PAYMENT OF WAGES RULE 1937

R. 1-5] The Payment of Wages (Procedure) Rules, 1937 THE PAYMENT OF WAGES (PROCEDURE) RULES, 19371 39 In exercise of the powers conferred by sub-section (l) of section 26 of the Payment of Wages Act, 1936 (4 of 1936), read with section 22 of the General Clauses Act, 1897 (10 of 1897), the Governor-General-in-Council is pleased to make the following rules, the same having been previously published as required by sub-section (5) of section 26 of the first named Act, namely These rules may be called The Payment of Wages 1. Short title. (Procedure) Rules, 1937. They extend to the whole of India except the State of Jammu and Kashmir.] 2. Definitions.—ln these rules, unless there is anything repugnant in the subject or context,— (a) (b) (c) (d) (g) "the Act" means the Payment of Wages Act (4 of 1936); "Appeal" means an appeal under section 17; "the Authority" means the authority appointed under sub-section (l) of section 15; "the Court" means the Court mentioned in sub-section (l) of section 17 ; "Employer" includes- the persons responsible for the payment of wages under section 3; "Section" means a section of the Act; "Form" means a form appended to these rules; 4[(gg) "Record oforder or direction" means the record ofan order dismissing either wholly or in part an application made under sub-section (2) of section 15 or ofa direction made under sub-section (3) or sub-section (4) of that section kept in Form F;] (h) words and expressions defined in the Act shall be deemed to have the same meaning as in the Act

3. Form of application.—Applications under sub-section (2) of section 15 by or on behalf of an employed person or group of employed persons shall be made in duplicate in Form A, Form B or Form C, as the case may be, one copy of which shall bear such Court-fee as may be prescribed

4. Authorisation.—The authorisation to act on behalfofan employed person or persons, under section 15, shall be given by a certificate in

Form D, shall be Presented to the authority hearing the application and shall form part of the record

5. Permission to appear.—Any person desiring the permission of the Authority to act on behalf of any employed person or persons shall present to the 1• Vide Noti. No. L. 3067, dated 24-2-1937, published in the Gazette of India, 1937, Pt. I, p. 303. 2 Rule I renumbered as sub-rule (l) by the Payment of Wages (Procedure) (Amendment) Rules, 1951. 3' Inserted by the Payment of Wages (Procedure) (Amendment) Rules, 1951. 4' Inserted by the Payment of Wages (Procedure) (Amendment) Rules, 1959. 40 The Payment of Wages (Procedure) Rules, 1937 Authority a brief written statement explaining his interest in the matter, Authority shall record an order on the statement which in the case of refusal shall 6. Presentation of documents. Applications or other documents relevant to an application may be presented in person to the Authority at any time during hours to be fixed by the Authority, or may be sent to him by registered post (2) the Authority shall at once endorse, or cause to be endorsed, on each document the date of the presentation or receipt, as the case may be

7. Refusal to entertain application.—(l) the Authority may refuse to entertain an application presented under rule 6, if after giving the applicant an opportunity of being heard, the Authority is satisfied, for reason to be recorded in writing that :— (a) the applicant is not entitled to present an application; or (b) the application is barred by reason of the provisions in the provisos to sub-section (2) of section 15; or (c) the applicant shows no sufficient cause for making a direction under section 15. (2) The Authority may refuse to entertain an application which is insufficiently stamped or otherwise incomplete and, if he so refuses, shall return it at once with an indication ofthe defects. Ifthe application is presented again, after the defects have been made good, the date of representation shall be deemed to be the date of presentation for the purpose of the proviso to subsection (2) of section 15

8. Appearance of 1) Ifthe application is entertained, the Authority shall call upon the employer by a notice in Form E to appear before him on a specified date together with all relevant documents and witnesses, if any, and shall inform the applicant of the date so specified.(2) Ifthe employer or his representative fails to appear on the specified date, the Authority may proceed to hear and determine the application exparte. (3) Ifthe applicant fails to appear on the specified date, the Authority may dismiss the application : Provided that an order passed under sub-rule (2) or sub-rule (3) may be set aside and the application re-heard on good cause being shown within one month of the date of the said order, notice being served on opposite party of the date fixed for rehearing

9. Record of proceedings.—(l) The Authority shall in all cases enter the particulars indicated in Form F and at the time of passing orders shall sign and date the Form. (2) In a case where no appeal lies, no further record shall be necessary. (3) In a case where an appeal lies, the Authority shall record the substance Of the evidence and shall append it under his signature to 5 [the record Of order or direction.] 5. Substituted by the Payment of Wages (Procedure) (Amendment) Rules, 1959

6. Substituted by the Payment of Wages (Procedure) (Amendment) Rules, 1959, R.11-13, Form-AJ The Payment of Wages (Procedure) Rules, 1937 41 10. Signature on forms.—Any form, other than 6 [the record of order or direction], which is required' by these rules to be signed by the Authority, may be signed under his direction and on his behalf by any officer subordinate to him, appointed by him, in writing for this purpose

11. Exercise of powers.—ln exercising the powers ofa Civil Court conferred by section 18 the Authority shall be guided in respect of procedure by relevant orders of the First Schedule of the Code of Civil Procedure, 1908 (5 of 1908), with such alterations as the-Authority may find necessary, not affecting their substance, for adapting them to the matter before him, and save where they conflict with the express provisions of the Act or these rules. An appeal shall be preferred in duplicate in the form of 12. Appeals. a memorandum, one copy of which shall bear the prescribed Court-fee, setting forth concisely the grounds ofobjection to the order dismissing either wholly or in part an application made under sub-section (2) of section 15 or å direction made under sub- section (3) or sub-section (4) of that section, as the case may be, and shall be accompanied by a certified copy of the said order or direction.] (2) When an appeal is lodged a notice shall be issued to the respondent in Form G. (3) The Court after hearing the parties and after such further inquiry, if any, as it may deem necessary, may confirm, vary, or set aside the 6[order or direction] from which the appeal is preferred, and shall make an order accordingly. 7 [12-A. Order or direction when to be madel.—The Authority or the Cou the case has been heard, shall make the

order or direction either at once or, as soon thereafter as may be practicable, on some future day; and when the order or direction is to be made on some future day, it shall fix a date for the purpose Of which due notice shall be given to the parties or their pleaders.] 13. Inspection of documents.—Any employed person, or any employer or his representative, or any person permitted under sub-section (2) of section 15 to apply for a direction, shall be entitled to inspect any application, memorandum of appeal, or any other document filed with theAuthority or the Court, as the case may be, in a case to which he is a party and may obtain copies thereofon the payment of such fees as may be prescribed. FORMA (See sub-section (2) of section 15 of the Payment of Wages Act) FORM OF INDIVIDUALAPPLICATION In the Court of the Authority appointed under the Payment of Wages Act, 1936 (4 of 1936) for area. Application No of 20 Between A.B.C applicant (through a legal practitioner/ an official of which is a registered trade union.) And X. Y Z opposite party Substituted by the Payment of Wages (Procedure) (Amendment) Rules, 1959. Inserted by S.O. 2410, dated 6-7-1970. 42 The Payment of Wages (Procedure) Rules, 1937 [Formu The applicant states as follows :— 1. A. B. C. is a person employed in the Ion the factory/railway/industrial establishment entitled and resides at..... The address of the applicant for the service of all notices and processes is. 2. X. Y. Z., the opposite party, is the person responsible for the payment ofhis wages under section 3 of the Act, and his address for the service of all notices and processes is : 3. (1) The applicant's wages have not been paid for the following wage. period(s) [give (dates)] has been unlawfully deducted Or A sum of Rs amount for the wage-period(s) which ended from his wages of [give date(s)] on (2) [Here give any further claim or explanation]

4. The applicant estimates the value of the relief sought by him at the sum of 5. The applicant prays that a direction may be issued under sub-section (3) of section 15 for : (a) Payment of delayed wages as estimated or such greater or lesser amount as the Authority may find to be due. Or Refund of the amount illegally deducted, (b) Compensation amounting to The applicant certifies that the statement of facts contained in this application is to the best of his knowledge and belief accurate. Signature or thumb-impression ofthe employed person, or legal practitioner or official ofa registered trade union duly authorised FORM B (See sub-section (2) ofsections 15 and 16 of Payment of Wages Act FORM OF GROUP APPLICATION In the Court of the Authority appointed under the Payment of Wages Act, 1936 (4 of 1936) for area. Application No of 20 other Applicants Between A. B. C. and (State the number) which is a registered (through a legal practitioner an official of trade union). opposite party. And X. Y Z The applicants state as follows :— 1. [The applicants whose names and permanent addresses] appear in the attached schedule are persons employed in the/on the factory/railway/indUSffial establishment entitled and resides at The addresses of the applicants for service of all notices and processes is

Form-CJ The Payment of Wages (Procedure) Rules, 1937 43 2. X. Y. Z., the opposite party, is the person responsible for the payment of wages under section 3 of the Act, and his address for the service of all notices and processes is : 3. The applicants' wages have not been paid for the following wage-period 4. The applicants estimate the value of the relief sought by them at the sum of 5. The applicants pray that a direction may be issued under sub-section (3) of section 15 for : (a) Payment of the applicants' delayed wages as estimated or such greater or lesser amount as the Authority may find to be due. (b) Compensation amounting to The applicants certify that the statement of facts contained in this application is, to the best of their knowledge and belief, accurate. Signature or thumb-impression of two of the applicants, or legal practitioner, or an official of a registered trade union duly authorised Sl. No. 1 8[SCHEDULE Name of Applicant 2 FORM C Permanent address 3 (See sub-section (2) of sections 15 and 16 of the Payment of Wages Act) FORM OF APPLICATION BY AN INSPECTOR OR PERSON PERMITTED BY THE AUTHORITY OR AUTHORISED TO ACT In the Court of the Authority appointed under the Payment of Wages Act, area. 1936 (4 of 1936) for of 20 Application No an Inspector under the Between A. B. C. [(designation) permitted by the authority to act under sub- Payment of Wages Act] or a person authorised applicant. section (2) of section 15] And the opposite party

8. Substituted by S.O. 2334, dated 14-9-1960. 44 The Payment of Wages (Procedure) Rules, 1937 [Form•b The applicant states as follows :— l. X Y. Z., the opposite party, is the person responsible under the Act for the payment of wages to the following 9[persons whose names and permanent addresses are given below] . (l) (2) (3) 2. His address for the service of all notices and processes is : 3. The wages of the said person(s) due in respect of the following wage. period(s) have not been paid/have been subjected to the following illegal deductions 4. The applicant estimates the value of the relief sought for the person(s) employed at the sum of Rs 5. The applicant prays that a direction may be issued under sub-section (3) of section 15 for : (a) Payment of the delayed wages as estimated or such greater or lesser amount as the Authority may find to be due. Or Refund of the amount illegally deducted. (b) Compensation amounting to Rs The applicant certifies that the statement of facts contained in this application is, to the best of his knowledge and belief, accurate. Signature

FORM D CERTIFICATE OF AUTHORISATION I/We employed person(s) hereby authorise a legal practitioner/an official of which is a registered trade union to act on my/our behalf under section 15 and section 17 of the Payment of Wages Act, 1936 (4 of 1936), in respect of the claim against on account of the delay in payment/illegal deduction from my/our wages for Signatures (I) (2) (3) (4) Signature Legal practitioner Official ofa registered trade union 9. Witnesses (l) (2) (3) (4) I accept the authorisation. Substituted by S.O. 2334, dated 14-9-1960. Form E-F] The Payment of Wages (Procedure) Rules, 1937 FORM E 45 NOTICE FOR THE DISPOSAL OF APPLICATION To Whereas under the Payment of Wages Act, 1936 (4 of 1936) a claim against you has been presented to me in tin. 1 application of which a copy is enclosed, you are hereby called upon to appear before me either in person or by any person duly instructed, and able to answer all material questions relating to the application, or who shall be accompanied by some person able to answer all material questions relating to the application, or who shall be accompanied by some person able to answer all such questions, on the at day of 20 o'clock in the forenoon/afternoon to answer the claim; and as the day fixed for your appearance is appointed for the final disposal upon whose evidence, and the documents upon which you intend to rely on in support of your defence. Take notice that, in default of your appearance on the day before mentioned, the application will be heard and determined in your absence. Given under my hand and seal, this day of 20 Authority Seal (1) (2) (3) (4) (5) (6) 11 (8) (9) (10) (11) FORM F IO[RECORD OF ORDER OR DIRECTION] Serial number Date of the application Name or names, parentage, address or addresses of the applicants, or some, or all of the applicants belonging to the same unpaid group : Name and address of the employer : Amount claimed • (a) as delayed wages : Rs (b) as deducted from wages : Rs Plea of the employer and his examination (if any) : Finding, and a brief statement of the reasons thereforl • Amounts awarded • (a) delayed wages Rs (b) deducted wages Compensation awarded Penalty imposed Costs awarded to : (a) Court-fee charges (b) Pleader's fee (c) Witnesses' expenses 10• SUbstituted by Payment of Wages (Procedure) (Amendment) Rules, 1959. 46 The Payment of Wages (Procedure) Rules, 1937 Date by which the amounts awarded shall be paid.] Signed Dated [Form-G Note.—ln case where an appeal lies, attach on a separate sheet the substance of the evidence. FORM G NOTICE TO RESPONDENT OF THE DAY FIXED FOR THE HEARING OF THE APPEAL UNDER SECTION 17 OF THE PAYMENT OF WAGES ACT, 1936 Appeal from the decision of the Authority for the area dated 20 the day of To Respondent Take notice that an appeal of which a copy is enclosed from the decision of area has been presented by X.Y.Z. (and others), and the Authority for day of registered in this Court, and that the 20 has been fixed by this Court for the hearing of the appeal. If no appearance is made on your behalf by yourself, or by someone by law authorised to act for you in this appeal, it will be heard and decided in your absence. Given under my hand and the seal of the Court, this day of 20 Judge 11. Seal of the Court Inserted by S.O. 2410, dated 6-7-1970. Notifn.] Controlling Authorities Notified by the Central Govt. 47 CONTROLLING AUTHORITIES NOTIFIED BY THE CENTRAL GOVERNMENT NOTIFICATION UNDER SECTION 14(3) OF THE PAYMENT OF WAGES ACT, 1936 [S.o. 1809(E), New Delhi, dated the 26th December, 2005] In exercise of the powers conferred by sub:section (3) of section 14 read with section 24 of the Payment of Wages Act, 1936 (4 of 1936) and in supersession of the notification of the Government of India in the Ministry of Labour S.O. number 191 (E), dated the 16th March, 1990, the Central Government hereby appoints the officers mentioned in Column (2) of the Table below to be Inspectors for the purposes of the said Act and directs that they shall exercise their functions within the local limits of lhe area specified against them in Column (3) of the said Table in respect of mines, oilfields and air transport services to which the said Act applies, namely: TABLE S.N0 (l) I. 2. 3

4. Officers (2) Chief Labour Commissioner (Central), all Dy. Chief Labour Commissioners (Central), all Regional Labour Commis- sioner (Central), all Assistant Labour Commissioner (Central), all Labour Enforcement Officers (Central), posted in Head Quarters Office of Chief Labour Commissioner (Central); New Delhi. All other Dy. Chief Labour Commissioners (Central). Regional Labour Commissioner (Central) Ahmedabad, all Assistant Labour Commis- sioners (Central) in the Ahmedabad region and all Labour Enforcement Officers (Central) in the Ahmedabad region. Regional Labour Commissioner (Central) Ajmer, Jaipur, all Assistant Labour Commissioners (Central) in the Ajmer region and all Labour Enforcement Officers (Central) in the Ajmer region. Regional Labour Commissioner (Central) Asansol, all Assistant Labour Commissioners (Central) in the Asansol region and all Labour Enforcement Officers (Central) in the Asansol region. Region entral) Kolkatta, all Assistant Labour

Commissioners (Central) in the Kolkatta region and all Labour Enforcement Officers (Central) in the Kolkatta region. Jurisdiction (3) The Whole of India The Whole of India The State of Gujarat and Union Territories of Dadra and Nagar Haveli and Daman and Diu. The State of Rajasthan The Civil Districts of Burdwan, Birbhum, Bankura and Purulia in the State of West Bengal. The State of West Bengal (excluding the Civil Districts of Burdwan, Birbhum, Bankura and Purulia). The State of Sikkim and the Union Territories of Andaman and Nicobar Islands. 48 (l) Controlling Authorities Notified by the Central Govt. otifn (2) 6. Regional Labour Commissioner (Central) (3) The State of Karnataka. The State of Orissa. 7. 8

9. Bangalore, Regional Labour Commissioner (Central) Bellary, all Assistant Labour Commissioners (Central) in the Bangalore region and all Labour Enforcement Officers (Central) in the Bangalore region. Regional Labour Commissioner (Central) Bhubaneswar, Rourkela, all Assistant Labour Commissioners (Central) in the Bhubaneswar region and all Labour Enforcement Officers (Central) in the Bhubaneswar region. Regional Labour Commissioner (Central) Mumbai, Pune, all Assistant Labour Commissioners (Central) in the Mumbai region and all Labour Enforcement Officers (Central) in the Mumbai region. Regional Labour Commissioner (Central) Na.gpur, all Assistant Labour Commissioners (Central) in the Nagpur region and all Labour Enforcement Officers (Central) in the Nagpur region

10. Regional Labour Commissioner (Central) Cochin, all Assistant Labour Commissioners (Central) in the Cochin region and all Labour Enforcement Officers (Central) in the Cochin region

11. Regional Labour Commissioner (Central) Chandigarh, Jammu, all Assistant Labour Commissioners (Central) in the Chandigarh region and all Labour Enforcement Officers (Central) in the Chandigarh region

12. Regional Labour Commissioner (Central) Dhanbad, Ranchi, all Assistant Labour Commissioners (Central) in the Dhanbad region and all Labour Enforcement Officers (Central) in the Dhanbad region

13. Regional Labour Commissioner (Central) Guwahati, all Assistant Labour Commissioners (Central) in the Guwahati region and all Labour Enforcement Officers (Central) in the Guwahati region.(i) The State of Maharashtra excluding the following Civil districts:—Nagpur, Bhandara, Akola, Amravati, Wardha Buldhana, Jalgaon, Chandrapur, Gadchiroli, Nanded, Parbhani, Yeotmal, Osmanabad, Latur, Bid, Hingoli and Wasim. (ii) State ofGoa. (i) The following Civil Districts of the State of Maharashtra:—Nagpur, Bhandara, Akola, Amravati, Wardha, Buldhana, Jalgaon, Chandrapur, Gadchiroli, Nanded, Parbhani, Yeotmal, Osmanabad, Latur, Bid, Hingoli and Wasim. (i) The State of Kerala. (ii) The Union Territory of Lakshdweep. (iii) Mahe in the Union Territory of Pondicherry. (i) The State of Himachal Pradesh. (ii) The State of Haryana. (iii) The State of Punjab. (iv) The State of Jammu and Kashmin (v) The Union Territory of Chandigarh. The following Civil Districts of Jharkhand, Dhanbad, Bokaro, Hazaribagh, Kodarma, Ranchi, Lohardaga, Gumla, Simdega, Chatra, East Singhbhum, West Singhbhum, Giridih, Deoghar, Sarai Keala (Kharsanwa) and Jamtara. The State of Assam, Nagaland, Meghalaya, Tripura, Manipur, Arunachal Pradesh and Mizoram. Notifn.l Controlling Authorities Notified by the Central Govt. (2) 49 (3) 14. Regional Labour Commissioner (Central) Hyderabad, all Assistant Labour Commissioners (Central) in the Hyderabad region and all Labour Enforcement Officers (Central) in the Hyderabad region

15. Regional Labour Commissioner (Central) Jabalpur. Bhopal, all Assistant Labour Commissioners (Central) in the Jabalpur region and all Labour Enforcement Offcers (Central) in the Jabalpur region

16. Regional Labour Commissioner (Central) Kanpur, Lucknpw, all Assistant Labour Commissioners (Central) in the Kanpur region and all Labour Enforcement Officers (Central) in the Kanpur region

17. Regional Labour Commissioner (Central) Dehradun, all Assistant Labour Commissioners (Central) in the Dehradun region and all Labour Enforcement Officers (Central) in the Dehradun region

18. Regional Labour Commissioner (Central) Chennai, all Assistant Labour Commissioners (Central) in the Chennai region and all Labour Enforcement Officers (Central) in the Chennai region

19. Regional Labour Commissioner (Central) New Delhi, all Assistant Labour Commissioners (Central) in the New Delhi region and all Labour Enforcement Officers (Central) in the New Delhi region

20. Regional Labour Commissioner (Central) Patna, all Assistant Labour Commissioners (Central) in the Patna region and all Labour Enforcement Officers (Central) in the Patna region

21. Regional Labour Commissioner (Central) all Assistant Labour Raipur, Commissioners (Central) in the Raipur region and all Labour Enforcement Officers (Central) in the Raipur region. The State of Andhra Pradesh and the area of Yanam in the Union Territory of Pondicherry. The State of Madhya Pradesh. The State of Uttar Pradesh excluding the Civil Districts of Saharanpur, Bijnor, Meerut, Ghaziabad, Bulandshahar, Muzaffarnagar, Bareilly, Moradabad, Pilibhit, Shanjahanpur, Badaun, Rampur, Bagpat and Gautam Budh Nagar. State of Uttaranchal and districts of Saharanpur, Bijnor, Meerut, Ghaziabad, Bulandshahar, Muzaffarnagar, Bareilly, Moradabad, Pilibhit, Shahjahanpur, Badaun, Rampur, Bagpat and Gautam Budh Nagar of the State of Uttar Pradesh. The State of Tamil Nadu and the Union Territory ofPondicheny (Except Yanam and Mane). National Capital Territory ofDelhi. The State of Bihar and the Civil Districts Garwah, Palamu, Latehar, Dumka, Godda, Sahibganj and Pakur in the State of Jharkhand. The State of Chhattisgarh. — Gaz. oflndia, 26-12-2005. Pt. 11, S. 3 (ii), Ext. P. 3 (No. 1342). The Payment of Wages (Nomination) Rules, 2009 50 THE PAYMENT OF WAGES (NOMINAT10N) RULES, 20091 In exercise of powers conferred by sub-section (2) read with clause (Ico of subsection (3) of section 26 of the Payment of Wages Act, 1936 (4 of 1936) the Central Government hereby makes the following rules, namely: 1. Short title and commencement.-—(l) These rules may be called the Payment of Wages (Nomination) Rules, 2009. (2) They shall come into force on the date2 of their final publication in the Official Gazette

2. Definitions.—ln these rules, unless the context otherwise requires,— (a) "Act" means the Payment of Wages Act, 1936 (4 of 1936); (b) "family" means all or any ofthe following relatives of an employed person, namely:— (i) a spouse; (ii) aminor child dependent upon the employed person; (iii) a child who is wholly dependent on the earnings of the employed person and who is receiving education, till he or she attains the age of twenty-one years; (iv) an unmarried daughter; (v) ason or daughter who is infinn by reason of any physical or mental abnormality or injury and is wholly dependent on the earnings ofthe employed person, so long as the infirmity continues; (vi) dependant parents; (c) "Form" means a form appended to these rules; (d) "minor" means a person who has not completed the age of eighteen years. Explanation.—For the purpose of this rule, "child" means and includes an adopted child, and any reference to "son" or "daughter" shall be construed accordingly

3. Procedure for nomination.——(l) Every employed person shall make a declaration in Form I, nominating a person conferring the right to receive the amount that may stand in his credit at the event of his death before that amount standing to his credit has become payable or where the amount has become payable, before payment has been made. (2) Ifan employed person has a family at the time of making nomination, the nomination shall be in favour of the spouse or the spouse in preference followed by one or more members of his family : Provided that nomination made by an employed person having a family in favour ofa person other than member of his family shall be invalid: l. Vide G.S.R. 822(E), dated 13th November, 2009, published in the Gazette of India, Extra•' Ft. 11, Sec. 3(i), No. 656, dated 13th November, 2009

2. Came into force on 13-11-2009. Provided further that a fresh nomination towards his/her spouse shall be made by the employed person on his marriage and any nomination made before such marriage shall be deemed to be invalid. (3) Where the nomination is wholly or partly in favour ofa minor, the employed person may appoint a major person of his family, to be the guardian of the minor nominee or where there is no major person in the family, he may, at his discretion, appoint any other person to be a guardian of the minor nominee. (4) Ifthe employed person nominates more than one member, he shall specify in the nomination, the amount or share payable to each of his nominees at his own discretion so as to cover the whole of the amount that may stand to his credit.

Form I] l. The Payment of Wages (Nomination) Rules, 2009 51 2. 3. 4. 5

6. FORM 1 NOMINATION AND DECLARATION FORM [See rule 3] Name ofperson making nomination (in block letters) Father's/Husband's Name Date of Birth Sex Marital Status Address Permanent Temporary I hereby nominate the person(s)/cancel the nomination made by me previously and nominate the person(s) mentioned below to receive any amount due to me from the employer, in the event to my death. Ifthe nominee is Name of the Address Nominee's Date of Total amount of nominee/ nominees (l) relationship Birth share of accumu- minor, name, relation- (2) with the member (3) lations in credit ship and address of the (4) to be paid to each nominee (5) guardian who may receive the amount during the minority ofnominee (6) l. Certified that I have no family and should I acquire a family hereafter, the nomination shall be deemed as cancelled

2. Certified that my *father/mother is/are dependent upon me.* Strike out whichever is not applicable. Signature or the thumb impression of the employed person. 52 The Payment of Wages (Nomination) Rules, 2009 CERTIFICATE BY EMPLOYER [

Form Certified that the above declaration and nomination has been si gned/thumb impressed before me by Shri/Smt./Kum employed in my establishment after he/she has read the entry/entries have been read overto him/ her by me and got confirmed by him/her. Place Date Signature of the employer or other authorised officer of the establishment and Designation Name and Address of the Factory/ Establishment and rubber stamp thereof THE MADHYA PRADESH PAYMENT OF WAGES RULES, 1962 [Notfn. No.5775-4912/XVI, dated 30th July, 1962, Pub. in M.P Rajpatra, part 4(ga), dated 28.9.1962, p. 620] As amended subsequently by the following Notifications:— l. No. 6330-2653-XVI, dated 20.8.1968, Pub. in M.P. Rajpatra part 4(ga), dated 15.11.1968, p. 996. 2. No. 6727/XVl, dated 23.10.1971, Pub.-in M.P. Rajpatra, Pt. 4(ga), dated 19.11.1971, p. 640; & 3. No. 3080-921-XVI-A, dated 8.5.1981, Pub. in M.P.Rajpatra part 4(ga), dated 29.5.1981, p

125. Note : In the footnotes appearing hereinafter, reference to amending notifications has been made by serial No.as given to them above. In exercise of the powers conferred by sub-sections (l) and (2) of section 26 of the Payment of Wages Act, 1936 (IV of 1936), the State Government hereby makes the following rules, the same having been previously published as required by sub-section (5) of section 26 of the Act

1. Title.— These rules may be called the Madhya Pradesh Payment of Wages Rules, 1962

2. Definitions.— In these rules, unless there is anything repugnant in the subject or context (otherwise requires),— (a) (b) (c) (d) (f) (h) (i) (j) (k) (m) (n) (o) "the Act' means the Payment of Wages Act, 1936 (IV of 1936); "appeal" means an appeal under section 17; "the Authority" means the authority appointed under subsection (l) of section 15 of the Act; "the Chief Inspector of Factories" means the Chief Inspector of Factories appointed under sub-section (2) of section 8 of the Factories Act, 1948 (No. 63 of 1948); "Commissioner of Labour", means the Commissioner of Labour appointed under sub-section (l) of section 3 of the Madhya Pradesh Industrial Relations Act, 1960 (No. 27 of 1960); "the Court' means the court mentioned in sub-section (1) of section 17 of the Act; "deduction for breach of contract" means a deduction made in accordance with the provisions of the proviso to sub-section (2) of section 9; "deduction for damage or loss" means a deduction made in accordance with the provisions of clause (c) of sub-section (2) of section 7; "employer" includes the persons responsible for the payment of wages under section 3; "Form" means a form appended to these rules; "Inspector" means the Inspector authorised by, or under, section 14 of the Act; "person employed" excludes all persons to the payment of whose wages the Act does not apply; "section" means a section of the Act. 'pay-master" means an employer or other person responsible under section 3 of the Act for the payment of wages; Words and expressions defined in the Act shall be deemed to have the same meaning as in the Act. (53) 54 The M.P. Payment of Wages Rules, 1962 PART 1 3. Register of Fines.— (1) In any factory in respect of which the employer has obtained approval under sub-section (1) of section 8 to a list of acts and omissions in respect of which fines may be imposed, the pay-master shall maintain a Register of Fines in

Form I. (2) At the beginning of the Register of Fines there be entered serially number e d the approved purpose or purposes on which the fines realised are to be expended (3) When any disbursements are made from the fines realised, a deduct entry of the amount so expended shall be made in the Register of Fines, and a voucher receipt in respect of the amount shall be obtained in duplicate, of which one copy shall be forwarded to the Chief Inspector of Factories for his information and the other copy shall be maintained by the employer and shall be available to an Inspector on demand. If more than one purpose has been approved the entry of the disbursement shall also indicate the purpose for which it is made

4. Register of deductions for damage or loss.— In every factory in which deductions for damage or loss are made, the pay-master shall maintain the Register required by sub-section (2) of section 10 in

Form 11

5. Register of Wages.— A Register of Wages shall be maintained in every factory and may be kept in such form as the pay-master finds convenient but shall include the following particulars: (a) (b) (c) (d) (f) (h) name, ticket number and designation of each employee; rate of salary or wages of each employed person; particulars of attendance put in by each worker or quantum of work with particulars thereof performed by each employee engaged on piece work in the wage period; the gross wages earned by each person employed for each wage period; advance against wages of the period made to each employee in the wage period; all deductions made from those wages with an indication in each case of the clause of sub-section (2) of section 7 under which the deduction is made; the wages actually paid to each person employed for each wage period; date of payment. 1[5-A. A copy of the entries made in the register of wages maintained under Rule 5 shall be supplied free of change within a week of the entries made in the register to every person employed in the factory where the number of persons employed is one hundred or more.] 6. Maintenance of Registers.— (l) The registers required by rules 3, 4, 5 and 17 shall be preserved by the employer— (a) for twelve months after the date of the last entry made in them; or (b) for such longer period, as the Inspector may require in any particular case; or (c) as may be required by any law or rule or order ofa Court or other competent authority. (2) In the event of closure of a factory, the pay-master shall forthwith intimate to the Inspector the place where the registers referred to in sub-rule (l) above shall be available for inspection and notwithstanding the closure the person who was pay-master 1. Ins. by No. 3 [29-5-81]. R. 7-14] The M.P. Payment of Wages Rules, 1962 55 at the time of the closure shall continue to be liable to preserve them for the period prescribed in sub-rule (l). (3) Any person who succeeds the pay-master shall take charge of all the registers required to be preserved under clause (a) of sub-rule (l) of rule 6 and if any such register it not available he shall immediately make a report to the Inspector

7. Weights, measures and weighing machines.— All weights, measures, or weighing or measuring instruments which are used in checking, or ascertaining, the wages of persons employed in any factory shall be examined in accordance with the provisions of the law relating to weights and measures in force in different regions of the State. If the Inspector considers that any action should be taken under the said enactment or the Indian Penal Code, 1860 (XLV of 1860), he may seize the article in question for the purpose of inspection and shall report the matter with his opinion to the authority concerned for necessary action

8. Notice of dates of payment.— The pay-master shall display, in a conspicuous place at or near the main entrance of the factory, a notice, in English and in Hindi written in Devnagari script, giving for not less than one month in advance the days on which wages are to be paid

9. Prescribed authority.— The Chief Inspector of Factories shall be the authority competent to approve, under sub-section (l) of section 8, acts and omissions in respect of which fines may be imposed and, under sub-section (8) of section 8, the purposes on which the proceeds of fines shall be expended

10. Application in respect of fines.— Every employer requiring -the power to impose fines in respect of any acts and omissions on the part of employed persons shall send to the Chief Inspector of Factories— (a) a list, in English, or in Hindi written in Devnagari script, in duplicate, clearly defining such acts and omissions; (b) in cases where the employer himself does not intend to be the sole person empowered to impose fines, a list in duplicate, showing those appointments in his factory of which the incumbents may pass orders imposing fines and the class of establishment on which the incumbent of each such appointment may impose fine

11. Approval of list of acts and omissions.— The authority appointed under rule 9 on receipt of the list prescribed in clause (a) of rule IV may, after such enquiry as he considers necessary, pass orders either— (a) disapproving the list; (b) approving the list either in its original form or as amended by him, in which case such list shall be considered to be an approved list; Provided that no order disapproving or amending any list shall be passed unless the employer shall have been given an opportunity of showing cause orally or in writing why the list as submitted by him should be approved

12. Postings of list.— The employer shall display at or near the maintenance of the factory a copy in Hindi written in Devnagari script of the list of acts and omissions approved under rule I l

13. Persons authorised to impose fines.— No fine may be imposed by any Person other than an employer, or a person holding an appoin tted under rule IO

14. Procedure in imposing fines and deductions.— No fine shall be imposed On and no deduction for damage or loss shall be made from the wages of an employed Person until the person competent to impose the fine or make the deductions has 56 The M.P. Payment of Wages Rules, 1962 [R.15-17 intimated in writing or explained personally to the said person the act or omission damage or loss, in respect of which the fine or deduction is proposed to be imposed or made and the amount of the fine or deduction which it is proposed to impose or make and has heard and recorded his explanation in the presence ofat least one other person 15. Information to pay-master.— The person imposing a fine or directing the making of a deduction for damage or loss shall at once inform the pay-master of all particulars, so that the entries in the register prescribed in rule 3 or 4 may be duly completed

16. Deductions for breach of contract.— (1) No deduction for breach ofcontract shall be made from the wages for an employed person who is under the age of fifteen years or is a woman. (2) No deduction for breach of contract shall be made from the wages of any employed person unless— (a) there is provision in writing

forming part of the terms of the contract of employment requiring him to give notice of termination of his employment, and (i) the period of this notice does not exceed eight days or the wage. period, whichever is less, and (ii) the period of this notice does not exceed the period of notice which the employer is required to give of the termination of that employment; (b) this rule has been displayed in English and in Hindi written in Devnagari script at or near the main entrance of the factory and has been so displayed for not less than one month before the commencement of the absence in respect of which the deduction is made; (c) a notice has been displayed at or near the main entrance of the factory giving the names of the persons from whom the deduction is proposed to be made, the number of days wages to be deducted and the conditions (if any) on which the deduction shall be remitted: Provided that where the deduction is proposed to be made from all the persons employed in any department or sections of the factory, it shall be sufficient, in lieu of giving the names of the persons in such departments or sections, to specify the departments or sections affected. (3) No deduction for breach of contract shall exceed the wages of the person employed for the period by which the notice of termination of service given falls short of the period of such notice required by the contract of employment. (4) If any conditions have been specified in the notice displayed under clause (c) of sub-rule (2), no deduction for breach of contract shall be made from any person who has complied with these conditions

17. Advances.— (1) An advance against wages not already earned shall not' without the previous permission of an Inspector, exceed an amount equivalent to the wages earned by the employed person during the preceding two calendar months, or if he has not been employed for that period, the wages he is likely to earn during the two subsequent calendar months. (2) The advance may be recovered in instalments by deductions, from wages spread over not more than twelve months. No instalment shall exceed one-third' or where the wages for any wage period are not more than twenty rupees, of the wages for the wage-period in respect of which the deduction is made: Provided that in the case of advances exceeding the ordinary limit made with the previous permission of an Inspector in accordance with sub-rule (1) the recovery R. 18-231 The M.P. Payment of wages Rules, 1962 57 be spread over such larger period as the Commissioner of Labour (Madhya Pradesh), may fix on the application of the employer (3) The amounts of all advances sanctioned and the repayments thereof shall be entered in a register in

Form IV so as to reach the Chief Inspector of Factories not later than the 1 5th of February, following thé end of the calendar year to which it relates

19. Notice of appointment of a contractor.— Every pay-master shall notify to the Inspector appointment of any contractor in the factory for employing persons in the factory premises or precincts thereof in any of the manufacturing processes as defined in the Factories Act, 1948, or in any other kind of work incidental to or connected directly or indirectly therewith

20. Statement of unpaid or unclaimed wages.— The paymaster shall submit fonhwith a report to the Inspect in

Form No. V in respect of such employees whose employment is terminated by or on behalf of the employer and who have failed to apply or accept their payment in accordance with sub-section (2) of section 5

21. Display of rates of wages.— In every factory a notice shall be displayed in each department of the factory specifying occupationwise rates of wages payable to all persons employed in such factory other than those who are employed in position of supervision or management or those who are employed in a confidential position in accordance with the provisions of the Factories Act, 1948 and rules made thereunder

22. Costs.— (l) Where the Authority or the Court, as the case may be, directs that any costs shall not follow the event, he shall state his reasons for so doing in writing. (2) The costs which may be awarded shall include— (a) the charges necessarily incurred on account of court-fees; (b) the charges necessarily incurred on subsistence-money to witnesses; and (c) pleader's fees which shall ordinarily be Rs. 10 provided that the authority or the court, as the case may be, in any proceedings, may reduce the fee to a sum not less than Rs. 5 or increase it to a sum not exceeding Rs. 30. (3) When a party engages more pleaders than one to defend a case, he shall be allowed one set of costs only

23. Fees.— (l) The court-fee payable in respect of proceedings under the Act shall be— (i) For every application to summon a witness-Twenty-five naye Paise in respect of each witness. (ii) For every other application made by, or on behalf of, an individual person before the Authority-Fifty naye Paise. (iii) For every other application made by, or on behalf of, an unpaid group before the Authority-Twenty-five naye Paise for each member of the group, subject to maximum of five rupees. (iv) For every appeal lodged with the Court-Five rupees: Provided that the Authority or the Court may, in consideration of the poverty of the applicant, reduce or remit this fee: Provided further that no fee shall be chargeable in respect of an application presented by an Inspector. (2) The court-fee payable for obtaining copies of orders and proceedings under the Act or of any document filed or of depositions taken before any authority or Court in such proceedings shall be the same as is payable for obtaining similar documents in a district court: 58 The M.P. Payment of Wages Rules, 1962 [R. 24-31 Provided that no fee shall be payable for copies obtained by Inspector: Provided further that the authority or the Court, as the case may be, may grant copies free of cost to any person in consideration of the poverty of such person

24. Abstracts.— The abstracts of the Act and of the rules made thereunder to be displayed under section 25 shall be in

Form VI

25. Application of rules to Industrial Establishment.— Where the provisions of the Act have been extended to any Industrial establishment under sub-section (S) of section I of the Act, every reference in these rules to— (a) a factory shall be deemed to include also a reference to such industrial establishment; and (b) Chief Inspector of Factories shall be deemed to be a reference to the Commissioner of Labour

26. Penalties.— Any breach of rules 3, 4, 5, 6, 7, IO, 12, 13, 14, 15, 16, 17, 18 and 19 of these rules shall be punishable with fine which may extend to Rs

200

PART 11 27. Form of applications Applications under sub-section (2) of section 15 by or on behalf of an employed person or group of employed persons or an Inspector or any other person acting with the" permission or the authority appointed under sub. section (1) of section 15, shall be made in duplicate in

Form V 11, Form VIII or Form IX, as the case may be, one copy of which shall bear such court fee as may be prescribed

28. Authorisation.— The authorisation to act on behalf of an employed person or persons under section 15 shall be given by a certificate in

Form X which shall be presented to the Authority hearing the application and shall form part of the record

29. Permission to appear.— Any person desiring the permission of the authority to act on behalf of any employed person or persons shall present to the Authority a brief written statement explaining his interest in the matter, and the Authority shall record an order on the statement, which in the case of refusal shall include reasons for the order, and shall incorporate it in the record

30. Presentation of documents.— (l) Applications or other documents relevant to an application may be presented in person to the authority at any time during hours to be fixed by the Authority, or may be sent to him by registered post. (2) The Authority shall at once endorse, or cause to be endorsed, on each document the date of the presentation or receipt, as the case may be

31. Refusal to entertain application.— (l) The Authority may refuse to entertain an application presented under Rule 30, if after giving the applicant an opportunity of being heard the Authority is satisfied for reasons to be recorded in writing that— (a) the applicant is not entitled to present an application, or (b) the application is barred by reason of the provisions in the provisos to sub- section (2) of section 15, or (c) the applicant shows no sufficient cause for making a direction under section 15. (2) The Authority may refuse to entertain an application which is insufficiently stamped or is otherwise incomplete and, if it so refuses, shall return it at once with an indication of the defects. If the application is presented again after the defects have been made good; the date of representation shall be deemed to be the date ofpresentati00 for the purposes of the provisos to sub-section (2) of section 15. The period intervening the date of first presentation of an application and the date of returning of such application by the "Authority" (both days inclusive) shall be excluded. R. 32-37] The M.P. Payment of Wages Rules, 1962 59 32. Appearance of parties.— (1) If the application is entertained, the Authority shall call upon the employer by a notice in

Form XI to appear before him on a specified date together with all relevant documents and witnesses, if any, and shall inform the applicant of the date so specified. (2) Ifthe employer or his representative fails to appear on the specified date, the Authority may proceed to hear and determine the application ex parte. (3) Ifthe applicant fails to appear on the specified date, the Authority may dismiss the application: Provided that an order passed under sub-rule (2) or sub-rule (3) may be set aside and the application reheard on good cause being shown within one month of the date ofthe said order, notice being served on the opposite party of the date fixed for rehearing

Form XII and at the time of passing orders shall sign and date the Form. (2) In a case where no appeal' lies, no further record shall be necessary. (3) In a case where an appeal lies, the authority shall record the substance of the evidence and shall append it under his signature -to the record of direction in Form XII

34. Signature on Forms.— Any form, other than a Record of Direction, which is required by these rules to be signed by the Authority, may be signed under his direction and on his behalf by any officer subordinate to him appointed by him in writing for this purpose

35. Exercise of powers.— In exercising the powers ofa Civil Court conferred by section 18 the Authority shall be guided in respect of procedure by the relevant orders of the First Schedule of the Code of Civil Procedure, 1908 with such alterations as the Authority may find necessary not affecting their substance, for adapting them to the matter before him and save where the conflict with the express provisions of the Act or these rules

36. Appeals.— (1) An appeal shall be preferred in duplicate in the form of a memorandum one copy of which shall bear the court-fee stamp of Rupee one, setting forth concisely the grounds of objection to the direction and shall be accompanied by a certified copy of that direction. (2) When an appeal is preferred a notice shall be issued to the respondent in

Form XIII. (3) The Court after hearing the parties and after such further enquiry, if any, as it may deem necessary may confirm, vary or set aside the direction from which the appeal is preferred, and shall .make an order accordingly

37. Inspection of documents.— Any employed person, or any employer or his representative, or any person permitted under sub-section (2) of section 15 to apply for a direction, shall be entitled to inspect any application, memorandum of appeal, or any other document filed with the authority or the Court, as the case may be, in a case to which he is a party, and may obtain copies thereof on payment of court-fee payable for inspection of similar documents in a district' court: Provided that an Inspector may inspect such documents without payment of any fee: Provided further that the Authority for the Court, as the case may be, may, in consideration of the poverty of the applicant, allow inspection of documents free of cost. The M.P. Payment of Wages Rules, 1962 [R. 37A-38 60 1137-A. Powers of Inspector.— In addition to the powers specified in section of the Act, an Inspector shall, for the purposes of the enforcement of the Act, hall powers, subject to the provisions of the Act, to prosecute, conduct, or defend, before a Court any complaint or other proceedings arising under the Act, or in discharge duties as an Inspector and secure such evidence as may be necessary for the I 38. Repeal.— The Central Provinces and Berar Payment of Wages Rules, 193' the Payment of Wages (Procedure) Rules, 1937 in their application to Mahakosh(li region, the Madhya Bharat Payment of Wages (Procedure) Rules, 1952, the Bhopal Payment of Wages Rules, 1954 and the Rajasthan Payment of Wages Rules, in their application to Sironj region are hereby repealed: Provided that any order made or notification issued or thing done or action taken under the rules so repealed shall be deemed to have been made, issued, done or take under the corresponding provisions of these rules.

FORM 1 [See Rule 3(1)] Register of Fines Name of the factory District Locality Serial No. (1) Act or omission for which fine imposed Name (2) Father's name (3) Designation of officer imposing fine (7) Depart- Occupation ment or Ticket No. (4) (5) (6) Wages* payable Amount (9) Date and amount of fine imposed Whether workmen showed cause against fine or not. If so enter date of investigation (8) Date on which Remarks * * wages period (10) Date and Amount fine realised (12) (13) *By "Wages payable" Is meant the gross wages earned by a workman, for time- workers the wages due for the pay period less deductions for absence from duty for piece workers the wages due on production In both cases without deductions for fines or for service rendered by employer

1. Ins.byN0.2, 119-11-71]. The M.P. Payment of Wages Rules, 1962 61 enter month If paytnent Is made by the English calendar month. In the case of other pay periods enter "Week", "fortnight" or "hafta" as the case may be, giving dates covered by pay period.

FORM 11 [See Rule 41 Register of Deductions for Damage or Loss caused to the Employer by the Neglect or Default of the Employed Persons in respect of Goods expressly entrusted to them for Custody. Name of the factory Locality District Serial No. (l) Damage or loss caused (6) Name (2) Father's name (3) Department or Occupation Ticket No. (4) (5) Whether worker showed cause against deduction or not if so enter date of investigation (7) Date on which total amount realised Date and Amount (11) FORM 111 [See rule 17(3)] Date and amount of deduction imposed Date and (8) No. of instalments, if any (10) Amount (9) Remarks (12) Register of Advances made to employed persons. District Locality Name of the factory Serial No. (l) Name (2) Father's name (3) Department or Ticket No. (4) 62 The M.P. Payment of Wages Rules, Date and amount of advance made (5) Postponements granted (8) Purpose(s) for which advance made (6) Dates and amount of instalments repaid Date and Amount (9) FORM IV [See rule 18] Annual Return 1962 [Form IV Number of instalments by which advances to be repaid (7) Remarks (10) 1. 2

3. Wages and deductions from wages Return for the year ending 3 1st December, 19 (a) Name of the factory or establishment and postal address (b) Industry No.of days worked during the year *(a) No. of man days worked during the year (b) Persons earning less than Rs. 400 per month Adults Children Total (c) Average daily number of persons employed during the year Adults Children Total 1. * *4. Gross amount paid as remuneration to person getting less than Rs. 400 including deduction under Section 7(2) of which the amount due to and that due to money value of profit sharing bonus is concession # is 5. Total wages paid including deductions under Section 7(2) on the following accounts: Persons receiving less than Rs. 400 per month (a) Basic wages Including overtime wages and non-profit sharing bonus Rs. Subs. byN0.1, [15-11-681.

Form V] The M.P. Payment of wages Rules, 1962 63 Persons receiving less than Rs. 400 per month (b) Dearness and other allowances in cash Rs. (c) Arrears of pay in respect of previous year paid during the year Total *This is the aggregate number of attendance during the year. ** The average daily number of persons employed during the year is obtained by dividing aggregate number of attendance during the year by the number of working days. *Money value of concessions should be obtained by taking the difference of the cost price paid by the employer and the actual price by the employees for supplies of essential commodities given free or at concessional rate

6. Deductions Persons receiving less than Rs.400 per month No. of cases (a) Fines (b) Deduction for damage or loss (c) Deduction for breach of contract Amount 7

8. Disbursement from the find fund: Purpose (a) (b) (c) (d) Amount Balance of fines funds in hand at the end of the year Signature Designation

FORM V [See rule 20] Name of the Factory Location Serial No.(l) Name of the dismissed worker and Wages due when dis- missed (4) his full ostal address (2) Other dues when dis- missed (5) Industry. Date of dismissal (3) Reasons, if any, for non- acceptance of Pa ment (6) 64 The M.P. Payment of Wages Rules, 1962 [Form The information be sent forthwith if the dismissed employee fails to accept payment on the next day of his dismissal. A brief of the circumstances be narrated overleaf Signature of the Pay-master FORM VJ [See rule 24] Abstract of the Payment of Wages Act, 1936, and the Rules made Thereunder Form not reproduced. FORM VII ISee rule 27] Form of Individual Application [See Section 15 of the Payment of Wages Act] In the Court of the Authority Appointed Under the Payment of Wages Act (IV of 1936) for Area of 19 Application No BETWEEN Applicant ABC a legal practitioner/an official Through which is a registered trade union. of XYZ Opposite party. The applicant states as follows:— l. ABC is a person employed in/on the factory/industrial establishment and resides at entitled The address of the applicant for the services of all notices and processes is 2. XYZ, the Opposite party, is the person responsible for the payment of his wages under section 3 of the Act and his address for the service of all notices and processes, is 3. The applicant's wages have not been paid for the following wage (give dates), or periods 4. The applicant estimates the value of the relief sought by him at the wages of (give dates). (amount) for the wage period(s) which ended on (Here give any further claim for expenses)

5. The applicant estimates the value of the relief sought by him at the sum Of 6. The applicant prays that a direction may be issued under sub-section (3) Of section 15 for— (a) Payment of his delayed wages as estimated or such greater or lesser amount as the Authority may find to be due. OR Refund of the amount illegally deducted. (b) Compensation amounting to 65 The M.P. Payment of Wages Rules, 1962 The applicant certifies that the statement of facts contained in the application is to the best of his knowledge and belief accurate. The applicant begs to amend or add to make alterations in the application if and when necessary. Signature or thumb Impression of the employed person or legal practitioner or official of a registered Trade Union duly authorised. Date Place

FORM VIII [See rule 27] Form of Group Application [See sub-section (2) of section 15, and section 16 of the Payment of Wages Act. 1 In the Court of the Authority Appointed Under the Payment of Wages Act (IV of 1936) for Area Application No of 19.. BETWEEN ABC and (state the number) other Applicants (Through a legal practitioner/an official of.....which is a registered Trade Union XYZ Opposite Party. The applicants state as follows: 1. The applicants whose names appear in the attached schedule are persons employed Won the factory/industrial establishment entitled. The address of the applicants for service of all notices and processes is 2. X,Y,Z, the opposite party, is the person responsible for the payment of wages, under section 3 of the Act, and his address for the service of all notices and processes is 3.' (l) (a) The applicant's wages have not been paid for the following wage (give dates). period(s) has been unlawfully deducted from his wages (b) A sum of Rs (amount) for the wage period(s) which ended on (give date). of (2) (Here give any further claim or expenses)

4. The applicants estimate the value of the relief sought by them at the sum of rupees 5. The applicants pray that a direction may be issued under sub- section (3) of section 15 for— (a) Payment of applicant's delayed wages as estimated or such greater or lesser amount as the Authority may find to be due. (b) Compensation amounting to 66 The M.P. Payment of Wages Rules, 1962 [F orm 1k The applicants certify that the statement of facts contained in this ap plication is to the best of their knowledge and belief accurate. Signature or thumb impression ofth applicants or official of a registered SCHEDULE Names of applicants

FORM IX [See rule 27] Form of application by an Inspector or person permitted by the authority or authorized to Act. [See sub-section (2) of section 15 and section 16 of the Payment of Wages Act] In the Court or the Authority appointed under the Payment of Wages Act' for Area. of 19. Application No BETWEEN an (Inspector under the Payment of Wages ABC (Designation) Act) (or a person permitted by the authority authorised to act under sub-section (2) of section 15). XYZ The applicant states as follows:— Applicant Opposite Party l. XYZ, the opposite party, is the person responsible under the Act, for the payment of wages to the following person(s):— (l) (2) (3) 2. His address for the service of all notices and processes is— 3. (i) The wages of the said person(s) due in respect of the following wage period(s) have not been paid/have been subjected to the following illegal deductions :- (ii) Here give any further claim or expenses

4. The applicant estimates the value of the relief sought for the person(s) employed at the sum of Rs
5.The applicant prays that a direction may be issued under sub-section (3) of section 15 for— (a) Payment of the delayed wages as estimated or such greater or lesser amount as the Authority may find to be due. OR Refund of the amount illegally deducted. (b) Compensation amounting to The applicant certifies that the statement of facts contained in this application is to the best of his knowledge and belief accurate.
Signature

Form x-XIII The M.R Payment of Wages Rules, 1962 FORM X [See rule 28] Certificate of Authorization 67 I/We employed person(s) hereby authorise a legal practitioner/an which is a registered trade union to act on my/our behalf under official of section 15 and section 17 of the Payment of Wages Act (IV of 1936), in respect of the claim against On account of the delay in payment of/illegal deductions from my/our wages for Witnesses (1) (2) (3) (4) I accept the authorisation. Signature (l) (2) (3) (4) Signature Legal practitioner. Official of a registered trade union. FORM X1 [See rule 32] Notice for the disposal of application. To. Whereas under the Payment of Wages Act, 1936 (IV of 1936), a claim against you has been presented to me in the application of which a copy is enclosed, you are hereby called upon to appear before me either in person, or by any person duly instructed, and able to answer all material questions relating to the application, or who shall be accompanied by some person able to answer all such questions, on the day o'clock in the forenoon/afternoon to answer the claim; and as of 19, at the day fixed for your appearance is appointed for the final disposal of the application you must be prepared to produce on that day all the witnesses upon whose evidence, and the documents upon which you intend to rely in support of your defence. Take notice that, in default of your appearance on the day before mentioned, the application will be heard and determined in your absence. Given under my hand and seal this day of 19 (l) (2) (3) (4) (5) Authority. FORM XII [See rule 33] Record of Direction Serial number. Date of the application Name or names, parentage, address or addresses of the applicants or some or all of the applicants belonging to the same unpaid group. Name and address of the employer Amount claimed Rs. 68 The M.P. Payment of Wages Rules, 1962 (a) as delayed wages Rs. (b) as deducted from wages Rs. (6) Plea of the employer and his examination (if any). [Form XIII (7) Finding, and, in the case of a direction under sub-section (3) or (4) of section 15, a brief statement of the reasons therefor. (8) Amounts awarded—— (a) Delayed wages (b) Deducted wages (9) Compensation awarded (10) Penalty imposed (11) Costs awarded to— (i) Court-fee charges (ii) Pleader's fee (iii) Witnesses expenses Dated (Signed.) Note.— In cases where an appeal lies attach on a separate sheet the substance of the evidence. FORM XIII Notice to respondent of the day fixed for the hearing of the appeal under section 11 of the payment of wages Act, 1936 Appeal from the decision of the authority for the area, dated the day of 19 To, Respondent, Take notice that an appeal of which a copy is enclosed, from the decision of the area has been presented by X. Y. Z. (and others) and Authority for registered in this court, and that the day of 19 ..... has been fixed by this court for the hearing of the appeal. If no appearance is made on your behalf by yourself, or by someone by law authorised to act for you in this appeal, it will be heard and decided in your absence. Given under my hand and the seal of the court, this 19 day of SEAL Judge.