



LATEST STATUTORY, LABOUR LAW UPDATES & MORE...

Edition: November 2022

WHAT'S THERE IN THIS EDITION?

- **Important Judgments**
- **Statutory Updates & Notifications**
- **Statutory Due Dates**
- **Connect With Us**



IMPORTANT JUDGEMENTS



SUPREME COURT OF INDIA

- Dismissal can't be challenged before the labour authority after granting approval.

MADRAS HIGH COURT

- The legality or illegality of the strike can be decided by adjudication.
- The rate of damages for delayed deposit of EPF dues must be effective at reduced rates.

DELHI HIGH COURT

- Condition for pre-deposit of appeal can be reduced to 20% of the determined amount due to financial hardship.
- Freelancers do not have master-servant relationships
- An employee is not a workman if payments to employees were made as those to contractors
- No damages and interest can be levied for non-remittance of EPF dues.

IMPORTANT JUDGEMENTS (CONTD.)



KERALA HIGH COURT

- The duty of authority for approving termination is only to verify whether the inquiry was fair or not.
- Section 33(2)(b) of the ID Act protects the workman from victimization during the pendency of the dispute.
- Any order of the EPF Authority for imposing penalties without analyzing facts is not sustainable
- While clubbing two establishments, in the same building, the Enforcement Officer should have taken a photograph.
- EPF contributions are payable by the principal employer, employees or contractors without a Code number.

BOMBAY HIGH COURT

- An appeal is to be filed within 60 days from the date or knowledge of the order.
- Tribunal can condone a delay of 60 days for filing an appeal subject to sufficient cause.

IMPORTANT JUDGEMENTS (CONTD.)



ORISSA HIGH COURT

- Reinstatement with back wages is not automatic even if termination is illegal
- Workmen of contractors for cold drink bottles can't get wages for regular employees of the principal employer.
- Law does not prescribe any time limit for seeking a reference of the industrial dispute.

JHARKHAND HIGH COURT

- An employee discharging the duty of supervisory nature will not be a workman.

TELANGANA HIGH COURT

- While conducting the inquiry, the authority must comply with the circulars, instructions, and guidelines.
- EPF authority must look at the plea of the petitioner establishment for its exemption from the Act.
- While holding the inquiry the Authority shall follow the guidelines/instructions of EPFO.

STATUTORY NOTIFICATIONS/UPDATES



NOTIFICATION – MINIMUM WAGES REVISION - ANDHRA PRADESH

The Government of Andhra Pradesh, revised the Minimum wages effective from 1st October 2022.

[View Notification](#)

NOTIFICATION – AMENDMENT IN FACTORIES ACT - ANDHRA PRADESH

The government of Andhra Pradesh has allowed the employment of women in factories in night shifts i.e. after 7 p.m. and before 6 a.m. subject to conditions that the management of such factories provides adequate safeguards in their factories to ensure occupational safety and Health of women employees, provides amenities like restrooms, lunch rooms, crèche rooms and toilets for women employees, provides adequate protection to ensure prevention of sexual harassment, and provides transportation facility from the factory to the doorstep of their residence. [View Notification](#)

STATUTORY NOTIFICATIONS/UPDATES



NOTIFICATION – MINIMUM WAGES REVISION - KERELA

The Government of Kerala, revised the Minimum wages effective from 20th October 2022.

[View Notification](#)

NOTIFICATION – RETAIL ENTERPRISES OPEN 7 DAYS - ANDHRA PRADESH

The Government of Andhra Pradesh, allowed all retail enterprises to keep open every day of the year for a period of five years from the date of issue of the notification subject to the specified conditions.

[View Notification](#)

STATUTORY NOTIFICATIONS/UPDATES



NOTIFICATION – CLRA REGISTRATION AUTOMATION - RAJASTHAN

The Government of Rajasthan has introduced a system of automatic sanction and generation of registration and license under the Contract Labor (Regulation and Abolition) Act, 1970 (CLRA).

[View Notification](#)

NOTIFICATION – HOLIDAY LIST DECLARED 2023 - GOA [View Notification](#)

NOTIFICATION – HOLIDAY LIST DECLARED 2023 - WEST BENGAL [View Notification](#)

NOTIFICATION – HOLIDAY LIST DECLARED 2023 - ODISHA [View Notification](#)

STATUTORY NOTIFICATIONS/UPDATES



NOTIFICATION – HOLIDAY LIST DECLARED 2023 - TAMIL NADU [View Notification](#)

NOTIFICATION – HOLIDAY LIST DECLARED 2023 - HIMACHAL PRADESH
[View Notification](#)

NOTIFICATION – HOLIDAY LIST DECLARED 2023 - PUDUCHERRY [View Notification](#)

STATUTORY DUE DATES: NOV - 2022



Name of Act	State	Remittance / Return	Frequency	Due Date
The Employees` Provident Funds & MP Act	All	Remittance	Monthly	15-Nov-22
The Employees` Provident Fund Act - International Worker Return	All	Return	Monthly	15-Nov-22
The Employees` State Insurance Act	All	Remittance	Monthly	15-Nov-22

STATUTORY DUE DATES: NOV - 2022



Name of Act	State	Remittance / Return	Frequency	Due Date
Workers Welfare Fund Act	Kerala	Remittance (Employer & Employee)	Monthly	05-Nov-22
The Profession Tax Act	Andhra Pradesh	Remittance - Employee	Monthly	10-Nov-22
The Profession Tax Act	Andhra Pradesh	Return - Employee	Monthly	10-Nov-22
The Profession Tax Act	Bihar	Remittance - Employee	Annual	15-Nov-22
The Profession Tax Act	Bihar	Remittance - Employer	Annual	15-Nov-22
The Profession Tax Act	Madhya Pradesh	Remittance - Employee	Monthly	10-Nov-22
The Profession Tax Act	Madhya Pradesh	Return – Employee	Quarterly	15-Oct-22
The Profession Tax Act	Telangana	Remittance - Employee	Monthly	10-Nov-22
The Profession Tax Act	Telangana	Return - Employee	Monthly	10-Nov-22
The Profession Tax Act	Gujarat	Remittance - Employee	Monthly	15-Nov-22
The Profession Tax Act	Jharkhand	Remittance - Employee	Quarterly	15-Oct-22
The Profession Tax Act	Jharkhand	Return - Employee	Quarterly	15-Oct-22
The Profession Tax Act	Jharkhand	Remittance - Employer	Quarterly	15-Oct-22

STATUTORY DUE DATES: NOV - 2022



Name of Act	State	Remittance / Return	Frequency	Due Date
The Profession Tax Act	Karnataka	Remittance - Employee	Monthly	20-Nov-22
The Profession Tax Act	Karnataka	Return - Employee	Monthly	20-Nov-22
The Profession Tax Act	West Bengal	Remittance - Employee	Monthly	21-Nov-22
The Profession Tax Act	Assam	Remittance - Employee	Monthly	30-Nov-22
The Profession Tax Act	Assam	Return - Employee	Monthly	30-Nov-22
The Profession Tax Act	Maharashtra	Remittance - Employee	Monthly	30-Nov-22
The Profession Tax Act	Maharashtra	Return - Employee	Monthly	30-Nov-22
The Profession Tax Act	Manipur	Remittance - Employee	Monthly	30-Nov-22
The Profession Tax Act	Meghalaya	Remittance - Employee	Monthly	30-Nov-22
The Profession Tax Act	Mizoram	Remittance - Employee	Monthly	30-Nov-22
The Profession Tax Act	Nagaland	Remittance - Employee	Monthly	30-Nov-22
The Profession Tax Act	Odisha	Remittance - Employee	Monthly	30-Nov-22
The Profession Tax Act	Odisha	Return - Employee	Monthly	30-Nov-22
The Profession Tax Act	Punjab	Remittance - Employee	Monthly	30-Nov-22
The Profession Tax Act	Sikkim	Remittance - Employee	Monthly	30-Nov-22
The Profession Tax Act	Sikkim	Return - Employee	Monthly	30-Nov-22
The Profession Tax Act	Tripura	Remittance - Employee	Monthly	30-Nov-22

CONNECT WITH US



+91-22-2926 1501



+91- 826-205-1991



sushil.sharma@coreintegra.com

FOLLOW US ON

