.

41. No court shall take cognizance of an offence punishable under this Act unless the complaint thereof is made within three months from the date on which the alleged commission of the offence came to the knowledge of the Inspector, an office-bearer of a voluntary organisation, or, as the case may be, an office-bearer of any concerned trade union.

CHAPTER VIII—MISCELLANEOUS

42. The State Government may, by notification and subject to such conditions and for such period as may be specified in the notification, exempt from the operation of all or any of the provisions of this Act to all or any class or classes of unorganised workers employed in any scheduled employment, or in any establishment or part of any establishment if in the opinion of the Government all such unorganised workers or such class or classes of workers, are in the enjoyment of benefits which are on the whole not less favourable to such unorganised workers than the benefits provided by or under this Act :

Power to exempt.

Provided that the State Government may, by notification, at any time, for reasons to be specified, rescind the aforesaid notification.

43. The State Government, after giving by notification not less than three months' notice of its intention so to do, may, by like notification modify any item of the schedule or add to the Schedule any employment in respect of which it is of the opinion that the provisions of this Act should apply and the provisions of this Act shall thereupon apply to such employment as modified or added.

Amendment of Schedule.

44. (1) Notwithstanding anything contained in this Act, a Board may appoint one or more of the bodies specified in sub-section (2), or, as the case may be, in sub-section (3), as its agents to perform all or any of the following functions on its behalf, namely :—

Board's power to appoint Agent.

- (i) registration of Members and/or employers,
- (ii) collection of contributions from Members and/or employers,
- (iii) issue and renewal of identity cards to Members,
- (iv) receiving application forms from Members for grant of benefits processing such applications and sanctioning benefits,
- (v) collection of instalments of any loan or advance granted by or on behalf of the Board:

Provided that the functions of registration of employers and collection of their contributions shall only be assigned to such local bodies as may be appointed as Agents.

(2) The Madhya Pradesh Rural Unorganised Workers' Welfare Board may appoint one or more of the following bodies as an Agent under sub-section (1), namely,—

- (i) a Zila or Janpad Panchayat constituted under the Madhya Pradesh Panchayat Raj Evam Gram Swaraj Adhiniyam, 1993 (No. 1 of 1994);
- (ii) a Nagar Panchayat constituted under the Madhya Pradesh Nagarpalika Adhiniyam, 1961 (No. 37 of 1961);
- (iii) the Madhya Pradesh Rajya Laghu Vanopaj (Vyapar Evam Vikas) Sahkari Sangh or any of its constituent District Cooperative Unions;
- (iv) the Madhya Pradesh Rajya Sahkari Dugdha Mahasangh or any of its constituent Divisional Cooperative Unions;
- (v) the Madhya Pradesh Rajya Sahkari Matsya Mahasangh or any of its constituent District Cooperative Unions;
- (vi) any other Cooperative Society registered under the Madhya Pradesh Cooperative

Societies Act, 1960 (No. 17 of 1961), or the Madhya Pradesh Swayatta Sahkarita Adhiniyam, 1999 (No. 2 of 2000);

- (vii) a Labour Welfare Board, by whatever name called, constituted under a "Central or State Legislation;
- (viii) a Trade Union registered under the Trade Unions Act, 1926 (No. 16 of 1926); or
- (ix) a voluntary agency registered under the Madhya Pradesh Societies Registrickaran Adhiniyam, 1973 (No. 44 of 1973), and working for the welfare of unorganised workers.

(3) The Madhya Pradesh Urban Unorganised Workers' Welfare Board may appoint one or more of the following bodies as an Agent under sub-section (1), namely,—

- (i) A Municipal Corporation constituted under the Madhya Pradesh Nagarpalik Nigam Adhiniyam, 1956 (No. 23 of 1956), or a Municipal Council constituted under the Madhya Pradesh Nagarpalika Adhiniyam, 1961 (No. 37 of 1961);
- (ii) a District Urban Development Agency;
- (iii) A Cooperative Society registered under the Madhya Pradesh Cooperative Societies Act, 1960 (No. 17 of 1961), or the Madhya Pradesh Swayantta Sahkarita Adhiniyam, 1999 (No. 2 of 2000);
- (iv) a Labour Welfare Board, by whatever name called, constituted under a Central or State Legislation;
- (v) a Trade Union registered under the Trade Unions Act, 1926 (No. 16 of 1926); or
- (vi) a voluntary agency registered under the Madhya Pradesh Societies Registrickaran Adhiniyam, 1973 (No. 44 of 1973), and working for the welfare of unorganised workers.

(4) Before appointing any of the bodies, other than a Municipal Corporation, a Municipal Council, a Nagar Panchayat, a Zila Panchayat, and a Janpad Panchayat, as its Agent under sub-section (2), or as the case may be, under sub-section (3), the Board shall obtain prior concurrence of such body.

(5) The Board shall frame Regulations for regulating appointment of its Agents, their working, and the Board's relationship with such Agents.

Delegation of Powers.

45. The Board may, by general or special order, delegate to the Chairperson or any other member or to the Secretary or any other officer or employee of the Board, subject to such conditions and limitations, if any, as may be specified in the order, such of its powers and duties under this Act as it may deem necessary.

District Planning Committee to monitor implementation of the Act in the District.

46. (1) Notwithstanding anything contained in any other Act for the time being in force, it shall be the duty of the District Planning Committee to review and monitor the implementation of this Act in the district in its meetings at least once every six months.

(2) In every review meeting referred to in sub-section (1), besides the members of the Committee, not less than three and not more than five representatives each of (a) unorganised workers, (b) their employers, and (c) experts, activists and voluntary agencies situated in the district, shall be invited to attend as "stakeholders".

(3) A "stakeholder" referred to in sub-section (2) shall have the right to participate in the deliberations at the meeting but shall not have the right to vote.

(4) The "stakeholders" referred to in sub-section (2) shall be nominated by the Chairperson of the Committee, in consultation with its Member-Secretary, for a period of two years at a time :

Provided that the tenure of a stakeholder shall continue till his successor is nominated.

(5) A District Planning Committee may assign its duty referred to in sub-section (1) to a Sub-Committee :

Provided that the stakeholders shall also be invited by the Sub-Committee to attend every review meeting of such Sub-Committee.

Explanations :—(1) For the purposes of this section, "District Planning Committee" and its "Sub-Committee" mean the Committee and a Sub-Committee constituted under section 3 and 9, respectively, of the Madhya Pradesh Zila Yojana Samiti Adhiniyam, 1995 (No. 19 of 1995).

(2) For the purposes of sub-section (2), the term "members" includes the special invitees referred to in section 5 of the aforesaid Adhiniyam.

47. A Board shall furnish from time to time to the State Government such returns as they may require. **Returns.**

48. (1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder. **Protection of action taken in good faith.**

(2) No prosecution or other legal proceeding shall lie against the State Government, any Board or Committees constituted under this Act or any member of such Board or any officer or employee of the State Government or the Board or any other person authorised by the State Government or any Board or Committee, for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made or issued thereunder.

49. The State Government may give directions to a Board as to the carrying into effect the provisions of this Act. **Power of State Government to give directions.**

50. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty : **Power to remove difficulties.**

Provided that no such order shall be made after the expiry of two years from the date of commencement of this Act.

51. (1) The State Government may, by notification, make rules for carrying out the provisions of this Act. **Power to make rules.**

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(a) the terms and conditions of appointment, the salaries and other allowances payable to, and the manner of filling of casual vacancies of the Chairperson and other members of the Board under sub-section (4) of section 3;

- (b) the time and place of the meeting of the Board and the rules of procedure to be followed at such meeting under sub-section (1) of Section 5 including quorum necessary for the transaction of business;
- (c) benefits which may be provided under sub-section (2) of Section 7;
- (d) the limits of grants-in-aid payable to the local authorities and employers under clause (b) of sub-section (5) of Section 7;
- (e) the form in which and the time within which the budget of the Board shall be prepared and forwarded to Government under Section 10;
- (f) the form in which and the time within which the annual report of the Board shall be submitted to the State Government under Section 11;
- (g) the form of annual statement of accounts under sub-section (1) and the date before which the audited copy of the accounts together with the auditor's report shall be furnished under sub-section (3) of Section 12;
- (h) the form of registers which shall be maintained under sub-section (7) of Section 14;
- (i) the benefits which may be given under sub-section (2) of Section 16;
- (j) the form of register which shall be maintained by employer under Section 17;
- (k) the form in which the application shall be made, the particulars it shall contain and fee which shall be paid under sub-section (2) of Section 22;
- (l) the form of certificate of registration, the time within which and the conditions subject to which such certificate may be issued under sub-section (3) of Section 22;
- (m) the form in which the change in ownership or management or other particulars shall be intimated to the Registering Officer under sub-section (4) of Section 22;
- (n) the form in which Demand Notice shall be issued by the Board to an employer under sub-section (5) of Section 26;
- (o) the powers which may be exercised by an Inspector under clause (c) of sub-section (1) of Section 28;
- (p) the manner in which the additional stamp duty, motor vehicle tax and welfare cess levied under Section 29, 30 and 31 respectively, and the royalty or dead rent set apart under Section 32 shall be collected and credited into the consolidated Fund of the State;
- (q) the manner in which the amount realised under Section 29 shall be appropriated between the two Funds, under Section 33;
- (r) the procedure for collection and accounting of welfare cess and for its transfer to the Board, under sub-section (5) of Section 34;
- (s) the authority to whom the appeal shall be preferred under sub-section (1) of section 37;
- (t) any other matter which is required to be, or may be, prescribed.

(3) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislative Assembly.

- (h) terms and conditions subject to which benefit shall be granted; and
- (i) any other incidental matters.

Saving of certain laws. 54. Nothing contained in this Act shall affect the operation of any corresponding law in the State providing welfare schemes which are more beneficial to the unorganised workers than those provided for them by or under this Act.

THE SCHEDULE

[See Section 2 (p)]

PART-I

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-II

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-III

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 foodgrains into godowns, sorting and cleaning of foodgrains, filling foodgrains in bags, stitching of such bags and such other work incidental and connected thereto.

PART-IV

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

52-A. (1) Board may with the prior approval of the State Government, and consistent with this Act and the rules framed thereunder, make regulations for the more convenient transaction of its business.

Power to make regulations.

(2) In particular, and without prejudice to the generality of sub-section (1), such regulation may provide for all or any of the following matters, namely :—

- (a) mode of appointment, terms and conditions of service, and salaries and allowances payable to the Secretary and other officers and employees of a Board, under sub-section (3) of Section 4;
- (b) constitution of sub-committees of the Board, the functions and powers of the Board which such sub-committees may exercise, and the manner in which they may do so :

Provided that every sub-committees of the Board shall always comprise an equal number of members representing unorganised workers and their employers;

- (c) the form in which an application for registration as a member shall be made under sub-section (3) of Section 14;
- (d) the document and the fee which shall accompany the application under sub-section (4) of Section 14;
- (e) officers of the Board, apart from the Secretary, who shall be competent to hear appeals against orders passed under sub-section (5) of Section 14;
- (f) the form in which Identity Card shall be issued to members under Section 15;
- (g) rates of contribution payable by different categories of members, and the manner of their collection;
- (h) mode of payment of employer's contribution to the Board;
- (i) the procedure for appointment of Agent under section 44, the procedure for their functioning and the manner in which the Board shall supervise their working.

53. (1) The Board may, with the prior approval of the State Government prepare scheme for the grant of benefits to the members under sub-section (2) of Section 7.

Preparation of Schemes by Board.

(2) A scheme may make provision in regard to the following matters, namely :—

- (a) nature of benefit;
- (b) conditions of eligibility;
- (c) person to whom benefit shall be payable;
- (d) scale or rates for grant of the benefit;
- (e) procedure and form for making application;
- (f) procedure for and authority competent to grant sanction;
- (g) procedure for disbursement;

PART-V

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-VI

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-VII

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-VIII

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, Daal 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.