TAMIL NADU STREET VENDING AND SHOPS AND ESTABLISHMENTS WORKERS' WELFARE BOARD SCHEME-2010

In exercise of the powers conferred by Section 4 read with Section 3 of the Tamil Nadu Manual Workers (Regulation of Employment and Conditions of Work) Act, 1982 (Tamil Nadu Act 33 of 1982), the Governor of Tamil Nadu, hereby makes the following Scheme for employments in Tamil Nadu Street Vending and Shops and Establishments Workers' Welfare Board specified in items 46 & 50 in the Schedule to the said Act.

THE SCHEME

1. Short title, extent application and commencement. — (1) This Scheme may be called the Tamil Nadu Street Vending and Shop and Establishments Workers' Welfare Board Scheme 2010.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall apply to all manual workers engaged in Street Vending and Shop and Establishments Workers'.

(4) It shall come into force on the 19th February 2010.

2. Definitions. — In this Scheme, unless the context otherwise requires —

(a) "**Act**" means the Tamil Nadu Manual Workers (Regulation of Employment and Conditions of Work) Act, 1982 (Tamil Nadu Act 33 of 1982);

(b) "**Board**" means the Street Vending and Shop and Establishments Workers established under section 6 of the Act;

(c) "**dependent**" in relation to a registered manual worker means any of the relatives of such deceased workman as specified below:-

(i) wife or husband, as the case may be;

(ii) children;

(iii) widow and children of the pre-deceased son; and

(iv) Parents.

(d) "**family**" means-

(i) in the case of a male member, his wife, children whether married or unmarried, dependent parents and the widow and children of a deceased son of the member; and

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(ii) in the case of a female member, her husband, children, dependent parents and the widow and children of a deceased son of the member;

(e) "**Form**" means the form appended to this Scheme;

(f) "**Fund**" means the Tamil Nadu Manual Workers Social Security and Welfare Fund established under the Scheme;

(g) "**manual worker**" means any person who has completed 18 years of age but has not completed 60 years of age and who is engaged to do any manual worker in the employment of Street Vending And Shops And Establishments Workers' in item 46 & 50 in the schedule to the Act;

(h) "**Secretary**" means the Secretary of the Board appointed by the Government and includes any other officer put in charge of the Secretary;

(i) "**Self-employed person**" means any person who has directly engaged himself in Street Vending And Shops And Establishments Workers' for his livelihood;

(j) The words and expressions used in this Scheme and not defined shall have the same meaning assigned to them in the Act.

3. Powers, duties and functions of the Board — (1) Subject to the other provisions of the Act, the Board may take such measures, as it may consider necessary for implementing the Scheme.

(2) The Board shall—

(a) maintain and administer the "Tamil Nadu Street Vending And Shops And Establishments Workers' Social Security and Welfare Fund" and collect the contributions towards that Fund;

(b) subject to the provisions of the Scheme, any property vested with the Board shall be held and utilized by it only for the purpose of the Scheme;

(c) have the authority to spend such sum, as it thinks fit for the purposes of the Scheme from out of the Fund;

(d) keep proper accounts for all receipts and expenses under the Scheme;

(e) submit annual budget to the Government for sanction;

(f) submit annual report to the Government on the working of the Scheme as laid down under sub-section (5) of section 8 of the Act;

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(g) submit to the State Government copies of all proceedings of the meetings of the Board;

(h) make all arrangements necessary for the annual audit of accounts of the Board in accordance with the instructions issued by the State Government;

(i) furnish information to the State Government on such matters as the State Government may refer to it from time to time.

(3) The Board may—

(a) accept deposits from persons, authorities or establishments on such conditions as it deems fit;

(b) borrow money with the previous permission of the State Government in order to augment the sources of funds;

(c) specify forms, records, registers and statements if so required, in addition to such of those forms, records, registers and statements appended to this Scheme, for the administration of the Scheme and revise any of such forms, records, registers and also specify production of additional certificates, records along with such forms, statement, etc.;

(d) make recommendations to the State Government about modifications which are considered necessary in the Scheme.

4. **Secretary of the Board** — (1) The Chief Executive Officer of the Board shall be the Secretary to the Board.

(2) The Secretary shall, with the approval of the Chairman of the Board issue notices to convene meetings of the Board and keep the record of minutes and shall take necessary steps for carrying out the decisions of the Board.

5. Appointment of Chief Executive Officer and other Officers and staff.— (1) The Government may appoint an officer of the Labour Department not below the rank of an Assistant Commissioner of Labour as the Chief Executive Officer of the Board.

(2) The Government may appoint a Chief Accounts Officer in the cadre of Under Secretary, Finance Department or an Accounts Officer from the Treasuries and Accounts Department on foreign service terms and conditions.

(3) The Government may also appoint as many Officers, as may be necessary, on deputation from the Labour Department or from any other departments or undertakings or Corporations or Boards of the State

Government or by direct recruitment as Executive Officers for the purpose of implementation of the Scheme.

(4) The Government may also appoint as many Inspectors and Staff, as may be necessary, on deputation from Labour Department or from any other departments or undertakings or Corporations or Boards of the State Government or by direct recruitment for the purpose of implementation of the Scheme.

***6. Chief Executive Officer of the Board, etc., to be public servants*.—**The Chief Executive Officer and other officers and staff of the Board appointed under this Scheme shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 (Central Act XLV of 1860).

7. Administrative and financial powers of the Chief Executive Officer.— (1) The Chief Executive Officer of the Board may, without reference to the Board, sanction expenditure on contingencies, services and purchase of articles, subject to the limit up to which he may be authorized to sanction expenditure with such restrictions imposed by the Board with the approval of the Government.

(2) The Chief Executive Officer may also exercise such administrative and financial powers other than those specified in sub-clause (1) above, as may be delegated to him from time to time by the Board with the approval of the Government.

8. Opening of district and local offices.— The Board may with the approval of the Government, open district and local offices, as it may consider necessary, for the purpose of implementing the Scheme. It may also define the functions of such Offices.

9. Registration of Manual workers.— (1) Any manual worker who has completed the age of 18 years but not completed 60 years, may register his/her name with the Board **through the Assistant Commissioner of Labour (Social Security Scheme) of the respective district** to become a member of the Scheme.

(2) Application for such registration shall be made **through online to the Assistant Commissioner of Labour (Social Security Scheme)** of the respective district in the Form-I appended to this Scheme together with a

certificate of employment issued by any of the persons or officers specified below:--

(a) Employer of any manual worker;

b) President or the General Secretary of a Trade Union of the employment concerned, registered under the **Trade Unions Act, 1926** (Central Act XVI of 1926), which has submitted the annual returns in Form E appended to the Tamil Nadu Trade Unions Regulations, 1927, to the Registrar of Trade Unions, for three consecutive years before the date of issue of certificate of employment or any other office – Bearer of such Trade Union authorized by the President or General Secretary of the said Trade Union, in writing in this behalf;

(c) Any officer not below the rank of an Assistant Inspector of Labour in the Labour Department or an officer not below the rank of an Assistant Director in the Department of Industrial Safety and Health;

(d) Village Administrative Officer and for Chennai District, the Revenue Inspector concerned.

(3) (a) The registration of the name of the manual worker with the Board shall be made by the Assistant Commissioner of Labour (Social Security Scheme) of the respective district after due Online verification by the respective Village Administrative Officer and for Chennai district, by the Revenue Inspector concerned.

(b) The registration under this clause is valid for a period of **five years** or until the registered manual worker attains the age of sixty years, whichever is earlier.

(4) Every registered manual worker whose name has been registered under this clause will be issued with an Identity Card in Form-II free of cost by the Assistant Commissioner of Labour (Social Security Scheme) of the respective district.

(5) In case of loss of the identity card, a duplicate Identity card will be issued by the Assistant Commissioner of Labour (Social Security Scheme) of the respective district on an application made by the registered manual worker concerned and on payment of twenty rupees.

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(6) (a) Every registered manual worker shall furnish name, address, relationship of the nominee to whom the benefits shall be payable in the event of his death in the application;

(b) If a manual worker has a family at the time of making a nomination, the nomination shall be made in favour of one or more members of his family. Any nomination made by such worker in favour of a person who is not a member of his family shall be void;

(c) If at the time of making a nomination the manual worker has no family, the nomination may be made in favour of any person or persons;

(d**)** Where the nomination made is incomplete or becomes void, the assistance shall be released to the legal heirs of the deceased registered manual worker;

(i) If the manual worker subsequently acquires a family such nomination shall forthwith become invalid and the manual worker shall make within ninety days of acquiring a family, a fresh nomination in favour of one or more members of his/her family.

(ii) If a nominee predeceases the manual worker, the interest of the nominee shall revert to the manual worker who shall make a fresh nomination in respect of such interest.

10. Suspension and cancellation of membership.— (1) The Assistant Commissioner of Labour (Social Security Scheme) of the respective district may, if he/she has any reasonable cause to believe that the membership and or benefit under this Scheme has been secured by a registered manual worker by making any statement in relation to, any application or the registration, which is incorrect or false in any material particular or has contravened any of the provisions of the Act, or any Rule or Scheme framed under the Act, suspend such membership pending the completion of any enquiry against the holder of such membership.

(2) The Assistant Commissioner of Labour (Social Security Scheme) of the respective district may, if he/she is satisfied, after making such inquiry as he/she may think fit, that the holder of a membership has made a false or incorrect statement of the nature referred to in sub-clause (1), or has

contravened any provision of the Act or any Rule or Scheme framed under the Act, cancel such membership.

Provided that no such membership shall be cancelled unless the holder thereof has been given a reasonable opportunity of showing cause against the proposed action.

(3) Every person whose membership has been cancelled shall forfeit all his claims under the Scheme.

(4) Any registered manual worker aggrieved by the orders passed by the authority referred to in sub-clause (2) is entitled to prefer an appeal to the Chief Executive Officer within thirty days from the date of receipt of such orders. The Chief executive Officer may, for valid reasons to be recorded in writing allow preference of appeal after a period of 30 days but not exceeding ninety days. On such preference of appeal the Chief Executive Officer shall dispose of the appeal within a period of three months from the date of filing of such appeal, after giving an opportunity to the aggrieved manual worker. The orders passed by the Chief Executive Officer shall be final.

11. Maintenance of registers.—(1) Every employer shall maintain a Register of Contribution in Form-III.

(2) Every employer shall maintain an Inspection Register in which the Inspector appointed for the purpose of the Scheme may record his remarks regarding any defects that may come to light at the time of his inspections.

(3) The records relating to a calendar year shall be preserved until the end of the subsequent three years.

(4) The Board and the Assistant Commissioner of Labour (Social Security Scheme) of the respective district shall maintain a Register of Members in Form IV.

12. The Tamil Nadu Street Vending And Shops And Establishments Workers' Social Security and Welfare Fund.— (1) There shall be constituted a fund called the "Street Vending And Shops And Establishments Workers' Social Security and Welfare Fund" to which shall be credited: —

(a) all contributions received by the Board from the Government as grant;

(b) all contributions received by the Board under the scheme;

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(c) all money received by the Board by way of sale or disposal of Properties and other assets;

(d) interest on investments in securities, deposits and rents;

(e) all money received by way of interest charged for the delayed payment of contribution under clause 27 of the Scheme; and

(f) all money received by the Board in any other manner or from any other source.

(2) All money received by the Board and forming part of the Fund shall be kept in Current Account of any of the Nationalised Banks or any of the Co-operative Banks under the control and supervision of Tamil Nadu State Co-operative Bank or any other bank as may be specified by the Board from time to time. Such account shall be jointly operated by the Secretary of the Board and another Officer authorized by the Secretary of the Board.

13. Contributions.— (1) The contribution payable under this scheme shall comprise contribution payable to the Board by an employer (hereinafter referred to as the "employer's contribution"), and the grant made to the Board by the Government, from time to time as contribution to the Fund which shall form part of the Fund.

(2) All remittances payable to the fund shall be rounded off to the nearest rupee.

(3) Every employer shall pay to the Board a sum equivalent to 3% of the wages payable by him to the manual workers, employed by him, before the 15th day of every month by means of a demand draft drawn in favour of the "Secretary, Tamil Nadu Manual Workers Welfare Board", Payable at Chennai accompanied by a statement in Form V.

14. Renewal of Registration: — (1) Every manual worker whose name has been registered under Clause 9, shall renew his registration through online before the expiry of the period of **five years** specified in that Clause.

(2) A registered manual worker who fails to renew his registration shall cease to be member automatically. No specific orders on the cessation of membership need be issued under this provision.

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(3) A registered manual worker whose membership ceased under sub-clause (2) may be re-admitted by the Assistant Commissioner of Labour (Social Security Scheme) of the respective district, after due verification.

(4) Notwithstanding his/her re-admission under sub clause (3), he/she shall not be eligible to claim any benefits that may become due during the period of non- renewal.

15. Intimation about change of employer, employment, place etc: — Every registered manual worker who leaves or changes his/her service under an employer, or changes his scheduled employment to another, or migrates from one place to another place shall, within thirty days of such change shall intimate the Assistant Commissioner of Labour (Social Security Scheme) of the respective district through online.

16. Utilisation of Fund: — (1) The Fund of the Scheme shall vest in and be held and applied by the Board as Trustee are subject to the provisions and for the purposes of this scheme.

(2) It shall be lawful for the Board to invest the money in any Government Financial Institutions, Co-operative Banks, Nationalised Banks, or Corporations authorized by the Government which offers the highest rate of interest as on the date of such investment.

17. Personal Accident Relief: — (1) All registered manual workers who meet with accident are eligible for Personal Accident Relief and where the accident results in death, their nominees are eligible for Personal Accidental Relief.

Explanation:- For the purpose of this clause “Accident” means any bodily injury or loss of limbs or loss of sight resulting solely and directly from accident arising out of and in the course of his employment or death but does not include any intentional self injury, suicide, attempted suicide, injury caused while under the influence of intoxicating liquor or drugs or resulting from the injured worker committing any breach of Law or rules, regulations or instructions applicable from time to time.

(2) The risk covered by the Scheme and the amount of compensation payable shall be as follows:

(a) **Death** .. **Rs.1,25,000**

(b) Loss of actual physical separation or total and irrecoverable loss of use of:-

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(i) both hands; or
(ii) both feet; or .. Rs.1,00,000
(iii). one hand and one foot; or
(iv). total and irrecoverable loss of sight in both eyes

(c) Loss of actual physical separation of or total and irrecoverable loss of use of:-
(i) one hand; or
(ii) one foot; or .. Rs.50,000
(iii) total and irrecoverable loss of sight in one eye.

(d) Permanent total disablement from injuries other than those specified in items (*b*) and (*c*) above .. Rs.25,000

(e) Permanent partial disablement as specified in column (1) of the Table appended hereunder — **At the rate the specified in the corresponding Entry in column (2) of the Table below**

THE TABLE

Nature of disablement	**Compensation in percentage (to be applied on Rs.1,00,000/-)**	
		Percent
1. Loss of toes	All	20
	Great both phalanges	5
	Great One phalanx	2
	Other than great, If More than one toe lost each	1
2. Loss of hearing	Both ears	50
3. Loss of hearing	one ear	15
4. Loss of four fingers and thumb of on hand		40
5. Loss of four fingers		35
6. Loss of thumb	Both Phalanges	25
7. Loss of index finger	Three Phalanges	10
	Two Phalanges	8
	One Phalanx	4
8. Loss of middle finger	Three Phalanges	6
	Two Phalanges	4
	One Phalanx	2
9. Loss of ring finger	Three Phalanges	5
	Two Phalanges	4
	One Phalanx	2

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10. Loss of little finger	Three Phalanges Two Phalanges One Phalanx	4 3 2
11. Loss of Metacarpal 1st or 2nd 3rd 4th or 5th	(additional) (additional)	3 2
12. Any other Permanent Partial disablement	Percentage as assessed by the Doctor	

(2) (A) In case of disability due to accident, the registered manual worker shall also be eligible to claim **wheel chair or artificial limbs**, in addition to the amount of compensation.

(3) Claim: — (a) Immediately upon the happening of any accident while in pursuit of his employment resulting in death or loss of limbs or loss of sight, the employer shall send a report to the Assistant Commissioner of Labour (Social Security Scheme) of the respective district and to the Police in Form VI, within three days of such occurrence of the accident. In any other case the report of the accident may be sent to the Assistant Commissioner of Labour (Social Security Scheme) of the respective district either by the injured worker or the nominee of the deceased worker or a representative of a Trade Union of the employment concerned. The Assistant Commissioner of Labour (Social Security Scheme) of the respective district shall investigate the accident occurred, in the work place either on the report of the accident received from the employer or the injured worker or the nominee of the deceased worker or a representative of a Trade Union of the employment concerned.

(b) In the case of injury or loss of limbs or loss of eyesight specified in items (b) to (e) of sub-clause (2), the claim shall be made through online by the registered manual workers concerned. In the event of death of a registered manual workers, the claim shall be made through online by his nominee in Form –VII.

(c) In case of death of a registered manual worker due to accident, death certificate and post-mortem certificate issued by an authority who is competent to issue such certificate shall be produced by the claimant. If there is delay

for more than thirty days in getting the post-mortem certificate, the certificate given by the Thasildar in this regard shall be produced.

(d) In case of loss of limbs or loss of eyesight or, partial disablement due to accident, the claimant should produce a Medical Certificate issued by a Medical Officer not below the rank of a Civil Assistant Surgeon.

(e) The Assistant Commissioner of Labour (Social Security Scheme) of the respective district shall after due verification, sanction the compensation in addition to provide **artificial limbs or wheel chair** to the claimant.

18. Pension Scheme. — (1) Eligibility – Every registered manual worker who has completed 60 years of age is eligible for pension.

Provided that a manual worker who has not completed 60 years of age but registered with the Board is also eligible for pension if he has become disabled due to sickness and incapacitated from normal work.

(2) Claim. — (a) Every registered manual worker who is eligible for pension under sub-clause (1) shall apply through online to the Assistant Commissioner of Labour (Social Security Scheme) of the respective district **through Online** in form VIII & VIII-A as applicable.

Provided that a disabled manual worker who is eligible for pension under the proviso to sub-clause(1) shall produce to the Assistant Commissioner of Labour (Social Security Scheme) of the respective district a certificate of proof of his disability issued by a Medical Officer not below the rank of a Civil Surgeon.

(b) The Assistant Commissioner of Labour (Social Security Scheme) of the respective district shall examine every application for pension in accordance with the provisions of this clause and may accept or reject the claim. The decision of the Assistant Commissioner of Labour (Social Security Scheme) of the respective district shall be final;

Provided that the Assistant Commissioner of Labour (Social Security Scheme) of the respective district shall, before rejecting a claim for pension, give the applicant a reasonable opportunity of making his representation.

(3) Amount of pension. — The quantum of pension shall **be Rs.1,200/- (Rupees One Thousand Two Hundred Only) per month.**

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19. Assistance to meet the funeral expenses of a registered manual worker: —

(1) If a registered manual worker dies, the Assistant Commissioner of Labour (Social Security Scheme) of the respective district, after due verification shall sanction a sum of **Rs.5,000/- (Rupees Five Thousand Only)** to the nominee of the deceased registered manual worker to meet the funeral expenses of the deceased registered manual worker.

(2) The application for claiming the amount specified in sub-clause (1) shall be made through online in Form IX and shall be accompanied by the death certificate of the deceased registered manual worker and the original identity card issued to the deceased worker.

20. Assistance on the natural death of a registered manual worker: —

(1) If a registered manual worker dies naturally, the Assistant Commissioner of Labour (Social Security Scheme) of the respective district, after due verification shall pay a sum of **Rs.30,000/-** (Rupees Thirty Thousand only) to the nominee of the deceased registered manual worker.

(2) The application for claiming the amount specified in sub-clause (1) shall be made through online in Form-IX and shall be accompanied by the death certificate of the deceased registered manual worker and the original identity card issued to the deceased worker.

21. Assistance for education of the son or daughter of a registered manual worker.— (1) The assistance for the education of the Children of a registered manual worker shall be sanctioned by the Assistant Commissioner of Labour (Social Security Scheme) of the respective district, after due verification as specified in the Table below: —

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THE TABLE

Serial number	Form	Course of study	Day scholar		Hosteller	
			Boys	Girls	Boys	Girls
			Rs.	Rs.	Rs.	Rs.
1	XI	10th Std., studying – Girl children only	-	1,000	-	-
2	X	10th Std. passed	1,000	1,000	-	-
3	XI	11th studying – Girl children only	-	1,000	-	-
4	XI	12th studying – Girl children only	-	1,500	-	-
5	X	12th Std. passed	1,500	1,500	-	-
6	XII	Studying regular Bachelor Degree course(Every academic year)	1,500	1,500	1,750	1,750
7	XII	Studying regular Post Graduate course(Every academic year)	4,000	4,000	5,000	5,000
8	XII	Studying regular Profession Course in Law, Engineering, Medicine, Veterinary Science and allied courses (Every academic year)	4,000	4,000	6,000	6,000
9	XII	Studying regular Post Graduate Professional Course in Law, Engineering, Medicine, Veterinary Science and allied courses (Every academic year)	6,000	6,000	8,000	8,000
10	XII	Studying ITI or Polytechnic course(Every academic course)	1,000	1,000	1,200	1,200
11	XI -A	6th Std to 9 Std studying	1,000	1,000	-	-

(2) The amount shall be sanctioned only if the following conditions are fulfilled, namely. -

(a) Only two children of a registered manual worker shall be given this assistance; and

(b) the registered manual worker shall have no dues payable to the Board.

(3) The application for assistances specified in Serial numbers 2 and 5 in column (1) of the Table in sub- clause (1) shall be in Form X to be submitted after passing of the course, the application for assistances specified in serial numbers 6 to 10 in column (1) of the said Table shall be in Form XII to be submitted before completion and passing of the course and the application for the assistances specified in serial numbers 1, 3 and 4 shall be in Form XI to be submitted before completion and passing of the course and the application for assistances specified

in Serial Number 11 in column (1) of the Table in sub-clause (1) shall be in Form XI-A to be submitted before completion and passing of the course.

(4) Where both husband and wife have applied For assistance under this clause, one of them alone shall be eligible for such assistance.

(5) The application for claiming the amount specified in sub-clause **(1) shall be made through online.**

22. **Assistance for marriage.** — (1) The Assistant Commissioner of Labour (Social Security Scheme) of the respective district shall, on an application from a registered manual worker, after due verification, sanction a sum of Rs.3,000/- (Rupees Three Thousand only) for men and Rs.5000/- (Rupees Five thousand only) for women) as assistance to meet the marriage expenses of the of the registered manual worker or of the son or daughter of the registered manual worker as the case may be.

(2) The amount shall be sanctioned only if the following conditions are fulfilled, namely. –

(a) the family of a registered manual worker can avail this assistance only twice;

(b) the registered manual worker shall have no dues payable to the Board;

(c) the registered manual worker shall have attained the age prescribed by law for marriage; and

(d) the person for whose marriage the assistance is sought shall have attained the age prescribed by Law for marriage.

(3) Where both husband and wife have applied for assistance to the marriage of his son or daughter under this clause, one of them alone shall be eligible for this assistance.

(4) The application for assistance under this clause shall be made through online in Form-XIII.

23. Assistance for delivery or miscarriage of pregnancy or the termination of pregnancy by registered female manual workers: — (1) The Assistant Commissioner of Labour (Social Security Scheme) of the respective district shall, on an application from a registered female manual worker, sanction the assistance as indicated below, after due verification of the proof produced by her of her

pregnancy or delivery of child by her or the miscarriage of her pregnancy or the termination of pregnancy:-

(i) Pregnancy - Rs. 6,000/-

(Rs.3000/- shall be paid between seventh month to ninth month of pregnancy periodand remaining Rs.3000/- shall be paid from two to five month after the delivery of the child).

(ii) Miscarriage of pregnancy - **Rs. 3,000**/-

(iii) Termination of pregnancy - **Rs. 3,000**/-

(2) The amount shall be sanctioned, only if the following conditions are fulfilled, namely:-

(a) registered female manual worker can get this assistance only twice;

(b) registered female manual worker shall have no dues payable to the Board; and

(c) registered female manual worker shall not be given this assistance if she already has two children.

(3) The application for claiming the amount specified in sub-clause (1) shall be made through online in Form XIV.

24. Assistance for purchase of spectacles by a registered manual worker. —

(1) The Assistant Commissioner of Labour (Social Security Scheme) of the respective district, shall on an application Form XV from a registered manual worker, after due verification sanction a sum not exceeding **Rs.750/-** (Rupees Seven Hundred and Fifty only) as an assistance towards reimbursement of cost of spectacles.

(2) The amount shall be sanctioned only if the following conditions are fulfilled, namely. -

(a) This assistance shall be given to a registered manual worker only once.

(b) The registered manual worker applying for assistance shall have no dues payable to the Board.

(3) The application for assistance specified in sub clause (1) shall be made through online.

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25. Eligibility to avail the benefits. — A registered manual worker will be eligible to avail the benefits under this Scheme only if he has not availed similar benefits of any other Schemes of the Government.

26. Penalty. — (1) If any employer who, for the purpose of avoiding any payment to be made by him under the Act or under this Scheme or if any person who, for the purpose of enabling an employer to avoid such payment, knowingly makes or causes to be made any false statement or false representation shall be punishable with fine which may extend to five hundred rupees or with imprisonment for such term which shall not exceed three months and for the second or subsequent offence with fine which may extend to one thousand rupees or with imprisonment which shall not exceed a term of six months.

(2) If an employer who contravenes or makes default in complying with any of the provisions of this Scheme shall for such contravention or non-compliance, be punishable with fine which may extend to five hundred rupees or with imprisonment for such term which shall not exceed three months and for the second or subsequent offence, with fine which may extend to one thousand rupees or with imprisonment which shall not exceed a term of six months.

27. Mode of recovery of amount from employers. — Any amount due from the employer in pursuance of the scheme shall, without prejudice to any other mode of recovery, be recoverable on behalf of the Board as an arrear of land revenue together with interest at such rate as may be notified by the Government.

28. Power to remove difficulties. — If in the opinion of the Board any difficulty or doubt arises as to the Interpretation of any of the provisions of the Scheme or in the implementation of the Scheme, the Board shall refer the question to the Government and the decision of the Government shall be final and binding.

29. Construction of reference to the registration, contribution etc., under the Tamil Nadu Manual Workers Social Security and Welfare Scheme, 2006. — The contribution made by any manual worker and the contribution made by an employer after registration and the consequential benefits accrued to any manual worker under the Tamil Nadu Manual Worker's Social Security and Welfare Scheme, 2006 shall be construed as contribution made and the benefits accrued under this scheme.

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