No. 60(2)/LXXIX-V-1-19-1(ka)-8-2018
Dated Lucknow, January 10, 2019

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Antarrajyik Pravasi Karmkar (Niyojan Ka Viniyaman Aur Sewa Shart) (Uttar Pradesh Sansodhan) Adiniyam, (Uttar Pradesh Adhiniyam Sankhya 1 of 2019) as passed by the Uttar Pradesh Legislature and assented to by the President on September 17, 2018.

THE INTER- STATE MIGRANT WORKMEN (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) (UTTAR PRADESH AMENDMENT) ACT, 2018

(U.P.ACT NO. 1 OF 2019)

(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 in its application to Uttar Pradesh.

IT IS HEREBY *enacted* in the Sixty-ninth Year of the Republic of India as follows:-

Short title and extent

1. (1) This Act may be called the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) (Uttar Pradesh Amendment) Act, 2018.

(2) It shall extend to the whole of Uttar Pradesh.

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Amendment of section 4 of Act no. 30 of 1979

2. In Section 4 of the Inter-State Migrant Workman (Regulation of Employment and Conditions of Service) Act, 1979, hereinafter referred to as the principal Act,-

(a) for sub-section (2) the following sub-section shall be *substituted*, namely:-

"(2) (a) On submission of application complete in all respect, the registering officer shall grant or refuse to grant registration within one day after the date of submission of application in such manner as may be prescribed by the State Government. On the expiry of the said period, the registration shall be deemed to be granted.

(b) the application referred to in clause (a) may be submitted by the applicant on departmental web portal along with necessary documents and payment of prescribe fee. In such case if the application is complete in all respect and the applicant is eligible, automatic registration shall be granted by the web portal and registration certificate be sent through e-mail:

Provided that if the registration is obtained by misrepresentation of fact or concealment of fact or on the basis of forged document then such registration shall be deemed null and void and may be cancelled by registering officer and legal action shall be taken against the applicant."

(b) sub-section (3) shall be *omitted*.

Amendment of section 9

3. In Section 9 of principal Act, after sub-section (3) the following sub section shall be *inserted*, namely:-

"(4) (a) On submission of an application complete in all respect the licensing officer shall grant or refuse to grant license within one day after the date of submission of application in such manner as may be prescribed by the State Government. On the expiry of the said period license shall be deemed to be granted.

(b) the application referred to in clause (a) may be submitted by the applicant on departmental web portal along with necessary documents and payment of prescribed fee. In such case if the application is complete in all respect and the applicant is eligible, automatic license shall be granted by the web portal and license certificate be sent through e-mail:

Provided that if the license is obtained by misrepresentation of fact or concealment of fact or on the basis of forged document then such license shall be deemed null and void and may be cancelled by the licensing officer and legal action shall be taken against the applicant."

STATEMENT OF OBJECTS AND REASONS

The Inter-State Migrants Workmen (Regulation of Employment and Conditions of Service) Act, 1979 has been *enacted* by the Central Government with the object of regulating the employment and service conditions of migrant workers.

For the last many years there has been a growing demand for fixing a definite time line for registration of undertakings so as to make registration and licensing convenient. It had, therefore, been decided to amend the aforesaid Act in its application to Uttar Pradesh, after due consultation with association of employers and trade unions, to provide for registration within one day from the date of submission of application and compounding of first offence on payment of fifty percent of the fine as compounding fee along with prescribed fine for the offence.

In order to implement the aforesaid decision the Inter-State Migrants Workmen (Regulation of Employment and Conditions of Service) (Uttar Pradesh Amendment) Bill, 2017 was introduced in, and passed by, the Uttar Pradesh State Legislature. The said Bill was reserved by the Governor for consideration of the President and sent to the Government of India for obtaining the assent of the President thereon. The Government of India has recommended certain modification in the Bill. On the recommendation of the Government of India it has been decided that the said Bill shall be withdrawn and in place thereof the Inter-State Migrants Workmen (Regulation of Employment and Conditions of Service) (Uttar Pradesh Amendment) Bill, 2018 which seeks to provide for registration within one day from the date of submission of application and grant of license within one day after the submission of an application, shall be introduced in the State Legislature.

The Inter-State Migrants Workmen (Regulation of Employment and Conditions of Service) (Uttar Pradesh Amendment) Bill, 2018 is introduced accordingly.

By order,
SANJAI KHARE,
Pramukh Sachiv.

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