

# **Bihar Unorganized Workers Social Security Rules, 2015**

BIHAR

India

## **Bihar Unorganized Workers Social Security Rules, 2015**

### **Rule**

### **BIHAR-UNORGANIZED-WORKERS-SOCIAL-SECURITY-RULES-2015 of 2015**

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SKS-31/2014-L&R -1884. - In exercise of the powers conferred by the Subsection (1) of Section 14, of the Unorganized workers Social Security Act, 2008 (33 of 2008) the State Government hereby makes the following rules:

### **1. Short title scope and commencement.**

(1)The Rules may be called The Bihar Unorganized Workers Social Security Rules, 2015.(2)It shall extend to the whole of the State of Bihar:(3)It shall come into force from the date of publication in the official gazette.

### **2. Definitions.**

(1)In these rules, unless otherwise requires in the context -(a)"Act" means Unorganized Workers Social Security Act, 2008 (Sec. 33 of 2008);(b)" Board" means the Bihar Unorganized workers social security board under section 6 of the act;(c)"Chairperson" means the chairperson of the Board;(d)" Member" means a member of the Board;(e)" Section" means a section of the Unorganized Workers Social Security Act;(f)"Government" means the "Labour Resource Department", Govt. of Bihar, Patna(g)" Unorganised Sector" means an enterprise owned by individuals or self employed workers and engaged in the production or sale of goods or providing service of any kind what so ever, and where the enterprise employs workers, the number of such workers is less than ten;(2)Words and expressions used and not defined in these rules but defined in the Act shall have the same meanings respectively assigned to them in the Act.Chapter-2 Constitution of Bihar Unorganized Workers

Social Security Board.

### **3.**

In exercise of the powers conferred in the Sub-section (1) of Section 6 of the Act, State Government of Bihar will Constitute Bihar Unorganized Workers Social Security Board for the welfare work of unorganized sector workers.

### **4.**

The board will be constituted by the following members. -(a)Minister, Labour Resources Department Chairperson (ex Officio)(b)Principal Secretary / Secretary, Labour Resources Department Member Secretary (ex- Officio)(c)Twenty eight members to be nominated by the State Government, will be of following category.(i)Seven members representing the unorganized workers,(ii)Seven members representing the employers of unorganized workers,(iii)Two members representing the Legislative Assembly(iv)Five members representing eminent persons from civil society. It shall mean such persons who are working for the welfare and betterment of unorganized sector workers and those who have experience of working in the field of labour welfare or labour administration.(v)Seven members representing concerned Departments.

## **5. Terms of members.**

(1)A member, other than ex-officio member, shall hold office for a period for three years from the date of his nomination.(2)A member nominated under sub-clause (iii) of clause (c) of sub-section (2) of section 6 shall cease to be a member of the Board if he ceases to be a member of the legislative assembly by which he was so elected.(3)A member nominated under sub clause (i), (ii), (iv) of clause (c) of sub-section (2) of section 6 shall cease to be member of the Board if he cease to represent the category of interest from which he was so nominated:Provided that out of seven persons nominated under rule 4(c) (ii) one member each from the schedule caste, the schedule tribe, the minorities and women shall be represented.(4)A member shall be eligible for re- nomination.(5)The tenure of the Board shall be of three years.

## **6. Resignation.**

(1)A member of the Board not being an ex- officio member, may resign his office by a letter in writing addressed to the chairperson(2)The seat of such a member shall fall vacant from the date on which his resignation is accepted or on the expiry of thirty days from the date of receipt of intimation of resignation, whichever is earlier.(3)The power to accept the resignation of a member shall vest in the chairperson who, on accepting the resignation, shall report to the Board at its next meeting.

## **7. Change of Address.**

- If a member changes his/her address, he/she shall notify his/her new address to the Member-Secretary of the Board who shall thereupon enter his/her new address in the official records: Provided that if the member fails to notify his/her new address, the address in the official record shall for all purposes be deemed to be the member's correct address.

## **8. Procedure of filling vacancies.**

- when a vacancy occurs or is likely to occur in the membership of the Board, the chairperson shall submit a report to the State Government and on receipt of such report the State Government may, by notification, nominate a person to fill the vacancy and the person so nominated shall hold office for the remainder of the term of office of the member in whose place he is nominated.

## **9. Allowances of members.**

(1) The travelling allowance of an official member of the Board shall be governed by the rules applicable to him for journey performed by him on official duties and shall be granted by the competent drawing authority paying his salary. (2) The non-official member of the Board shall be granted travelling allowance for attending the meeting of the Board at such rates as are admissible to the 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 respective places.

## **10. Disposal of business.**

- Every matter which the Board is required to take into consideration shall be considered at the direction of chairperson in any meeting of board by sending the necessary papers to and decision shall be taken on that basis: Provided that where there is no opinion of majority on a matter, and the members of the Board are equally divided, The chairpersons vote shall have a second or a deciding vote.

## **11. Meeting.**

(1) The Board shall meet at such place and at such time as may be ensured by the chairperson and it shall meet at least once in four month. (2) The chairperson shall preside over every meeting of the Board in which he is present and in his absence to preside over such a meeting he may direct the name to any member of the board. In the absence of such direction of name by the chairperson, the member of the board present in such meeting may elect from amongst themselves a member to preside over the meeting. (3) Ordinarily, two weeks prior notice and agenda will be given to the members of the Board before proposed meeting. (4) No business except the business which is included in the list of business for a meeting of the Board shall be considered at the meeting without the permission of the chairperson. (5) The Chairperson may at any time call a special meeting of the Board in case of urgency, after informing the members in advance about the subject matter of

discussion and the reasons of urgency.

## 12. Quorum.

(1) No business shall be transacted at any meeting of the board unless at least six member, which shall include at least one member of Legislative Assembly, is present: Provided that if at a meeting, less than six members are present, the chairperson may adjourn the meeting to another date by giving notice to the present members and other members that he proposes to dispose of the business at the adjourned meeting without considering the quorum and irrespective of the number of members attending. (2) The State Government may debar any member, other than ex-officio members, from taking part in the meeting of the board, if- (a) he absents himself from three consecutive meeting of the board without written information to and consent of the chairperson, or (b) in the view of the State government, such member has ceased to represent the interest which he purports to represent on the Board.

## 13.

Such Unorganized Worker, who has completed the age of 14 years and who has given self-declaration regarding worker of Unorganized Sector, will be entitled for registration.

## 14. Authority.

- A person authorized by District Administration shall be the competent authority for registration certificate and registration certificate of the unorganized workers may be issued by him.

## 15. Application.

- Each Unorganized worker will submit the application in prescribed format i.e. Form- I in the office of District Magistrate or any other authorized office.

## 16.

After registration, a Smart card to be kept easily shall be issued by District Magistrate or any person authorized by the District Magistrate having identification of unorganized worker. The smart card shall bear unique Identification Number for every worker. Form- I (Application form for Registration under Rule 16 of Bihar Unorganised worker Social Security Rule 2015)

- (1) (a) Name of the Unorganised Worker :- -----  
 (b) Age of the Worker :- -----  
 (2) Father's / Husband's Name :- -----  
 (3) Occupations :- -----  
 (4) Present Address :- -----

(5) Permanent Address

:- -----

(6) Dependents

:- -----

(a) Father \_\_\_\_\_

(b) Mother \_\_\_\_\_

(c) Dependent children's \_\_\_\_\_

(d) Others \_\_\_\_\_

(7) UID Number

:-

(Signature/Thumb Impression

(Name:-