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 notification no. 1161 / XXXVI-03-2016-01 (U.S.S.)13, dated October 19, 2016 for general Information :

No. 1161 / XXXVI-03-2016-01 (U.S.S.)13
Dated Lucknow, October 19, 2016

IN exercise of the powors conferred under sub-section (1) of section 14 of the Unorganized Worker's Social Security Act, 2008 (Act no. XXXIII of 2008), the Governor is pleased to make the following rules :–

THE UTTAR PRADESH UNORGANISED WORKER'S SOCIAL SECURITY RULES, 2016

Short title, extent and commencement

1. (1) These rules may be called the Uttar Pradesh Unorganized Worker's Social Security Rules, 2016.

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

(3) They shall come into force from the date of their publication in the *Gazette*.

Definitions

2. (1) In these rules, unless the context otherwise requires–

(a) "Act" means the Unorganized Worker's Social Security Act, 2008 (Act no. XXXIII of 2008);

(b) "Board" means the Uttar Pradesh State Social Security Board constituted under section 6;

(c) "Chairperson" means the Chairperson of the Board;

(d) "Fund" means "the Uttar Pradesh Unorganized Worker'S Welfare Fund" constituted in respect of consolidated fund received from sources provided under section 7 of the Act;

(e) "Member" means the member of the Board;

(f) "Member Secretary" means the Principal Secretary of the Secretary of Uttar Pradesh in Labour Department;

(g) "Section" means a section of the Act.

(2) Words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.

Nomination of Members

3. (1) 28 Members of whom :–

(a) Seven members representing unorganized workers, to be nominated from a panel of 14 given by approved federation of trade unions or any recognized umbrella trade union of unorganized workers.

(b) Seven members representing employers of unorganized labour:

(i) Four to be nominated by industry associations;

(ii) Two from vyaparmandal to be nominated by State level organizations;

(iii) One from registered contractors.

(c) two members of the State Legislative Assembly.

(d) five members representing eminent persons from civil society which will include the following :

(i) One person from the field of law to be nominated from a list given by Vice-Chancellors of recognized universities having law faculty.

(ii) One person from the eminent economist/sociologist with a proven record of working with unorganized labour, especially published works on the subject.

Scanned with OKEN Scanner

(iii) Two persons from among Non Government organisations with a proven track record of working with unorganized labour, of whom atleast one should be in the field of women labour.

(iv) One person from the field of finance with experience in such field.

Provided that adequate representation shall be given to persons belonging to the Scheduled Castes, the Scheduled Tribes, the Minorities and Women.

(II) ***Ex-officio members*** **:**

(i) the Labour Commissioner or his/her nominee;

(ii) the Principal Secretary/Secretary Rural Development or his/her nominee (not below the rank of Joint Secretary);

(iii) the Principal Secretary/Secretary Social Welfare or his/her nominee (not below the rank of Joint Secretary);

(iv) the Principal Secretary/Secretary Medical and Health or his/her nominee (not below the rank of Joint Secretary);

(v) the Principal Secretary/Secretary Urban Development or his/her nominee (not below the rank of Joint Secretary);

(vi) the Principal Secretary/Secretary Housing or his/her nominee (not below the rank of Joint Secretary);

(vii) the Principal Secretary/Secretary Panchayati Raj or his/her nominee (not below the rank of Joint Secretary).

Tenure of the Board

4. Tenure of the Board shall be three years from the date of its constitution provided that so long as the Board is not re-constituted, the board shall continue to function as before and the decisions taken by it shall not be invalid merely for reasons that the tenure of the Board has completed three years..

Headquarter of Board

5. The headquarter of the Board shall be at Lucknow.

Terms of office of members

6. (1) The term of Members shall be coterminous with board.

(2) Members nominated under sub-clause (iii) of clause (c) of sub-section (2) of section (2) of section 6 shall cease to be members of the Board, when they cease to be the elected members of the State Legislature.

(3) Members nominated under sub-clauses (i), (ii) and (iv) of clause (c) of sub-section (2) of section 6 shall not remain the members of the Board, if they ceased to represent the interest for which he was nominated.

(4) All nominated members shall be eligible for re-nomination for one more term.

(5) In view of the vested fulfilment of purposes and necessity, the Uttar Pradesh State Social Security Board can invite any worker from public or employer organisations or any Government department to be present as a special invitee in the scheduled meeting of the Board on receiving some notice.

Resignations

7. Any member, not being an *ex-officio* member or representing the State Government, may resign from his membership by a letter in writing addressed to the State Government and such seat shall fall vacant on the date on which his resignation is accepted by the Government. The Government may nominate on such vacant seat against the category for which the seat falls vacant, for the residue of the term of the member in place of whom the nomination is made.

Disqualification of the member

8. (1) Any person shall be disqualified for being a member of the Board –

(i) if he is of unsound mind and stands so declared by a competent court,

or

(ii) if he is an un-discharged insolvent, or

(iii) if he has been convicted of an offence,

Scanned with OKEN Scanner

(2) If a question arises as to whether a disqualification has been incurred under sub-rule (1), the State Government shall decide the same.

Termination of member

9. (1) The State Government may remove from office any member if he/she is disqualified under rule-8 :

Provided that a member shall be removed after giving him/her the opportunity of being heard.

(2) If any member not being an *ex-officio* member or representing the Government, remains absent in three consecutive meetings without obtaining the leave of the Chairperson for such absence, he shall cease to be the member :

Provided that if the State Government is satisfied that a member is deprived of attending three consecutive meetings of the Board with sufficient reason, it may direct that he shall continue to be the member.

Change of address

10. If any change occurs in the address of a nominated member, the same shall be communicated in writing, within 15 days, to the member secretary who shall make a record accordingly.

Filling of vacancies

11. When a vacancy occurs or is likely to occur in the membership of the Board, the member-secretary shall submit a report to the State Government and the State Government, after receiving report shall take steps to fill the vacancy nominating from amongst the category of persons, to which the person vacating membership belonged and the persons so nominated shall hold office for the remainder of the term of office of the member whose place he is appointed.

Allowances of members

12. (1) The travelling allowances of an *ex-officio* member shall be governed by the rules applicable to him for journey performed by him on official duties and shall be paid by his department.

(2) The non-official members of the Board shall be paid travelling allowances for attending meetings of the Board at such rates as are admissible to Group-A officers of the State Government and daily allowances shall be calculated at the maximum rate admissible to Group-A officers of the State Government in their respective places.

Disposal of business

13. Every question which the Board is required to take into consideration shall be considered at a meeting of the board or if the chairperson so directs by sending the necessary paper to every member and the question shall be disposed of in accordance with the decision of the majority:

Provided that in case of equality of votes, the chairperson shall have a casting vote.

Meetings

14. (1) The Board shall meet at such places and times as may be specified by the Chairpersons. The Board shall meet at least once in three months.

(2) The Chairperson shall preside over every meeting of the Board in which he is present and in his absence he may nominate a member of the Board to preside over such a meeting in his place.

Notice of meetings and list of business

15. (1) Ordinarily, 15 days' notice shall be given to the members of a proposed meeting.

(2) No business, which is not on the list of business for a meeting shall be considered at the meeting without the permission of the Chairperson.

Quorum

16. No business shall be transacted at any meeting unless at least nine members are present in the meeting.

Minutes of the meeting

17. Every decision taken at the meetings of the Board shall be recorded in a minutes book and signed by the Chairperson and the Member-Secretary. The Minutes book shall be a permanent record of the Board.

Powers and functions of the Board

18. The Powers and functions of the Board shall be;

(a) to recommend the State Government for formulating suitable welfare schemes and their implementation for the various group of workers from unorganized sector;

Scanned with OKEN Scanner

(h) to give reasonable advices to the State Government regarding matters referred for administration/implementation of Act and these rules and to give advice to the State Government on matters referred for redressal of doubts/ problems;

(c) regular monitoring of welfare and developmental schemes being carried out in the State for the welfare of workers of unorganized sector by the State Government and to advice the State Government with a view to making them more beneficial;

(d) to monitor the work which is being carried out for the welfare of unorganized workers and the records thereof at the district level;

(e) to monitor the work of progress of registration of workers and distribution of identity cards for workers of unorganized sector;

(f) to monitor the expenditures made from the fund under various schemes;

(g) to give suitable advice/recommendation to responsible administrative departments/executive institutions relating to welfare projects, development programs, elevation of poverty specially being carried out for the benefit of unorganized workers in the State;

(h) to refer the matter to the State Government where there is difference of opinion between Board and the administrative department/executive institution for its decision.

Duties of the Board

19. The Board shall also be responsible for the;

(a) administration of the fund;

(b) preparation and submission of annual budget to the State Government for sanction;

(c) maintenance of accounts;

(d) collections of contributions to the fund and other charges;

(e) appointment of Committees for the disposal of the works of the Board and for the fulfillment of pertaining objects of the Board;

(f) hearing and deciding complaints;

(g) investment of the fund in the nationalized banks, or in the institutions owned and controlled by the State Government or the Central Government for better management;

(h) delegation of all or any of the powers of the Board to the Secretary or any other officer of the Board as may be necessary for the efficient administration;

(i) to monitor the expenditures made from fund under various schemes;

(j) compliance of directions given by Central/State Government from time to time.

Contributions of the beneficiaries

20. (1) The State Government, in exercise of the powers conferred under sub clause (a) of sub-section (8) of section 6 and 4 of the Act, may, with the consultation of U.P. Social Security Board, may issue orders from time to time in relation to additional schemes and its administrative and financial assistance and workers/employees' contributions.

(2) Orders for registration/renewal of beneficiaries and amount of contribution/fees may be issued by the State Government from time to time.

(3) Responsibility of implementing the schemes mentioned in Schedule of the Act shall be on respective administrative departments. Such administrative/ responsible organization shall be direct responsible to send action taken report to U.P. State Social Security Board in respect of unorganized Workers in the State.

Scanned with OKEN Scanner

(4) The respective administrative departments/responsible organizations shall be responsible to ensure implementation scheme (s) notified by the State Government under Rules 19(2) (4) and 20 (1).

(5) Barring all financial contributions in respect of schemes of Central Government and State Government, rest all other types of contributions can be prescribed/decided and consolidated with the prior permission/sanction of the State Government.

Fund of the Board

21. There shall be a fund of the board in which the following amount shall be credited.

1. Amount and contributions from other sources received for the implementation of schemes of Central and State Government being notified and transacted shall be consolidated in the "Fund". This Fund shall be called "The Uttar Pradesh Unorganized Workers Welfare Fund".

2. "Fund" shall be administered and transacted by the Board. The account of the Board will be opened in any Nationalised Bank situated at Lucknow. The account will be operated by the joint signature of the secretary Board and the Labour Commissioner Uttar Pradesh.

3. Amount received from following sources shall be consolidated in the Fund :-

(I) Lump sum amount given by the State Government for the establishment of the Fund.

(II) Amount of Grant given by Government of India, State Government, amount received from contribution, the authorities or bodies owned and controlled by the State Government.

(III) Amount received for the implementation of the scheme notified by Government of India.

(IV) Amount received against scheme notified/recorded/transacted by State Government.

(V) Amount/grant received against various Central/State Government schemes.

(VI) Amount received from registration/licenses/renewal under various labour acts.

(VII) Amount received from other boards/institution/bodies as contribution.

(VIII) Amount received from registration/renewal of beneficiaries.

(IX) Contributions received from employers.

(X) Contributions received from beneficiaries.

(XI) Contributions received from other sources.

Administration of the fund

22. Ten percent of total fee received annually from registration/ licenses/ renewal in the fund or a maximum rupees 50 lakhs shall be spent on administration, legal continental and recurring expenses of the Board. This limit can be amended from time to time by the State Government as per requirement.

Registration of unorganized Workers

23. (1) Every such worker of unorganized sector defined in clause (k), (m), (n) of section 2 shall be eligible for registration who fulfills the following qualification :-

(i) He/she is an Indian citizen;

(ii) He has completed the age of 14 years;

(iii) He has submitted a self-attested declaration that he is an Unorganized Worker;

(2) Registration as an unorganized workers shall be done on receipt of the registration application to be made in Form-1 and a photo identity card in Form-2 quoting also the Special Identity Number, shall be issued.

India Code

Scanned with OKEN Scanner

[(3) He shall beneficiary become the of any ongoing scheme under the Act and these rules only when he has paid registration fee and contribution notified by the State Government from time to time for membership of the Board.

Provided that the State Government may grant exemption in fee under any ongoing scheme on the basis of the recommendation of the Board.][1]

Duplicate Identity card

24. In case of loss, damage or deface of identay card of a registered worker a duplicate copy of the same can be obtained after paying the fees as may be determined from time to time by the Board.

Facilitation Centers for unorganized werkers ef records in rapeet of registered/ benficiaries

25. The State Government, for the discharge of functions mentioned in section 9 of the Act, shall notify and set-up "Unorganized Workers Welfare Facilitation Centers" with the consultation of Uttar Pradesh State Social Security board.

26. (1) For rural areas:-

(i) the registration of unorganized workers working in rural areas shall be done by the revenue department/panchayatiraj institution under section 8 of the Act;

(ii) the Nayab Tehsildar/Tehsildar/Assistant Block Development Officers are authorized to issue the identity cards after registration. Other officers can also be authorized by the State Government as per requirement:

(2) For urban areas:-

(i) the registration of unorganized workers working in urban areas shall be done by local bodies/employment exchanges under section 8 of the Act;

(ii) the Assistant Employment Officer/Employment Officer/Executive Officer/Assistant Municipal Commissioner authorized to issue identity card. Other officers can also be authorized by the State Government as per requirement;

(3) Maintenance of records in respect of registered and beneficiaries shall also be done by the registering institutions;

(4) Application for registration in Form-1 can also be submitted in local or nearest labour office by the unorganized worker, but the identity card shall only he issued by authorized officers mentioned in clause (ii) of sub-rule (1) and clause (ii) of sub-rule (2);

(5) The administrative department shall be responsible for the registration and issue of identity cards as per sub-rules (1) and (2);

(6) The maintenance of records in respect of registration shall be done by the respective institution, local bodies, offices in prescribed register in Form 3 appended to these rules as per clause (1) of sub-rules (1) clause (i) of sub-rule (1);

(7) Special Registration Number shall be allotted on applications of respective unorganized worker which shall be quoted in their identity cards.

Removal difficulties & doubts.

27. (1) The power to interpretation of the provisions of any rules are vested in the State Government.

(2) If any practical difficulty or doubt arises in the implementation/ administration of schemes being carried out by the Board shall be referred to the State Government and the State Government shall take decision in the matter after consultation with U.P. State Social Security Board.

By order,
RAJENDRA KUMAR TIWARI,
Principal Secretary.

[1] Notification no. 08/2024 /24-12/XXXVI-03-2024-1790704 dated 23 December, 2024

Serial no. ..... Registration no. of worker.....dated.....

(To be filled by registering officer)

FORM-I

[(*See* rule 23(2)]

Uttar Pradesh State Social Security Board

Form of Applicatrion for Registration Unorganized Workers

1. Name: .....Male ☐ Female ☐

Recent photograph of worker (Passport Size)

2. Name of Father/Mother/Husband:.....
3. Nature of work/Employment of the applicant (worker): .....
4. Address for correspondance of applicant : .....
   Block .....Tehsil.....District.....Phone/Mob no. .....
5. Permanent address of the applicant (worker): name of village/ward .....
   Block .....Tehsil.....District.....State. .....
6. Marital Status (Married, Unmarried, Widow, Divorced) .....
7. Date of Birth ..... Age (in years) .....
8. Registration/Contribution amount Rs. ..... Deposited ☐ Not deposited ☐
9. If the applicant is member of any other previous worker's Welfare Board, then name of the Board and it registration number :.....
10. Name of dependent, age, relation and address etc. .....
    (A) Name of Wife/Husband : .....
    (B) Name of Father/Mother : .....
    (C) Name of Dependent miner Son/daughter: .....
    (D) Other : .....
11. Records enclosed: (1).....(2).....
    (3).....(4).....(5).....

I certify that above entries are true to my knowledge and belief.

Place :.....

Dated : .....

(Signature/Thumb impression of the Worker)

I am satisfied with the claim of unorganized worker on short enquiry/investigation from the applicant.

Approved/Disapproved for registration,

Signature of Competent Authority/Name:.....

Designation/Stamp :.....

Serial no. ..... Dated .....

Acknowledgement

Uttar Pradesh State Social Security Board

Received from Sri/Smt. .....S/o/wife of .....
the above Form with enclosers along with the fee/contribution of Rs. ..... in cash.

Place : .....

Signature of the recipient designation/Stamp

IndiaCode

Scanned with OKEN Scanner

FORM-2

[(See rule 23(2)]

Uttar Pradesh State Social Security Board

Identity Card

Photograph of Workers/beneficiary

Recent photograph of worker (Passport Size)

Name of Worker/Beneficiary :—

Registration Number

Dated ...../...../.....

Signature of Competent Authority with Stamp

.....

Name of the Competent Authority

.....

Details of Workers/Beneficiary

- Name of Father/Mother/Husband: .....
- Address for Correspondance : .....

.....

.....

.....

Details of Contribution

Date of deposite of contribution	Amount of contribution	Date of deposite of next contribution	Signature of Competent Authority

This identity card certifies that identity card holder is merely registered with the Board as on Unorganized Worker.

IndiaCode

Scanned with OKEN Scanner

Form–3

[See rule 26(6)]

Register for registration of Unorganized Workers

Sl. no.	Name of Worker/ Beneficiary Name of Father/Mother/Husband	Date of Birth/ Age	Permanent Address	Address for Correspondance	Gender Male/Female	Employmen/ Occupation	Registration. no./Date	Registration fee statement			Signature of registration officer with date	Remarks
								Name of Bank	Draft no./ Date	Fee (Rs.)		
1	2	3	4	5	6	7	8	9	10	11	12	13
1												
2												
3												
4												

IndiaCode

पी0एस0यू0पी0–एच0पी0 536 राजपत्र (हि0)–2016–(1229)–599 प्रतियां–(कम्प्यूटर / टी0 / आफसेट)।
पी0एस0यू0पी0–एच0पी0 67 सा0 श्रम–2016–(1230)–600 प्रतियां–(कम्प्यूटर / टी0 / आफसेट)।

Scanned with OKEN Scanner