

**GOVERNMENT OF MEGHALAYA
LABOUR DEPARTMENT**

NOTIFICATION

No. LBG. 12/2020/57

Dated: Shillong the 13th January, 2021

In exercise of the powers conferred by Section 14 of the Meghalaya Identification, Registration (Safety & Security) of Migrant Workers Act, 2020 the Governor of Meghalaya is pleased to make the following Rules for Identification, Registration (Safety & Security) of Migrant Workers in the State of Meghalaya.

1. Short title and commencement—

- (1) These rules may be called The Meghalaya Identification, Registration (Safety & Security) of Migrant Workers Rules, 2020.
- (2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions—

- (1) In these rules, unless the subject or context otherwise requires-
 - (a) "Act" means the Meghalaya Identification, Registration (Safety & Security) of Migrant Workers Act, 2020;
 - (b) "Appellate Officer" means an appellate officer nominated by the State Government under Section 3 of the Act;
 - (c) "Form" means form appended to these rules;
 - (d) "Labour Commissioner" means an officer appointed by the State Government;
 - (e) "Migrant Worker" means a Migrant Worker as defined in Section 2 of the Act;
 - (f) "Registering Officer" means the Registering Officer appointed by the State Government under Section 3 of the Act;
 - (g) "Section" means a section of the Act;
- (2) All other words and expressions used in these rules but not defined therein shall have the meanings respectively assigned to them in the Act.

3. Application for Registration:

(1) Every application for registration under Section 4 of the Act shall be submitted in triplicate in Form I to the Registering Officer of the area in which establishment is situated.

(2) The application shall be accompanied by an application fee of fifty rupees for issuance of registration card, for which, necessary receipt shall be issued by the office of the Registering Officer.

(3) The Registering Officer shall maintain a record of each application received under the Act and including date of receipt of the application and shall also issue receipt for fee received and acknowledgement of the application.

4. Issuance of Certificate of Registration Card—

(1) The Registering Officer upon registration of the Migrant Worker shall issue Registration Card to the migrant worker in Form-II.

(2) The Registering Officer shall maintain a register in Form III showing the particulars of the establishment in relation to which certificate of registration is issued by him to the migrant worker.

(3) In case of change of establishment of Migrant Worker or any change in the information furnished by the migrant worker at the time of registration, the Migrant worker shall inform the Registering Officer within 30 days of above change and Registering Officer shall record the changes in the register and also enter the same in the registration card.

5. Grounds for refusing registration - The Registering Officer shall not grant registration and issue the certificate of registration of migrant workers in any of the following cases:

If the applicant -

- (i) is a minor, or
- (ii) is of unsound mind so declared by a competent court of law, or
- (iii) has been convicted at any time during the period of five years immediately preceding the date of application, of an offence involving moral turpitude;
- (iv) has failed to deposit the requisite documents & fees for the application under these rules;
- (v) is not a citizen of India.

6. Appeal against the decision of the Registering Officer—

(1) Memorandum of appeal. -

(i) Every appeal, under this Section shall be preferred in the form of a memorandum signed by the applicant or his authorized agent and presented to the appellate officer.

(ii) The memorandum shall be accompanied by a copy of the order along with fee of ₹50.

(2) The memorandum shall set out the grounds of appeal against the order of refusal of registration by the Registering Officer.

(3) Where the memorandum of appeal is in order, the Appellate Officer shall admit the appeal, endorse thereon the date of presentation and shall register the appeal in the register of appeals kept for the purpose.

(4) (i) When the appeal has been admitted, the Appellate Officer, shall send a notice to the Registering Officer from whose order the appeal has been preferred. The Registering Officer shall thereupon send reply, if any to the appeal within maximum period of 15 days.

(ii) On receipt of the reply if any within the period stipulated above, the Appellate Officer finds that the appeal can be allowed without hearing the appellant, it may do so. However, if the Appellate Officer is of the opinion that the appeal requires to be heard, it shall issue notice the Appellant and on the date so fixed for hearing, if the appellant fails to appear despite service of notice, the Appellate officer shall be at liberty to consider the appeal on merit and decide the same accordingly.

(iii) Every order of the Appellate Officer shall contain points for determination, decisions thereon and the reasons for the decisions.

(iv) The order shall be communicated to the appellant and a copy thereof shall be sent to the Registering Officer from whose order the appeal has been preferred.

7. Renewal of the Registration Card—

(1) Every Migrant Worker shall apply to the Registering Officer for the renewal of the Identification Card in furtherance of Section 6(2) of the Act.

(2) The application shall be in Form IV in triplicate and shall be made not less than thirty days before the date on which the registration Card expires, and if the application is so made the registration Card shall be deemed to have been renewed until such date when the renewed registration Card is issued or entries made in the registration card.

(3) The fees chargeable for renewal of the registration Card shall be same as for the grant thereof.

(4) The Registering Officer shall record the renewal of registration in the registration card itself as provided in FORM II.

8. Issuance of Duplicate Identity Card—

Where the Identification Card has been lost, defaced or accidentally destroyed, a duplicate thereof may be granted on payment of thirty rupees.

Sd/-

D. P. Wahlang, IAS,
Additional Chief Secretary to the Govt. of Meghalaya,
Labour Department.

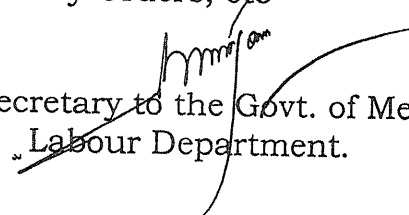
Memo No. LBG. 12/2020/57 -A

Dated: Shillong the 13th January, 2021

Copy to:

1. P.S. to the Chief Minister for favour of kind information of the Hon'ble Chief Minister.
2. P.S. to the Deputy Chief Minister, in-charge Labour Department, for favour of kind information of the Hon'ble Deputy Chief Minister.
3. P.S. to the Chief Secretary for favour of kind information of the Chief Secretary.
4. All Additional Chief Secretaries/Principal Secretaries/Commissioner & Secretaries/Secretaries for favour of information.
5. The Under Secretary to the Govt. of Meghalaya, Law (B) Department.
6. The Under Secretary to the Govt. of Meghalaya, Cabinet Affairs Department.
7. All Deputy Commissioners
8. The Labour Commissioner, Meghalaya, Shillong.
9. The Director, Printing & Stationery, Meghalaya, Shillong for favour of publication in the next issue of Meghalaya Gazette.
10. The Senior Informatics Officer, NIC Meghalaya.

By Orders, etc


Deputy Secretary to the Govt. of Meghalaya
Labour Department.

FORM I [See Rule 3(1)]

Application for registration of Migrant Worker

S.No. Details required	The answer of the applicant
1. Name of the Applicant:	
2. Name of Father/ Mother/ Spouse:	
3. Permanent Address of the Applicant:	
4. Postal Address of the Applicant in Meghalaya, if any:	
5. Contact No. of the Applicant:	
6. Particulars of the next of kin of the applicant in home state (name and address):	
7. Particulars of any relative or friend of the applicant in Meghalaya, if any:	
8. Aadhaar/ Driving License No/ PAN No./BPL Card/ Any other documents issued by the Govt. or its Authority details:	
9. Whether the applicant was convicted of any offence under any law in force in India	
10. Whether the applicant has any criminal case pending against him/her	
11. Declaration that the applicant is not of an unsound mind?	
12. Name and address of the Establishment or place of Establishment:	
13. Nature of employment:	
14. Details of the work including area of work:	
15. Expected duration of stay:	
16. Challan details/Online meg e-payment/ Proof of payment of registration fees:	

***Applicant must enclose 2(two) passport size photographs alongwith application.**

I, hereby, declare that the particulars given above are true to the best of my knowledge and belief.

Signature of the applicant

Office of the Registering Officer

Date of receipt of the application:

MEMORANDUM OF APPEAL

To,

The Appellate Officer,

Sir/Madam,

_____ (State the grounds of Appeal to be filled by the Applicant).

Signature of Applicant

Registration No. _____

Dated : _____

FORM-II

[Rule 4, Certificate of Registration and Renewal in terms of Rule 7]

GOVERNMENT OF MEGHALAYA

OFFICE OF THE REGISTRATION OFFICER

DATE

A Certificate of Registration containing the following particulars is hereby granted under Section 6(1) of the Meghalaya Identification, Registration (Safety & Security) of Migrant Workers Act, 2020 and the rules made thereunder to.....

1. Name and address of the Applicant, if any:

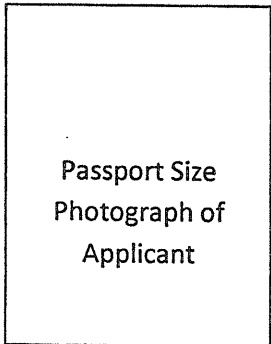
2. Nature of employment:

3. Details of the work:

4. The Registration Card shall be valid for 179 days with effect

from _____ and has been extended from

A. _____ to _____:



Signature of Registration Officer

B. _____ to _____:

Signature of Registration Officer

C. _____ to _____:

Signature of Registration Officer

5. Other particulars relevant to the employment of

Migrant workmen:

(i)

(ii)

Signature of Registration Officer

Seal

FORM IV

[See Rule 7(2)]

Application for Renewal of Registration Card

1. Name and address of the owner of the establishment:
2. Number and date of the Registration Card:
3. Date of expiry of the previous Registration Card:
4. Reason for renewal of the Registration Card:
5. No. and date of the crossed Treasury Challan/Online meg e-payment enclosed.

Place.....

Date.....

Signature of the Applicant.

(To be filled in the Office of the Registering Officer)

Date of receipt of the application with Treasury Challan/Online meg e-payment and date.

Signature and Seal of the Registering Officer.