

Insights and Commentary from Dentons

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This document was authored by representatives of Link Legal prior to our combination's launch and continues to be offered to provide clients with the information they need to do business in an increasingly complex, interconnected and competitive marketplace.

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It is better to comply willingly than to defy compliance. We at Link Legal will be there to assist you in ensuring statutory compliances as mandated under various regulatory laws.

CENTRAL / STATE LABOUR LAWS UPDATES

Supreme Court ruling on Haryana State Employment of Local Candidates Rules, 2021

The Hon'ble Supreme Court on 17th February 2022, lifted the interim stay imposed by the Hon'ble Punjab and Haryana High Court on the law providing 75 percent reservation in private sector jobs to local candidates in Haryana.

The Hon'ble Court also directed the High Court to decide on the issue within a month and asked the State Government not to take any coercive steps against the employers for the time being.

Source

Conditions for employing contract labourers in Coal Mines

The Central Government has allowed various coal companies under Coal India Ltd., to employ contract labourers, subject to conditions such as the protection of interest of the workmen engaged in specified works, payment of wages and other benefits as per the recommendations of the High Powered Committee, coverage under the Payment of Gratuity Act, 1972, etc.

Source

Registration of Petrol, Diesel & LPG dispensing pumps under the Factories Act, 1948 in Tamil Nadu

The Government of Tamil Nadu has decided to expand the definition of 'Factory' to include Petrol, Diesel & LPG dispensing pumps / stations under the Factories Act, 1948. Accordingly, all Petrol, Diesel and LPG

dispensing pumps/ stations should be registered under Section 2(m)(i) & Section 85(1) of the Factories Act, 1948.

Source: Memorandum No.B1/15708/2020, Government of Tamil Nadu dated 28.01.2022

Employer must pay damages for delay in payment of EPF contribution

The Hon'ble Supreme Court has held that any default or delay in the payment of Employees Provident Fund contribution by the employer would incur damages under the law, notwithstanding absence of any criminal intent or act behind it.

Source: Horticulture Experiment Station Gonikoppal, Coorg vs. Regional Provident Fund Organization, CIVIL APPEAL NO(S). 2136 OF 2012

Wages under the purview of ESI contributions

The Hon'ble High Court of Madras has ruled that production bonus, medical and washing allowances, etc. are wages and will come under the purview of Employees' State Insurance.

Source: The Employees State Insurance Corporation vs. M/s. Prabhu Spinning Mills (P) Limited, 2022 LLR 154 (Mad. HC)

Contract Labour (Regulation and Abolition) Himachal Pradesh Amendment Act, 2020

The Government of Himachal Pradesh has repealed The Contract Labour (Regulation and Abolition) Himachal Pradesh Amendment Ordinance, 2020 with ordinary legislation to be known as The Contract Labour (Regulation and Abolition) Himachal Pradesh Amendment Act, 2020. As per the amendment the applicability of the Act for the establishments has been enhanced to thirty or more workmen from the earlier twenty or more workmen.

Source

ENVIRONMENT AND SAFETY LAWS UPDATES

Guidelines on Extended Producer Responsibility for Plastic Packaging

The Ministry of Environment, Forest and Climate Change has notified the Plastic Waste Management (Amendment) Rules, 2022 to insert Schedule II containing the Guidelines on Extended Producer Responsibility for plastic packaging. This amendment will come into effect from 16th February 2022. The Guidelines provide the roles and responsibilities of Producers, Importers, Brand Owners and Plastic Waste Processors for effective implementation of Extended Producer Responsibility.

Source

INDUSTRY RELATED LAWS UPDATES

Food Safety and Standards (Import) First Amendment Regulations, 2022

The amendment provides that articles of food or ingredients or additive imported by the manufacturers or processors for their captive use or production of value-added products for hundred percent exports should be accompanied with Sanitary/Health Certificate issued by the Competent Authority of an exporting country.

[Source](#)

QR Codes on active pharmaceutical ingredients mandatory

The Drugs (Amendment) Rules, 2022 has made it mandatory to put QR codes on every active pharmaceutical ingredient (bulk drug) manufactured or imported in India. The Amendment Rules will come into force from January 01, 2023.

[Source](#)

MISCELLANEOUS LAWS UPDATES

PESO notifies the National Single Window System (NSWS)

The Petroleum and Explosive Safety Organization on 16th February 2022 has integrated the application modules with National Single Window System (NSWS) Portal and has directed all the stockholders to use NSWS portal extensively for submitting all their PESO Applications for approval. The list of PESO applications that have been integrated with NSWS has been notified through this circular.

[Source](#)

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FIRM NEWS

- Our Co-Managing Partner, Mr. Nusrat Hassan has been featured as one of the 'Dealmakers of Asia 2021' by Asian Legal Business. [Read More](#)
- Link Legal has been recognised for its excellence in the practice areas of Banking & Finance, Corporate/ M&A, Dispute Resolution, Projects, Infrastructure & Energy in Chambers and Partners Global 2022 Rankings. [Read More](#)
- Our Managing Partner, Mr. Atul Sharma was a Guest Speaker in the Webinar on Introduction to Mergers & Acquisitions in India organised by Suveeksha EduSkills Limited. [Read More](#)
- Read the story "Amazon, Future agree to talk to end the bitter legal battle" wherein our Partner Ketan Mukhija shared his expert views with BusinessLine. [Read More](#)
- Link Legal in collaboration with Campus Law Centre, Faculty of Law, University of Delhi organised the International Workshop on Laws Governing Aviation in India on February 22nd & 23rd, 2022. [Read More](#)

- Read the article "Multi Regulator Approach to Misleading Advertisements" authored by our Associate Partner Pradnesh Warke and Associate Eshika Phadke published on LiveLaw. [Read More](#)
- Read the article "No Bar for Withdrawal after Constitution of CoC" authored by our Partner Ravi Charan published on Mondaq. [Read More](#)
- Read the article "Game On, Rules Unclear!" authored by our Associate Partner Ambuj Sonal and Trainee Associate Subham Biswal published on LiveLaw. [Read More](#)
- Read the article "Attracting Taiwanese Businesses to India" authored by Partner and Head – China Desk, Santosh Pai published in TAEF (Taiwan-Asia Exchange Foundation) Research Series 006 – Taiwan and India Strategizing the relations. [Read More](#)
- Elated to share that our Deals have been featured in India Business Law Journal's 'Deals of the Year' List 2021. [Read More](#)
- Read the "Handbook on Aircraft Leasing" authored by our Partner, Sanjay Gupta and Associate Partner, Neha Singh. [Read More](#)
- Our Partners Namita Das and Ketan Mukhija have been recognized as the 'ALB India Rising Stars 2022' by Asian Legal Business, a Thomson Reuters publication. [Read More](#)

AWARDS & RECOGNITION

- Winner in Aviation, Energy & Natural Resources and Infrastructure & Project Finance at India Business Law Journal's 2021 Indian Law Firm Awards.
- M&A Law Firm of the Year and Insolvency & Bankruptcy Code Law Firm of the Year Awards at The IDEX Legal Awards 2021.
- Infrastructure & Project Finance Law Firm of the Year Award at Legal Era Indian Legal Awards 2020-21.
- Ranked as one of the Top 10 Law Firms in India in the M&A League Table by VCCEdge League.
- Ranked as one of the Top 10 Law Firms in India in the M&A League Table by Venture Intelligence.
- Ranked by Debtwire in its India Loans League Table Report 2021.
- Ranked #13 in Top Ranked Law Firms: India by Top Ranked Legal 2020 for Aviation, Banking & Finance, Capital Markets, Competition/ Antitrust, Corporate/ M&A, Dispute Resolution, Labour and Employment, Projects, Restructuring and Insolvency and TMT.
- Recognised as one of the Largest Law Firms in India in Asian Legal Business' Asia's Top 50 Largest Law Firms list.
- Recognised as one of the 'Best Brands' at the Economic Times - Best Brands Summit 2019.
- Ranked #14 among top 40 Indian Law Firms by RSG Consulting, 2019.
- Ranked highly in various practice areas such as Aviation, Projects, Infrastructure, Energy, Construction, Banking & Finance, Corporate and M&A, Dispute Resolution, International Arbitration, Competition/ Antitrust, Restructuring & Insolvency, Capital Markets, Labour & Employment, Private Equity, Real Estate, TMT, etc. by Chambers and Partners, The Legal 500, RSG, Benchmark Litigation, India Business Law Journal, Asian Legal Business, IFLR1000, Asialaw, among others.
- Partners of the Firm are highly ranked by leading global publications including Chambers and Partners, The Legal 500, Benchmark Litigation, India Business Law Journal, Asian Legal Business, IFLR1000, Asialaw, among others.



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