

# LABOUR LAW MONTHLY UPDATE

**MARCH 2025**

# DISCLAIMER

- This Presentation is meant for informational purpose only and do not purport to be advice or opinion, legal or otherwise, whatsoever.
- This is not intended to advertise services or solicit work through this monthly update.

Let's  
take  
a  
tour

Amendments & Ordinance

Circulars and Notifications

Across the Globe

Did you know

Case Law

Compliance

Knowledge Corner



# AMENDMENTS AND ORDINANCE

# **TELANGANA BUILDING AND OTHER CONSTRUCTION WORKERS (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) RULES, 1999**

**Amendment dated: 24.02.2025**

# REVISION OF FEE ON THE REGISTRATION OF ESTABLISHMENT UNDER BOCW RULES,1999 IN TELANGANA

Amendment to the Telangana Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1999 :

In the said Rule 27 which deals with the fees to be paid for grant of certificate of registration in sub-rule (1) against the entries (a),(b) and (c ) for the words and figures “Rs.1000/-, Rs.5000/- and Rs.5000/- + Rs.5000/-“ the words and figures “Rs.2,000/-, Rs.10,000/- and Rs.10,000/- + Rs.10,000/-“ are substituted



# Circulars and Notifications

# **EMPLOYEES PROVIDENT FUND ORGANISATION**

**Notification dated:06.02.2025**



# UAN Activation and Seeding of Bank Account with Aadhaar

The Employees Provident Fund Organisation has extended the last date to link the Universal Account Number (UAN) for the Employment Linked Incentive (ELI) Scheme to February 15, 2025, from January 15, 2025. Along with the extension of this deadline to activate UAN, the Government has also extended the date for the Aadhaar Seeding of bank accounts.

# **EMPLOYEES STATE INSURANCE CORPORATION**

**Notification dated: 27.02.2025**

# Employees State Insurance Corporation

The rate of unemployment relief under The Atal Bheemit Vyakti Kalyana Yojana (a welfare measure for employees covered under Section 2(9) of the ESI Act, 1948) scheme has been enhanced to 50% of wages from earlier rate of 25% along with a relaxation in eligibility conditions.

## Contd..

The Insured Person should have been in insurable employment for a minimum period of one year immediately before her/his unemployment and should have contributed for not less than 78 days in the completed contribution period in 12 months immediately prior to unemployment.

# **EMPLOYEES STATE INSURANCE CORPORATION**

**Notification dated: 11.02.2025**

# Approval For Bearing 100% Expenditure of Cochlear Implant

It has been approved by the Employees State Insurance Corporation that 100 % coverage will be provided for upgradation and/or replacement of Cochlear implant upto a ceiling limit of Rs.5,35,000/-. The reimbursement will be done in a cashless manner by the Employee's State Insurance Corporation.

# **RIGHTS OF PERSON WITH DISABILITIES ACT, 2016**

**Notification dated: 03.02.2025**

# **RIGHTS OF PERSON WITH DISABILITIES ACT, 2016**

The Director General of Health Services, Government of NCT of Delhi has been designated as the Appellate Authority of Appeals concerning the decisions of the Certifying Authority for the issuance of disability certificate under the Rights of Person with Disabilities Act, 2016 in the NCT of Delhi.



**QUIZ!**

What is the quantum of wages to be paid to a worker if an application under Section 17B of ID Act is allowed?

- 50% of Current Wages
- 75% of Last Drawn Wages
- 100% of Last Drawn Wages
- 100% of Current Wages



ACROSS THE GLOBE

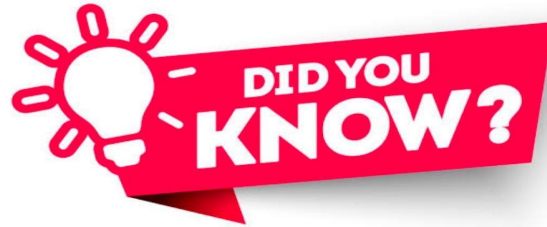
# Australia Introduces Employee Choice Pathway for Casual Employees

- The Employee Choice Pathway under the National Employment Standards allows eligible casual employees in Australia who are immediately prior to 26th August 2024 to make a request for conversion to permanent full-time or part-time employment after working for the same employer for at least 6 months or 12 months, if employed by a small business. This new right provides casual workers with the option to seek more job security, paid leave and the benefits typically associated with permanent positions.
- Any period of employment way prior to 26th August 2024 will not be counted in assessing a casual employee's eligibility for the Employee Choice Pathway.
- Casual employees will not be able to utilise the Employee Choice Pathway if they:
  - are currently engaged in a dispute with their employer about conversion to permanent employment; or
  - in the last 6 months, their employer refused a previous notice or resolved a dispute about the employee choice through a dispute resolution process; or
  - were employed before 26 August 2024 and in the last 6 months they:
    - refused an offer to convert to permanent employment; or
    - they received notice from their employer that no offer would be made for casual conversion; or
    - their employer previously refused a request for casual conversion.

# Singapore passes its first Anti-Discrimination Law

- Singapore passed the Workplace Fairness Bill (WFA) in order to protect workers from discrimination in the workplace.
- WFA applies to all its employers' prohibiting discrimination based on protected characteristics in hiring, employment and termination decisions.
- The Bill requires companies to establish procedures for handling discrimination complaints. It also prohibits retaliation against those who report discrimination.
- The Bil does not prohibit employment decisions based on operationally necessary criteria, such as language capability. However, it has exceptions designed to promote certain national objectives, such as hiring of disabled workers, singapore citizens, permanent residents and senior citizens.
- It further introduces financial penalties for employers in case of non-compliance. These penalties include company fines of upto \$50,000 and individual fines of \$10,000 for first offences, and fines upto \$250,000 for companies and \$50,000 for individuals in the case of repeated violators who have two or more offences within a year.





**THE GIG WORKERS ARE TO GET SOCIAL  
SECURITY BENEFIT**

**THE UNION BUDGET, 2025**



**THE STATE OF GOA & ANR. APPELLANT(s) VS  
NAMITA TRIPATHI RESPONDENT(s)  
SPECIAL LEAVE PETITION (CrI.) NO. 1959 OF 2022  
SUPREME COURT**



# **THE STATE OF GOA & ANR. APPELLANT(s) VS NAMITA TRIPATHI RESPONDENT(s) SPECIAL LEAVE PETITION (CrI.) NO. 1959 OF 2022**

- The Authorities inspected the respondent's laundry business and found that it was operating without factory approval and a valid license. A complaint was filed, alleging violations of the Factories Act, 1948, specifically regarding licensing and worker safety regulations. On 04.12.2019, the Judicial Magistrate, First Class (JMFC), Panaji, issued a summons to the respondent, stating that a prima facie case existed. The magistrate found that the business met the definition of a factory under the Act. Aggrieved by this order, the respondent approached the High Court of Bombay at Goa.
- The respondent challenged the summons and the complaint, arguing that dry cleaning and washing do not constitute a manufacturing process under the Factories Act. The High Court of Bombay at Goa ruled in favor of the respondent, stating that only activities that create a new marketable product qualify as manufacturing.

# **THE STATE OF GOA & ANR. APPELLANT(s) VS NAMITA TRIPATHI RESPONDENT(s) SPECIAL LEAVE PETITION (Crl.) NO. 1959 OF 2022**

- It held that the order issuing summons lacked reasoning and did not reflect proper application of mind. On 06.09.2021, the High Court quashed the complaint and summons, effectively dismissing the case against the respondent.
- The Appellant filed appealed against the High Court's decision in order dated 06.09.2021, arguing that the Factories Act explicitly includes “washing” and “cleaning” in the definition of a manufacturing process. The Supreme Court ruled that the High Court misinterpreted the law by applying an incorrect standard from the Central Excise Act, which was irrelevant in this case. The Court emphasized that the Factories Act is a welfare statute aimed at protecting workers and must be interpreted broadly. It found that the laundry business met the criteria of a factory, making compliance with the Act mandatory.

**THE STATE OF GOA & ANR. APPELLANT(s) VS  
NAMITA TRIPATHI RESPONDENT(s)  
SPECIAL LEAVE PETITION (CrI.) NO. 1959 OF 2022**

- On 03.03.2025, the Hon'ble Supreme Court set aside the High Court's order and restored the complaint, allowing the trial to proceed before the JMFC, Panaji. It ruled that the respondent's business qualifies as a factory under the Factories Act 1948 and must comply with its provisions. Further the case was remanded back to the Trial Court (JMFC, Panaji) for further proceedings in accordance with the law.

**SPECIAL LEAVE PETITION (CrI.) NO. 1959 OF 2022  
DATED:03.03.2025**



**D.STEPHENUNNIMON VS. THE MANAGEMENT WELLINGTON  
GYMKHANA CLUB  
WRIT PETITION NO.2193 OF 2020  
DATED : 25.02.2025**

# **D.STEPHENUNNNIMON VS. THE MANAGEMENT WELLINGTON GYMKHANA CLUB**

- The Petitioner (D. Stephen Unnimon), an ex-serviceman, was employed as a security guard by Respondent (Wellington Gymkhana Club) on 07.05.2013. His employment was terminated on 15.12.2014 due to the outsourcing of security services to a private agency. He contested the termination before the Labour Court, Coimbatore, arguing that it was illegal and violated the Industrial Disputes Act. The management contended that his employment was temporary and had been lawfully terminated with notice and compensation. The Labour Court ruled that the termination was valid as per his appointment terms but awarded Rs 25,000 as compensation, considering his service duration and the litigation delay.

# **D.STEPHENUNNIMON VS. THE MANAGEMENT WELLINGTON GYMKHANA CLUB**

- The Petitioner challenged the Labour Court's decision before the Madras High Court, seeking reinstatement and full back wages. The High Court found that the termination violated Section 9A (change in service conditions without prior notice) and Section 25F(b) (failure to pay retrenchment compensation) of the Industrial Disputes Act. It observed that no inquiry was conducted before termination and that the petitioner had served continuously for 19 months. The court referred to Supreme Court precedents, emphasizing that failure to provide due compensation renders termination unlawful. However, considering the petitioner's age and the impracticality of reinstatement, the court opted for financial compensation instead.

# **D.STEPHENUNNIMON VS. THE MANAGEMENT WELLINGTON GYMKHANA CLUB**

- The Hon'ble High Court set aside the Labour Court's ruling and directed Wellington Gymkhana Club to pay Petitioner full wages from the termination date (15.12.2014) until his retirement age. It acknowledged that the termination was unlawful but substituted reinstatement with financial compensation. The writ petition was allowed.

**D.STEPHENUNNIMON VS. THE MANAGEMENT WELLINGTON  
GYMKHANA CLUB**

**WRIT PETITION NO.2193 OF 2020**

**DATED : 25.02.2025**





# LAW ON OVERTIME



- ❖ **The Factories Act, 1948**
- ❖ **The Minimum Wages Act, 1948**
- ❖ **The Contract Labour (Regulation & Abolition) Act, 1970**
- ❖ **The Working Journalists (Conditions Of Service) And Miscellaneous Provisions Rules, 1957**
- ❖ **The Mines Act, 1952**
- ❖ **The Building And Other Construction Workers (regulation Of Employment And Conditions Of Service) Act, 1996**
- ❖ **The Plantations Labour Act, 1951**
- ❖ **Shops and Establishment Act of the respective states.**

# FACTORIES ACT, 1948

## Contd.....

- *Provided that in the case of a worker who has not worked in the immediately preceding calendar month on the same or identical job, the time rate shall be deemed to be equivalent to the daily average of the earning of the worker for the days on which he actually worked in the week in which the overtime work was done.*
- *Explanation.-For the purposes of this sub-section in computing the earnings for the days on which the worker actually worked such allowances, including the cash equivalent of the advantage accruing through the concessional sale to workers of foodgrains and other articles, as the worker is for the time being entitled to, shall be included but any bonus or wages for overtime work payable in relation to the period with reference to which the earnings are being computed shall be excluded.*

## Contd.....

*4. The cash equivalent of the advantage accruing through the concessional sale to a worker of foodgrains and other articles shall be computed as often as may be prescribed on the basis of the maximum quantity of foodgrains and other articles admissible to a standard family.*

*Explanation 1.— “Standard family” means a family consisting of the worker, his or her spouse and two children below the age of fourteen years requiring in all three adult consumption units.*

*Explanation 2.— “Adult consumption unit” means the consumption unit of a male above the age of fourteen years; and the consumption unit of a female above the age of fourteen years and that of a child below the age of fourteen years shall be calculated at the rates of 0.8 and 0.6 respectively of one adult consumption unit.*

## Contd.....

*5. The State Government may make rules prescribing—*

- a) the manner in which the cash equivalent of the advantage accruing through the concessional sale to a worker of foodgrains and other articles shall be computed; and*
- b) the registers that shall be maintained in a factory for the purpose of securing compliance with the provisions of this section.*

# Section 59 - EXTRA WAGES FOR OVERTIME

1. *Where a worker works in a factory for more than nine hours in any day or for more than forty-eight hours in any week, he shall, in respect of overtime work, be entitled to wages at the rate of twice his ordinary rate of wages.*
2. *For the purposes of sub-section (1), “ordinary rate of wages” means the basic wages plus such allowances, including the cash equivalent of the advantage accruing through the concessional sale to workers of foodgrains and other articles, as the worker is for the time being entitled to, but does not include a bonus and wages for overtime work.*
3. *Where any workers in a factory are paid on a piece rate basis, the time rate shall be deemed to be equivalent to the daily average of their full-time earnings for the days on which they actually worked on the same or identical job during the month immediately preceding the calendar month during which the overtime work was done, and such time rates shall be deemed to be ordinary rates of wages of those workers:*

# SECTION 55 - INTERVALS FOR REST

1. *The periods of work of adult workers in a factory each day shall be so fixed that no period shall exceed five hours and that no worker shall work for more than five hours before he has had an interval for rest of at least half an hour.*
2. *The State Government or, subject to the control of the State Government, the Chief Inspector, may, by written order and for the reasons specified therein, exempt any factory from the provisions of sub-section (1) so however that the total number of hours worked by a worker without an interval does not exceed six.*

# SECTION 56 –SPREAD OVER

- *The periods of work of an adult worker in a factory shall be so arranged that inclusive of his intervals for rest under section 55, they shall not spread over more than ten and a half hours in any day:*
- *Provided that the Chief Inspector may, for reasons to be specified in writing increase the spread over up to twelve hours.*



# TN FACTORIES RULES, 1950

## 78B - Overtime slips

*Period of overtime work shall be entered in the overtime slip in duplicate and a copy of the slip signed by the Manager or by a person authorised by him shall be given to the worker immediately after the completion of the overtime work:*

*Provided that the Chief Inspector may by order in writing exempt any factory or class of factories from the provisions of this rule, subject to such conditions as he may impose, if he is satisfied that any alternative system followed therein, is adequate to meet the requirements of this rule.*

# **THE MINIMUM WAGES ACT, 1948**

## SECTION 14 - OVERTIME

- 1) *Where an employee whose minimum rate of wages is fixed under this Act by the hour by the day or by such a longer wage-period as may be prescribed works on any day in excess of the number of hours constituting a normal working day the employer shall pay him for every hour or for part of an hour so worked in excess at the overtime rate fixed under this Act or under any law of the appropriate government for the time being in force whichever is higher.*
- 2) *Nothing in this Act shall prejudice the operation of the provisions of section 59 of the Factories Act 1948 (63 of 1948) in any case where those provisions are applicable.*

# **THE CONTRACT LABOUR (REGULATION AND ABOLITION) CENTRAL RULES, 1971**

# RULE 78 - MUSTER ROLL, WAGES REGISTERS, DEDUCTION REGISTER AND OVERTIME REGISTER

- (1) (a) Every contractor shall in respect of each work on which he engages contract labour,-*
- (iii) maintain a Register of Overtime in Form XXIII recording therein the number of hours of, and wages paid for, overtime works, if any.*

**THE WORKING JOURNALISTS  
(CONDITIONS OF SERVICE) AND  
MISCELLANEOUS PROVISIONS RULES,  
1957**

## **RULE 10 - COMPENSATION FOR OVERTIME WORK**

*When a working journalist work for more than six hours on any day in the case of a day shift and more than five and a half-hours in the case of a night shift, he shall, in respect of that overtime work, be compensated in the form of hours of rest equal in number to the hours for which he has worked overtime.*

# THE MINES ACT, 1952



# SECTION 33 - EXTRA WAGES FOR OVERTIME

1. *Where in a mine a person works above ground for more than nine hours in any day, or works below ground for more than eight hours in any day or works for more than forty-eight hours in any week whether above ground or below ground, he shall in respect of such overtime work be entitled to wages at the rate of twice his ordinary rate of wages, the period of overtime work being calculated on a daily basis or weekly basis, whichever is more favourable to him.*
2. *Where any person employed in a mine is paid on piece rate basis, the time-rate shall be taken as equivalent to the daily average of his full-time earnings for the days on which he actually worked during the week immediately preceding the week in which overtime work has been done exclusive of any overtime, and such time-rate shall be deemed to be the ordinary rate of wages of such person:*

## Contd.....

*Provided that if such person has not worked in the preceding week on the same or identical job, the time-rate shall be based on the average for the days he has worked in the same week excluding the over-time or on the daily average of his earnings in any preceding week, whichever is higher.*

*Explanation.—For the purposes of this section, “ordinary rate of wages” shall have the same meaning as in the Explanation to sub-section (3) of section 9A.*

*4. The Central Government may prescribe the registers to be maintained in a mine for the purpose of securing compliance with the provisions of this section.*

# **THE BUILDING AND OTHER CONSTRUCTION WORKERS (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) ACT, 1996**

# SECTION 29 - WAGES FOR OVERTIME WORK

1. *Where any building worker is required to work on any day in excess of the number of hours constituting a normal working day, he shall be entitled to wages at the rate of twice his ordinary rate of wages.*
2. *For the purposes of this section, "ordinary rates of wages" means the basic wages plus such allowances as the worker is for the time being entitled to but does not include any bonus.*

# **THE PLANTATIONS LABOUR ACT, 1951**

# SECTION 19- WEEKLY HOURS

1. *Save as otherwise expressly provided in this Act, no adult worker shall be required or allowed to work on any plantation in excess of forty-eight hours a week and no adolescent for more than twenty-seven hours a week.*
2. *Where an adult worker works in any plantation on any day in excess of the number of hours constituting a normal working day or for more than forty-eight hours in any week, he shall, in respect of such overtime work, be entitled to twice the rates of ordinary wages:*

*Provided that no such worker shall be allowed to work for more than nine hours on any day and more than fifty-four hours in any week.*

3. *For any work done on any closed holiday in the plantation or on any day of rest, a worker shall be entitled to twice the rates of ordinary wages as in the case of overtime work.*

**A factory functions for 9 hours in a day, 5 days a week (45 hours). A workman is required to work 1 hour of overtime on Tuesday and Wednesday each week. Is he entitled to claim overtime wage??**

**Yes**

**No**

**Maybe**

# **New Victoria Mills Ltd. vs Labour Court I And Ors.**

## **Dated 12th December, 1989 (Allahabad High Court)**

The facts of the case are as follows;

- The normal working hours of the clerks was 7 hours a day (42 hours a week). However, the Corporation increased the working hours from 7 to 7.5 hours per day to be followed by the clerks from November 1976 to June 1977, after which the working hours were once again reduced to 7 hours per day. Due notice as stipulated under the UP Industrial Disputes Act regards change in conditions of service was also complied by the Corporation at the time of change in working hours.
- The workers claimed additional wages for the extra half an hour worked by them on a daily basis for about 7 months by filing a Section 33C (2) Application before the Labour Court. Opposing the claims of the workers, the Corporation urged that the workers were not entitled to claim extra wages as they did not work beyond the stipulated 8 hours a day or 48 hours per week in consonance with the provisions of the Factories Act, 1948.



## Contd.....

- The Labour Court, though accepted the contention of the Corporation that the workers are not entitled to claim overtime wages for the additional half an hour they worked, held that the workers are entitled to proportionate wages for each half an hour they worked every day.
- Challenging the order of the Labour Court, the Corporation went on appeal before the Allahabad High Court.
- Before the High Court, the Corporation contended that it was not unlawful to extract additional work from the employees as it was within the timeframe stipulated under the Act and that they are not entitled to any extra wages.
- The High Court, however, confirming the observations of the Labour Court, dismissed the appeal by the Corporation on the ground that the Management is not entitled to extract additional work from the workers, without paying **proportionate wages**.

# National Textile Corpn. (D.P. And R.) ... vs Judge, Labour Court And Ors. on 1 November, 1995 (Rajasthan High Court)

- Challenging the order of the Labour Court granting overtime wages to the office boys on their application under Section 33C(2) of the ID Act, the Corporation filed the present appeal.
- The issue arose on account of the workers being asked to work for extra half an hour beyond the normal 7 hours in a working day. Before the Labour Court, the Corporation argued that the workers were bound to work for 8 hours a day as provided under the statute, and hence, no additional wages is required to be paid to them.
- Negating the contention of the Corporation, the Labour Court held that the statute provides for the maximum number of hours a workman is bound to work and hence, observed that the boys were entitled to extra wages for over time working in excess to the prescribed normal working hours.

## Contd.....

- Before the Rajasthan High Court, the Corporation argued that the workers are bound to work for 8 hours per day and hence, no overtime pay was due to be paid for any work done upto 8 hours. It was also argued by the Corporation that their entitlement to overtime being disputed, cannot be maintainable under an application under Section 33C(2) of the ID Act.
- The Court observed that though it is the outer limit prescribed in the statute, when the employer has prescribed certain working hours and takes extra work from the employees beyond the prescribed working hours but less than what is provided under the statute, is bound to pay them extra wages. Further, on the argument regarding the application under Section 33 C(2), the Court held that as the employer had not disputed the rates of overtime wages, the said argument does not hold good.
- The High Court, while dismissing the petitions, observed as follows;

"Where an employer has prescribed normal working hours less than the maximum permissible by the statute and it seeks to take work in excess of the prescribed working hours, he shall be required to pay extra wages for the over time."

**Claim for overtime wages raised by an employee after 10 years. Whether the employer is liable to pay ??**

## **Divisional Railway Manager, Northern Railway and Others Vs. R S Verma and Another., dated 28 February, 1992 (Allahabad High Court)**

- The Management challenged the order of the Labour Court allowing a belated claim of employees for overtime wages for the extra hours worked.
- The employee raised a claim for overtime wages for the period from 1961 to 1978 in the year 1985 before the Labour Court, seven years after his superannuation.
- The main contention of the Management was the claim was belated, that the records having been destroyed., the Management would not be able to effectively contest the case, and it was also urged that in the absence of an independent adjudication, the application made under Section 33C(2) of the ID Act was not sustainable.
- The workman on the contrary, adduced evidence substantiating that he has worked overtime during the claimed period. The Management, unable to defend the charges with materials and records, harped on the point of belated claim by the worker.

## Contd.....

- The Labour Court, appreciating the evidence adduced by the worker, and reprimanding the Management for not having verified the records that ought to have been maintained in the accounts Department permanently, decided the case in favour of the worker.
- Before the High Court, the Management reiterated the plea of belated claim.
- The Allahabad High Court, negating the contention of the Management by relying on precedents, confirmed the order of the Labour Court stating that there is no limitation in raising a claim through an application under Section 33C (2) of the Industrial Disputes Act.

**A workman punches his attendance at the Factory gate. Thereafter, he has his breakfast and then attends work. The total hours of work done by him is less than 8 hours. But, his attendance shows that he has worked for 8.5 hours. Is he entitled to overtime wages?**

## **Food Corporation of India Vs Union of India and others**

### **Dated 29, July 2009**

### **(Calcutta High Court)**

- The instant appeal was filed by the Food corporation of India challenging the order of the Single judge that the no person is required to work more than 8 hours a day and forty eight hours in a week and the employer may utilize the work of the employee more than forty eight hours a week but not more than ten hours of work per day and must not exceed one hundred twenty hours one year beyond fifty four hours in a week by making payment of extra wages which is twice the normal wages.



**What are the components to be reckoned for the calculating overtime wages??**



LexPOSH



LexPOSH

**HCL Technologies Ltd.  
vs.  
N. Parsarathy**

**W.P. No.5643 of 2020**

# **HCL Technologies Ltd. v. N. Parsarathy W.P. No.5643 of 2020 and W.M.P.No.6594 of 2020 & 25713 of 2021 – Madras High Court**

- A complained that the supervisor was hovering close to her when she was seated;
- B complained that the supervisor asked for her physical measurements, leaned close to her, touched her shoulder and asked her to remove her garments to take measurements;
- C complained that the supervisor was questioning her about her menstrual cycles.
- High Court held that – One should apply "standard of reasonable woman" and not that of a "reasonable man".

# HCL Technologies Ltd. v. N. Parsarathy W.P. No.5643 of 2020 and W.M.P.No.6594 of 2020 & 25713 of 2021 – Madras High Court

## FINDINGS OF THE HIGH COURT

- The definition of “sexual harassment” as it is seen from the POSH Act has given significance to the act than the intention behind the same.
- As the inquiry is a quasi-judicial one, it is sufficient to come at a logical conclusion basing upon the materials which are relevant to the issue. In the given circumstances of the case, if the statements of witnesses, if appreciated holistically that would only make out the charges as alleged against the respondent. Not yielding to hyper-technicalities even when the respondent pulled the inquiring authority, can also be considered as a feature of fairness during inquiry. The Labour Court ought not to have given much significance to the non-furnishing of CCTV footage to the respondent.

# **HCL Technologies Ltd. v. N. Parsarathy W.P. No.5643 of 2020 and W.M.P.No.6594 of 2020 & 25713 of 2021 Madras High Court**

- The nature of the complaint, the constitution of the ICC, the course of inquiry and the findings of the ICC are seen to be interlinked with each other and the committee did not wander over and beyond the scope of inquiry with any malicious intention against the respondent.
- The powers to review with regard to the inquiring reports of the ICC is limited to ensure whether the inquiry has been conducted in a fair and proper manner or whether there was any deviance from the basic principles.

**QUIZ!**

What is the quantum of wages to be paid to a worker if an application under Section 17B of ID Act is allowed?

- 50% of Current Wages
- 75% of Last Drawn Wages
- 100% of Last Drawn Wages
- 100% of Current Wages





REPORTING PERIOD – March 2025			
Act	State	Due Date	Activity
Employees Provident Fund & Miscellaneous Provisions Act	Pan India	15-Mar	PF Remittance
Employees Provident Fund & Miscellaneous Provisions Act	Pan India	15-Mar	IW Returns
Employees Provident Fund & Miscellaneous Provisions Act	Pan India	25-Mar	Monthly Returns-For Exempted Employer Under EDLI Scheme (FORM 7(IF)
Employees State Insurance Act	Pan India	15-Mar	ESIC Remittance
Professional Tax Act	Andhra Pradesh	10-Mar	Professional Tax Remittance cum Return
	Telangana	10-Mar	Professional Tax Remittance cum Return
	Tamil Nadu	31-Mar	Professional Tax Remittance
	Madhya Pradesh	10-Mar	Professional Tax Remittance
	Gujarat	15-Mar	Professional Tax Remittance
	Karnataka	20-Mar	Professional Tax Remittance cum Return
	West Bengal	21-Mar	Professional Tax Remittance
	Maharashtra	31-Mar	Professional Tax Remittance cum Return
	Odisha	31-Mar	Professional Tax Remittance cum Return
	Assam	31-Mar	Professional Tax Remittance cum Return
	Nagaland	31-Mar	Professional Tax Remittance
	Meghalaya	31-Mar	Professional Tax Remittance
	Mizoram	31-Mar	Professional Tax Remittance
	Sikkim	31-Mar	Professional Tax Remittance
	Manipur	31-Mar	Professional Tax Remittance
	Tripura	31-Mar	Professional Tax Remittance
Kerala Shops & Commercialized Establishments Workers Welfare Fund Act	Kerala	05-Mar	WWF Remittance
Kerala Shops & Commercialized Establishments Workers Welfare Fund Act	Kerala	15-Mar	WWF Return

**Let's connect again  
At  
5PM on 07th April, 2025**



*Thank  
you*



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Contact: 87540 48634**

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