

The Orissa Gazette



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LABOUR & EMPLOYMENT DEPARTMENT

NOTIFICATION

The 30th March 2010

S. R. O. No.100/2010— In exercise of the powers conferred by Section 14 of the Unorganized Workers' Social Security Act, 2008 (33 of 2008), the State Government do hereby makes the following rules, namely:—

1. Short title. — (1) These rules may be called the Orissa Unorganized Workers' Social Security Rules, 2010.

(2) They shall come into force on the date of their publication in the *Orissa Gazette*.

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

(a) "Act" means the Unorganized Workers' Social Security Act, 2008 (33 of 2008);

(b) "Chairperson" means the Chairperson of the State Board;

(c) "Member" means a Member of the State Board;

(d) "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.

3. Term of Board and Office Members.— (1) Every member, other than an *ex-officio* member, shall hold office for a period of three years from the date of his nomination;

Provided the members of the State Board shall be deemed to have vacated their office as such on expiration of the period of the State Board specified in Sub-Section (5) of Section 6.

(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 State Board if he/she ceases to be member of Orissa Legislative Assembly by virtue of which he/she was so nominated.

(3) A member nominated under sub-clauses (i) and (ii) of clause (c) of Sub-Section (2) of Section 6 shall cease to be a member of the State Board if he/she ceases to represent the category of interest from which he/she was so nominated.

(4) Out of twelve persons to be nominated under sub-clauses (i) and (iv) of clause (c) of Sub-Section (2) of Section 6 one person each from the Scheduled Caste, the Scheduled Tribe, the Minorities and Women shall be nominated as member.

(5) A member shall be eligible for re-nomination.

4. Resignation. — (1) A member of the State Board, not being an *ex-officio* member, may resign from his office by a writing under his hand addressed to the Chairperson and the member so resigning shall be deemed to have vacated his office as member with effect from the date his resignation is accepted by the Chairperson or on the expiry of thirty days from the date of receipt of resignation, whichever is earlier.

5. Change of Address. — If a member changes his address, he shall bring it to the notice his new address to the Member-Secretary of the Board about his new address who shall thereupon enter his new address in the official records;

Provided that if a member fails to bring it to the notice of the member-Secretary his new address, the address in the official records shall for all purposes be deemed to be the member's correct address.

6. Manner of filling vacancies. — When the office of a member becomes vacant by reason of death, resignation or otherwise the Chairperson shall submit a report to the State Government and on receipt of such report, the State Government may, by notification, fill up the vacancy and the persons so nominated shall hold office for the remainder of the term of office of the member in whose place he is nominated.

7. Allowances of members. — (1) The traveling 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 paid by the authority paying his salary.

(2) Other members of the Board shall be paid traveling allowance for attending the meetings of the Board at such rates as are admissible to Group-'A' Officer of the State Government and daily allowances shall be calculated at the maximum rate admissible to Group-'A' Officer of the State Government.

8. Function of the Board. — Every matter which the State Board is required to take into consideration shall be considered at a meeting of the State Board, or if the Chairperson so directs, by sending the necessary papers to every member for opinion, and the matter shall be disposed of in accordance with the decision of the majority:

Provided that where there is no opinion of majority on a matter and the members of the Board are equally divided, the Chairperson shall have a second or a casting vote.

Explanation- The expression "Chairperson" for the purpose of the above proviso shall include a member nominated or chosen under sub-rule (2) of rule 9 to preside over a meeting.

9. Meetings. — (1) The Board shall meet at such places and at such times as may be decided by the Chairperson and it shall meet at least once in four months.

(2) The Chairperson shall preside over every meeting of the State Board in which he is present and in his absence, the members nominated by him to preside over such a meeting in his place and in the absence of such nomination by the Chairperson, the members of the Board present in such meeting may choose from amongst themselves a member to preside over the meeting.

10. Notice of meetings and list of business. — (1) Ordinarily, two weeks notice shall be given to the members of the State Board of a proposed meeting.

(2) No business except which is included in the list of business for a meeting of the State Board shall be considered at the meeting without the permission of the Chairperson.

(3) 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.

11. Quorum. — (1) No business shall be transacted at any meeting of the State Board unless at least six members are present in that meeting;

Provided that if at a meeting, less than six members are present, the Chairperson may adjourn the meeting to another date informing the members present and giving notice to the other members that he proposes to dispose of the business at the adjourned meeting whether there is prescribed quorum or not, and it shall thereupon be lawful for him to dispose of the business at the adjourned meeting irrespective of the number of members attending.

(2) The State Government may by order remove a member, other than *ex-officio* members, if he –

(a) absents himself from three consecutive meetings of the State Board without obtaining leave of absence from the Chairperson;

Provided no member shall be removed from the office unless he has been given reasonable opportunity of hearing.

12. Social Security Benefits.— The State Government while formulating suitable welfare schemes for unorganized workers may accept the suggestions / recommendations of the State Social Security Board.

13. Registration and share of contribution.— (1) Every eligible unorganized worker shall make an application in Form-I to the District Administration for registration.

(2) Where a scheme requires the Central or State Government to make a contribution, the Board may submit proposal to the State Government for consideration.

Form- I

[See rule 13 (1)]

Name of the unorganized worker:

Father's/husband's name:.....

Occupation:

Address:.....

Present:.....

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Permanent:.....

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Dependents:

(a) Father:

(b) Mother:

[No. 2587-SS-II-SC-05/2009/LE.]

By order of the Governor

JAGAR SINGH

Commissioner-cum-Secretary to Government