

The Code on Social Security, 2020

Section 164 - Repeal and savings

(1) The following enactments are hereby repealed, namely:

1. The Employee's Compensation Act, 1923 (8 of 1923);
2. The Employees' State Insurance Act, 1948 (34 of 1948);
3. The Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952);
4. The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 (31 of 1959);
5. The Maternity Benefit Act, 1961 (53 of 1961) ;
6. The Payment of Gratuity Act, 1972 (39 of 1972);
7. The Cine-Workers Welfare Fund Act, 1981 (33 of 1981);
8. The Building and Other Construction Workers' Welfare Cess Act, 1996 (28 of 1996);
9. The Unorganised Workers' Social Security Act, 2008 (33 of 2008).

(2) Notwithstanding such repeal,

(a) anything done or any action taken under the enactments so repealed including any rule, regulation, notification (including the notifications issued by the States), scheme, appointment, order or direction made thereunder or any benefit provided or given under any provision of such enactments, rules, regulations, notifications or schemes made thereunder for any purpose shall be deemed to have been done or taken or provided for such purpose under the corresponding provisions of this Code including any rule, regulation, notification, scheme, appointment, order or direction made thereunder and shall be in force to the extent they are not contrary to the provisions of this Code including any rule, regulation, notification, scheme, appointment, order or direction made thereunder till they are repealed under the corresponding provisions of this Code including any rule, regulation, notification, scheme, appointment, order or direction made thereunder by the appropriate Government;

(b) the Employees' Provident Funds Scheme, 1952, the Employees' Deposit Linked Insurance Scheme, 1976, the Employees' Pension Scheme, 1995 and the Tribunal (Procedure) Rules, 1997 framed or made under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) and the rules, regulations and schemes made or framed under the Employees' State Insurance Act, 1948 (34 of 1948), shall remain in force, to the extent they are not inconsistent with the provisions of this Code for a period of one year from the date of commencement of this Code;

(c) any exemption given under any enactments so repealed shall continue to be in force till its validity expires or it ceases to be in operation under the provisions of this Code or till any direction is made thereunder for such purpose.

(3) Without prejudice to the provisions of sub-section (2), the provisions of section 6 of the General Clauses Act, 1897 (10 of 1897) shall apply to the repeal of such enactments.