The Code on Social Security, 2020

Section 155 - Power of central Government to make rules

(1) The Central Government may, bynotification, and subject to the condition of previous publication, make rules not inconsistent with this Code,for the purpose of giving effect to the provisions thereof.
(2) In particular and without prejudice to the generality of the foregoing power, such rules may providefor all or any of the following matters, namely:
(a) the manner, and the conditions subject to which, the provisions of Chapter III shall be madeinapplicable to an establishment by the Central Provident Fund Commissioner, under sub-section (5)and the manner, and the conditions subject to which the provisions of that Chapter IV shall be madeinapplicable to an establishment by the Director General of the Corporation under sub-section (7) ofsection 1;
(b) manner of establishment and maintenance of career centre and the career services under clause(9), the income of dependant parents (including father-in-law and mother-in-law of a womanemployee), under sub-clause (e) of clause (33) and other authority who shall be deemed to be theoccupier under sub-clause (c) and the matters which are directly related to the condition of ship, forwhich the owner of ship shall be deemed to be the occupier under the proviso to the said sub-clause (c)of clause (52), of section 2;
(c) the time and manner of registration of establishment, the manner of making application forcancellation of the registration, the conditions subject to which the registration shall be cancelled andthe procedure of cancellation and other matters relating thereto in respect of an establishment to whichChapter III or Chapter IV applies, and whose business activities are in the process of closure, undersection 3;
(d) the manner of administration of the funds vested in the Central Board under sub-section (1), themanner to assist the Central Board in performance of its functions by Executive Committee under subsection (3), the terms and conditions, including tenure of office of members of the Central Board andExecutive Committee under sub-section (6) and the other functions and the manner of performing suchfunctions under sub-section (7), of section 4;
(e) the manner of administration of the Corporation and the manner of representation of States underclause (d) of sub-section (1), the manner of constitution of Standing Committee under sub-section (3),the manner of administration of the affairs of the Corporation, exercise of powers and performance offunctions by the Standing Committee under clause (a) of sub-section (4), the duties and powers ofMedical Benefit Committee under clause (b) of sub-section (5) and the terms and conditions, includingtenure of office, subject to which a member of the Corporation and Standing Committee shall dischargetheir respective duties under sub-section (7) of section 5;
(f) the manner of exercising the powers and performance of the functions by the National SocialSecurity Board under sub-section (1), the manner of nomination of members, their term of office andother conditions of service, procedure to be followed in the discharge of their functions and manner offilling vacancies under sub-section (4) and time, place and rules of procedure relating to the transactionof business under sub-section (6) of section 6;
(g) other welfare measures and facilities under clause (j) of sub-section (6) of section 7;
(h) the intervals at which Social Security Organisation or any Committee thereof shall meet and theprocedure in regard to the transaction of business at meetings under sub-section (1), and the fee andallowances of members of such Social Security Organisation or Committee under sub-section (4) ofsection 9;
(i) manner of reconstitution of the Corporation or the Central Board or the National Social SecurityBoard or the State Unorganised Workers' Board or the Building Workers' Welfare Board or any of theCommittees under sub-section (1) and the alternate arrangements for the purpose of administration ofthe relevant provisions of this Code under sub-section (2) of section 11;
(j) the manner of maintenance of a provident fund account in relation to the establishment under subsection (1) of section 21;
(k) the form, manner, time limits and fees for filing of appeal under sub-section (2) of section 23;

(l) salary and allowances of the Director General or the Financial Commissioner under sub-section(3), their powers and duties under sub-section (4) and maximum monthly salary limit under the provisoto sub-section (7) of section 24;
(m) the manner of investment of Employees' State Insurance Fund or any other money which is heldby Corporation under sub-section (4) of section 25;
(n) limits for defraying of expenditure under clause (k) of section 26;
(o) conditions to acquire, hold, sell or otherwise transfer any movable or immovable property undersub-section (1), conditions to invest moneys by the Corporation under sub-section (2) and the terms toraise loans and taking measures for discharging such loans under sub-section (3) of section 27;
(p) manner of insurance of employees under sub-section (1) of section 28;
(q) the rate of contributions under sub-section (2) of section 29;
(r) the type of administrative expenses and percentage of income which may be spent on expensesand the limits for such expenses under section 30;
(s) the limit for the amount of payment under the proviso to clause (f) of sub-section (1), and thequalifications to claim benefits, conditions, rate and period thereof under sub-section (3) of section 32;
(t) the limits within which the Corporation may incur expenditure from the Employees' StateInsurance Fund under section 33;
(u) the manner and time within which the Insured person or the Corporation may file appeal underclause (a) of sub-section (7) of section 37;
(v) the rates, periods and conditions for payment of dependants' benefit under sub-section (1) and toother dependants under sub-section (2), of section 38;
(w) the qualification of an Insured Person and his family to claim medical benefit and the conditionssubject to which such benefit may be given and the scale and period thereof, under sub-section (3) ofsection 39, and the payment of contribution and other conditions under the third proviso thereof;
(x) the structure, functions, powers and activities of the organisation for providing certain benefits toemployees in case of sickness, maternity and employment injury, under sub-section (6) of section 40;
(y) extended period for insurance, the manner of satisfaction and the manner of calculation ofcapitalised value of benefit payable to the employee under sub-section (1) of section 42;
(z) terms and conditions subject to which the scheme may be operated under section 44;
(za) the manner of obtaining an insurance by every employer, other than an employer or anestablishment belonging to, or under the control of, the Central Government or a State Governmentunder sub-section (1) and conditions to exempt and manner of establishing an approved gratuity fundunder sub-section (2) and the time limit to get establishment registered by the employer undersub-section (3), of section 57;
(zb) the form of notice under sub-section (1) and the proof of pregnancy and proof of delivery undersub-section (5) of section 62;
(zc) the proof of miscarriage or medical termination of pregnancy under sub-section (1), the proof oftubectomy operation under sub-section (2) and the proof of illness under sub-section (3) of section 65;
(zd) the duration of breaks under section 66;
(ze) the number of employees and distance for crche facility under sub-section (1) of section 67;
(zf) gross misconduct under the second proviso to sub-section (1) of section 68;
(zg) rate of interest to be paid by the employer under clause (a) of sub-section (3) of section 77;
(zh) the manner of notice under sub-section (1) and the manner of transmitting money undersub-section (3), of section 92;
(zi) the form, manner and fee for application for claim or settlement under sub-section (3) of section93;
(zj) the manner and time of collection of cess under sub-section (2), manner of deposit of the cess socollected under sub-section (3), and the uniform rate or rates of advance cess under sub-section (4) ofsection 100;
(zk) the rate of interest in case of delayed payment of cess under section 101;
(zl) the manner of self-assessment of cess under sub-section (1) of section 103;
(zm) the authority to inquire and impose penalty under section 104;
(zn) time limit to prefer appeal, appellate authority, form and manner of appeal under sub-section (1)of section 105;
(zo) manner of registration as beneficiary under section 106;
(zp) benefits of a beneficiary under sub-section (2) of section 107;

(zq) eligible age for registration under clause (a) and form and manner of information under clause(b), of sub-section (1) and the form of application, documents for registration and manner of selfregistration under sub-section (2), of section 113;
(zr) carrying out the matters specified in clause (i) of sub-section (7) of section 114;
(zs) manner of compounding of offences under sub-section (1) of section 138;
(zt) the manner of establishment and administration of the Social Security Fund under sub-section (4)of section 141;
(zu) eligibility conditions to be fulfilled prior to grant of exemption and the conditions to be compliedwith after exemption under sub-section (1); and extension period of exemption undersub-section (3) of section 143; and
(zv) any other matter which is required to be, or may be, prescribed by the Central Government underthe provisions of this Code.