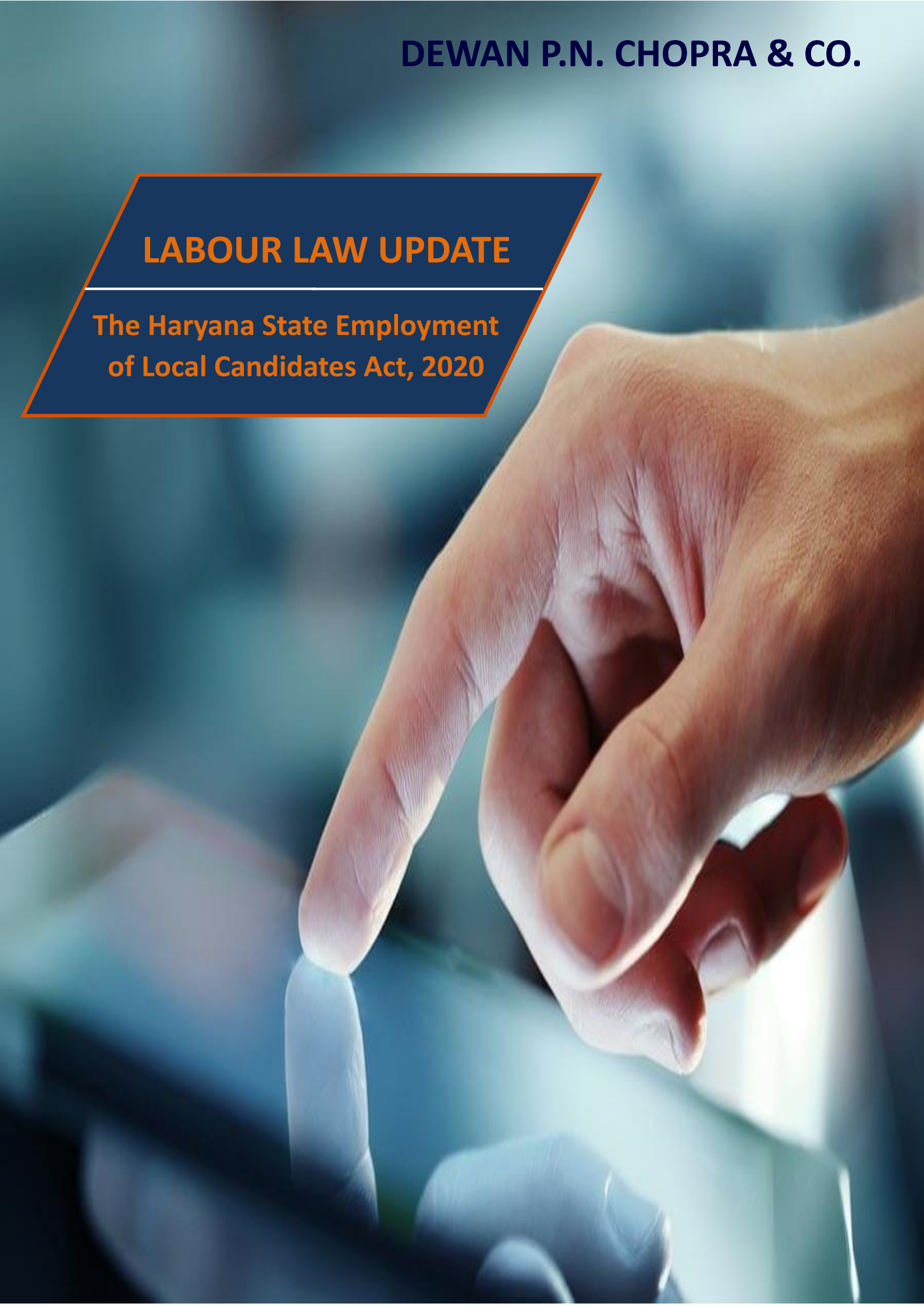


LABOUR LAW UPDATE

**The Haryana State Employment
of Local Candidates Act, 2020**



The Haryana State Employment of Local Candidates Act, 2020

Background:

The Haryana State Legislative Assembly has passed the **Haryana State Employment of Local Candidates Act, 2020**, to make responsible **all employers in the private sector in the State of Haryana to provide 75% employment of new jobs to the local candidates** (candidates who have a domicile in the State), **where monthly salary / wages are not more than Rs. 30,000/-**. The Act applies to **new recruitments** in the State of Haryana **effective from 15th January 2022**.

Applicability:

The Act applies to all the 'Employers' of the State of Haryana, which are as under:

- a. All companies, partnership firms, societies, trusts, limited liability partnership firms,
- b. any person / employer employing 10 or more employees in any trade /business/ manufacturing / enterprises.

Designated Portal: <https://local.hrylabour.gov.in/>

Action Points for Employers:

- ✓ Register all existing employees having gross salary/wages not more than Rs. 30,000/- per month at designated portal on or before 15.04.2022.
- ✓ 75% employment of new jobs to the local candidates (candidates who have a domicile in the State) for the job, where monthly salary / wages are not more than Rs. 30,000/-. The Act applies to new recruitments only i.e. not with retrospective effect.
- ✓ File quarterly report at designated portal in **Form III** for local candidates employed during previous quarter by 20th day of following quarter.
- ✓ Maintain following records in digital form:
 - (a) number of employees (regular, temporary, contractual, casual and fixed term employee) on the last date of every quarter.

(b) occupational/ post-wise details of employees on last date of every quarter.

(c) number of Local Candidates recruited / appointed during every quarter.

(d) record of exemption obtained during the quarter due to non-availability of suitable candidates.

(e) record of training imparted or camp for skill development organized for Local Candidates.

(f) any other relevant record

Exemption:

Employers may claim an exemption from providing 75% employment in new jobs to locals if adequate number of local candidates of desired skill, qualification, or proficiency are not available for the said category of jobs.

Employer shall apply for exemption by filing **Form-I** at the designated portal.

Following categories of employers have been granted **deemed exemption** vide order dated 17.01.2022:

- ✓ Vacancies in new Startups and new Information Technology (IT) / Information Technology Enables Services (ITES) of new employers for a period of two year from the date of commencement of work or business or manufacturing process
- ✓ Short term employment, the total duration of which is less than forty five days
- ✓ Vacancies under any employer, who primarily engages in agriculture activities
- ✓ Vacancies under any employer, for domestic work or services in residential homes
- ✓ Vacancies which are filled up through promotion or transfer or by absorption of surplus staff of any unit of the same employer in the state and

- ✓ Any class, post, skill and category of employment, as may be notified where the Local candidates of the desired skill, qualification or proficiency required in such employment are not available

Source:

Particulars	Issue Date	Link
The Haryana State Employment of Local Candidates Act, 2020	2nd Mar 2021	https://local.hrylabour.gov.in/uploads/new_2/notifications/1615277534.pdf
Notification regarding commencement of The Haryana State Employment of Local Candidates Act, 2020	6 th Nov, 2021	https://local.hrylabour.gov.in/uploads/new_2/notifications/1636355412.pdf
Notification for reducing monthly salary @30000 under Haryana State Employment Local Candidate Act for registration of employees	6 th Nov, 2021	https://local.hrylabour.gov.in/uploads/new_2/notifications/1636355656.pdf
Notification for reducing monthly salary @30000 under Haryana State Employment Local Candidate Act for recruitment of local candidates	24 th Dec, 2021	https://www.egazetteharyana.gov.in/Gazette/Extra-Ordinary/2021/215-2021-Ext/12638.pdf
Rules made under Haryana State Employment of Local Candidate Act 2020	10 th Jan, 2022	https://local.hrylabour.gov.in/uploads/new_2/notifications/1641823832.pdf
Office order regarding deemed exemptions for some categories of employers under HSELC Act, 2020	17 th Jan, 2022	https://local.hrylabour.gov.in/uploads/new_2/notifications/Exemption%20order.pdf
FAQs	--	https://local.hrylabour.gov.in/home/faq

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