

UNION TERRITORY OF DADRA AND NAGAR HAVELI.

NOTIFICATION.

No. ADM/LAW/184/70

THE MINIMUM WAGES DADRA AND NAGAR HAVELI
Rules 1970.

No. ADM/LAW/184/70

In exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (Central Act XI of 1948), I, N. K. S. S. Administrator, Dadra and Nagar Haveli do hereby make the following rules:-

RULES
CHAPTER 1.
PREFLIMINARY.

1. Short title and extent:- Dadra-and-Nagar-Haveli.
 - (1) These rules may be called the Dadra and Nagar Haveli Minimum Wages Rules, 1970.
 - (2) They extend to the whole of the Union Territory of Dadra and Nagar Haveli.
2. Interpretations:-

In these rules, unless the context otherwise requires,

 - (a) 'Act' means the Minimum Wages Act, 1948.
 - (b) 'Authority' means the authority appointed under sub-section (1) of section 20.
 - (c) 'Board' means the Advisory Board appointed under section.
 - (d) 'Chairman' means the Chairman of the Advisory Board or the Committee, as the case may be, appointed under section 9.
 - (e) 'Committee' means a Committee appointed under clause (a) of sub-section (1) of section 5 and includes a sub-Committee appointed under that section.
 - (f) 'Form' means a form appended to these rules.
 - (g) 'Government' means the Administrator of the Union Territory of Dadra and Nagar Haveli appointed by the President of India under section 239 of the constitution.
 - (h) 'Inspector' means a person appointed as Inspector under section 19 and includes a Chief Inspector.

- (i) 'Registered trade union' means a trade union registered under the Indian Trade Unions Act, 1926; and
- (j) 'section' means a section of the Act.
- (k) 'Pleader' means a person qualified for admission to practice in the Courts in the Union Territory of Dadra and Nagar Haveli to represent the parties.

CHAPTER IV.

MEMBERSHIP, MEETINGS AND HEARS OF THE BOARD & COMMITTEE.

3. Term of office of the members of the committee:-

The terms of the office of the members of the committee shall be such as in the opinion of the Government are necessary for completing the enquiry into the consolidated employment concerned and the Government may, at the time of the constitution of the committee, fix such terms and may from time to time extend them as circumstances may require.

4. Term of office of members of the board.

1. Save as otherwise expressly provided in these rules, the term of office of a non-official member of the board shall be two years commencing from the date of his nomination.

Provided that such member shall, notwithstanding the expiry of the said period of two years, continue to hold office until his successor is nominated.

2. A non-official member of the board nominated to fill a casual vacancy shall hold office for the remaining period of the term of office of the member in whose place he is nominated.

3. The official members of the board shall hold office during the pleasure of the Government.

5. Travelling allowances:-

A non-official member of the committee or the board shall be entitled to draw travelling and halting allowances for any journey performed by him in connection with his duties as such member at the rates and subject to the conditions applicable to an officer to the first grade, paid down by the Government from time to time.

6. Staff:-

(1) The Government may appoint a Secretary to the Committee or the board, and such other staff as he may think necessary, and may fix the salaries and allowances payable to them and specify their conditions of service.

(2) (1) The secretary shall be the chief executive officer of the committee or the board, as the case may be. He may attend the meetings of such Committee, or board but shall not be entitled to vote at such meetings.

(ii) The secretary shall assist the chairman in convening meetings and shall keep a record of the minutes of such meetings and shall take necessary measures to carry out the decisions of the committee or the board as the case may be.

7. Eligibility for re-nomination of the Members of the Committee and the Board:-

An outgoing member shall be eligible for re-nomination for the membership of the Committee, or the Board or which he was member.

8. Resignation of the Chairman and Members of the Committee and the Board and filling of casual vacancies.

1. A member of the Committee or the Board other than the Chairman may, by giving notice in writing to the Chairman, resign his membership.

2. The Chairman may resign by letter addressed to the Government.

3. When a vacancy occurs or is likely to occur in the membership of the Committee, or the Board, the Chairman shall immediately submit a report to the Government. The Government shall then take steps to fill the vacancy aforesaid.

9. Cessation and restoration of membership:-

1. If a member of the Committee, or the Board fails to attend three consecutive meetings, he shall, subject to the provision of sub-rule (2), cease to be a member thereof.

2. A person, who ceases to be a member under sub-rule (1), shall be given intimation of such cessation by a letter sent to him by registered post within a period of fifteen days from the date of such cessation. The letter shall indicate that if he desires restoration of his membership, he may apply therefor

within a period of thirty days from the receipt of such letter. The application for restoration of membership, if received within the said period., shall be placed before the Committee or the Board, as the case may be, and if a majority of members present at the next meeting is satisfied that the Board, as the case may be, and if a majority of members present at the next meeting is satisfied that the reasons for failure to attend three consecutive meetings are adequate, the member shall be restored to membership immediately after a resolution to that effect is passed.

10. Disqualification.

1. A person shall be disqualified for being nominated as, and for being a member of the Committee or the Board as the case may be.

(1) if he is declared to be of unsound mind by competent court, or

(ii) if he is an undischarged insolvent, or

(iii) if before or after the commencement of the Act, he has been convicted of an offence involving moral turpitude.

2. If any question arises whether a disqualification has been incurred under sub-rule (1), the decision of the Government thereon shall be final.

11. Meetings.

The Chairman may, subject to the provisions of rule 12, call a meeting of the Committee or the Board as the case may be, at any time he thinks fit.

Provided that on a requisition in writing from not less than one-half of the members or not less than two thirds of the representatives of the employers or of the employees, as the case may be, the Chairman shall call a meeting within a period of fifteen days from the date of receipt of such requisition.

12. Notice of Meetings.

The Chairman shall fix the date, time and place of every meeting and a notice in writing containing the aforesaid particulars along with a list of business to be conducted at the meetings shall be sent to each member by registered post at least fifteen days before the date fixed for such meeting.

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may decide...
ballot shall be used in such manner as the chairman
chairman as directed, the result shall be by secret
if any member shall vote by ballot, or if the
voting shall ordinarily be by show of hands, but

16. Method of Voting.

majority of the members
do taken, unless supported by not less than a two third
which is referred under the preceding proviso shall
provided further that no decision on any question
opinion of the members.

tion of necessary papers and by securing written
direct that any matter shall be decided by the chairman
Provided that the Chairman may, if he thinks fit,
of votes, the Chairman shall have a casting vote.
members present and voting. In the event of an equality
shall be decided by a majority of the votes of the
the Committee or the Board, as the case may be, and
the business shall be considered at a meeting of

15. Manner of Meetings.

member of members present.
business at such adjourned meeting irrespective of the
and it shall thereupon be left to the discretion of the
than given from the date of the original meeting
Chairman may adjourn the meeting to a date not later
of the total number of members are present, the
provided that if at any meeting less than one-third

members are present.

unless at least one-third of the total number of

No business shall be transacted at any meeting

14. Quorum.

meeting at such meeting.
numbers, by a majority of votes, a member, who shall
the members shall elect from among the independent
2. In the absence of the Chairman at any meeting
the Committee of the Board as the case may be.

1. The Chairman shall preside at the meetings of

13. Chairman.

every member.
notice of at least seven days shall be given to

17. Proceedings of the Meeting.

(1) The proceedings of each meeting showing ^{IN} ALLIA the names of the members present there at shall be forwarded to each member and to the Government as soon after the meeting as possible and in any case, not less than seven days, before the next meeting.

(2) The proceedings of each meeting shall be confirmed with such modifications, if any, as may be considered necessary at the next meeting.

CHAPTER III.

SUMMONING OF WITNESSES BY THE COMMITTEE AND THE BOARD AND PRODUCTION OF DOCUMENTS.

18. Summoning of witnesses and production of documents.

(1) A Committee or the Board may summon any person to appear as a witness in the course of an enquiry. Such summons may require a witness to appear before it on a date specified therein and to produce any books, papers or other documents and things in his possession or under his control relating in any manner to the enquiry.

(2) A summons under sub-rule (1) may be addressed to an individual or an organization of employers or a registered trade union of workers.

(3) A summons under this rule may be served.

(i) In the case of an individual, by being delivered or sent to him by registered post.

(ii) In the case of an employers organization or a registered trade union of workers, by being delivered or sent by registered post to the secretary or other principal officer of the organization or Union, as the case may be.

(4) The provision of the Code of Civil Procedure, 1908, relating to the summoning and enforcement of the appearance of witnesses and the production of the documents shall, so far as may be, apply to proceedings before a Committee or the Board.

(5) All books, papers and other documents or things produced before a Committee or the Board in pursuance of summons under sub-section (i) may be inspected by the

which his employment is terminated.

(iii) The wages of an employed person, shall be paid to him without deduction of any kind except of those authorized by or under these rules.

Explanation:-

Every payment made by the employed person to the employer or his agent shall, for the purposes of these rules, be deemed to be a deduction from wages.

(iv) The employer shall display in a conspicuous place at or near the main entrance of the establishment, a notice in English, Gujarati, Marathi and in the language specifying of the majority of the person employed therein, specifying the dates on which wages will ordinarily be paid, the dates on which wages will be specified being not earlier than the expiry of two months from the dates on which such notice is displayed.

(2) Deductions from the wages of a person employed in scheduled employment may be of one or more of the following kinds, namely:-

(1) fines in respect of such acts and omissions on the part of the employed persons as may be specified by the Government by general or special order in this behalf.

(ii) deductions for absence from duty.

(iii) deductions for damage to or loss of goods expressly entrusted to the employed person for custody, or for loss of money for which he is required to account, where such damage or loss is directly attributable to his neglect or default.

(iv) deductions for payments to Co-operative Societies approved by the Government or for house accommodation supplied by the employer or by the Government or any housing board set up under any law for the time being in force (whether the Government or the Board is the employer or not or any other authority engaged in the business of subsidizing house accommodation which may be specified in this behalf by the Govt. by notification in the Official Gazette.

(x) Deductions, made with the written authorisation of the employer for payment of any premium of his life insurance policy to the Life Insurance Corporation of India established under Act. 31 of 1956) or to a scheme of insurance maintained by the Union Post Office for the purpose of acquisition of the Government of India or of any State Government or for being deposited in any Post Office Savings Bank in furtherance of any such scheme of any such Government.

(ix) deduction for subscription to, and for re-payment of advances from any provident fund to which the Provident Fund Act, 1925 or the Employees Provident Fund Act, 1952 or the case may be applies or any recognised provident fund as defined in section 2(38) of the Indian Income-Tax Act, 1961 or any provident fund approved in this behalf by the Government during the continuance of such approval.

(viii) deduction required to be made by order of a court or other authority.

(vii) deduction of income-tax or any tax that may be levied by the Government or local authority payable by the employed person.

(vi) deduction of income-tax or any tax that may be levied by the Government or local authority payable by the employed person.

advance shall be recovered within a period of twelve months.

of the wages earned in that month and the entire monthly instalment of deduction exceed one-fourth the employed person and, in no case, shall the amount equal to wages for two calendar months of

Provided that such advances do not exceed an amount equal to wages for two calendar months of the employed person and, in no case, shall the monthly instalment of deduction exceed one-fourth of the wages earned in that month and the entire advance shall be recovered within a period of twelve months.

(v) Deductions for such amounts and services supplied by the employer as the Government may by general or special order authorize.

The words "materials and services" in this clause do not include the supply of tools, and protectives required for the purposes of employment.

(vi) Deductions for recovery of advances or for adjustment of overpayment of wages.

(v) Deductions for such amounts and services supplied by the employer as the Government may by general or special order authorize.

Explanation.

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(3) Any person desirous of imposing a fine on an employed person or of making a deduction for damage or loss of goods caused by him, shall explain to him in writing the act or omission or the damage or loss in respect of which the fine or deduction is proposed to be imposed or made and the amount of fine or deduction proposed to be imposed or made and give him an opportunity to offer an explanation in writing, and also to be heard in person, if he so desired. The fine shall be levied or the deduction ordered after due consideration of the explanation offered writing or in person, as the case may be.

(4) (1) The amount of deduction for damages or loss ordered under fine which may be imposed under sub-rule (3) shall not exceed in any one wage period an amount equal to three per cent of the wages payable to the employed person in respect of such wages period.

(ii) The total amount of deduction for damage or loss ordered under sub-rule (3) shall not exceed the cost of replacing the article damaged or lost date of passing the order of recovery, or the book value of the article whichever is less where the amount of deduction exceeds an amount equal to one-third of the wages payable to the employed person in respect of a wages period, the deduction shall be made in instalments in such a way that the amount of each instalment does not exceed one-third of the average wages payable to him between one instalment and the other.

(iii) All realizations under clause (i) and all deduction under clause (ii) shall be recorded in a register maintained in Form I, II and III as the case may be. A return in Form III shall be submitted annually by the employer to such inspectors and before such time or may be notified by the Govt. in this behalf.

(5) All realizations from fines shall be applied only to such purposes which are beneficial to the persons employed in the scheduled employments as are generally approved by the Govt. in this behalf.

nothing in this rule shall be deemed to affect the provisions of the Payment of Wages Act, 1936.

22. Publicity to the minimum wages fixed under the Act. Notices containing the minimum rates of wages fixed under the Act together with abstracts from such of the provisions of the Act as the rules made thereunder as the government may specify in this behalf, the rules made thereunder and the rules and orders of the Inspector shall be displayed in English, Gujarati, Marathi and in a language understood by the majority of the workers in the employment at such place as may be selected by the Inspector and shall be maintained in a clean and legible condition, such notices shall also be displayed on the notice boards of the offices of the Collector, Magistrate and his delegates in all the rural Panchayats. In the case of employment in Agricultural, the notices shall also be displayed in all the offices of the Agricultural department and in the case of any other scheduled employment, such notices shall also be displayed in all the offices of the Government under Administration.

23. Weekly holidays. (1) In cases other than permitted by the Government no worker shall be required or allowed to work in a scheduled employment, on the last day of the week (hereinafter referred to as the "last day") except where he has or will have a holiday for the whole day on one of the three days immediately before or after the said day. Every worker who is required or allowed to work in a scheduled employment on the said day and who gets a substituted holiday within the same week shall be paid the rate of wages to which he is entitled for a normal working day.

Provided that the weekly holiday may be substituted by another day.

Provided further that no substitution shall be made which will result in any worker working for more than four days consecutively without a holiday for a whole day.

(6) Nothing in this rule shall be deemed to affect the provisions of the Payment of Wages Act, 1936.

22. Publicity to the minimum wages fixed under the Act. Notices containing the minimum rates of wages fixed under the Act together with abstracts from such of the provisions of the Act as the rules made thereunder as the government may specify in this behalf, the rules made thereunder and the rules and orders of the Inspector shall be displayed in English, Gujarati, Marathi and in a language understood by the majority of the workers in the employment at such place as may be selected by the Inspector and shall be maintained in a clean and legible condition, such notices shall also be displayed on the notice boards of the offices of the Collector, Magistrate and his delegates in all the rural Panchayats. In the case of employment in Agricultural, the notices shall also be displayed in all the offices of the Agricultural department and in the case of any other scheduled employment, such notices shall also be displayed in all the offices of the Government under Administration.

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Provided that the weekly holiday may be substituted by another day.

Provided further that no substitution shall be made which will result in any worker working for more than four days consecutively without a holiday for a whole day.

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(2) Every worker shall be paid remuneration for the said day or for the substituted holiday, at a rate not less than the minimum rate fixed for the category of employment.

been given a

(3) Where in accordance with the provisions of sub-rule (1) any worker works on the said day and has a holiday on one of the three days immediately succeeding it, the said day shall for the purposes of calculating his weekly hours of work, be included in the preceding week.

Explanation.

For the purposes of this rule 'week' shall mean a period of seven days beginning at midnight on Saturday night.

24. Number of hours of work which shall constitute a normal working day.

(1) The number of hours which shall constitute a normal working day shall be,

- (a) in the case of an adult, 9 hours.
- (b) in the case of a child, 4 1/2 hours, and
- (c) in the case of an adolescent employed in any plantation, 6 1/2 hours.

(d) No worker shall be required or allowed to work in an employment for more than nine hours in any day and forty eight hours in any week.

Provided that a worker may be allowed to work in an employment for any period in excess of the limit fixed under this sub-rule, subject to the payment of over time wages, if the period of work including over-time work, does not exceed 10 hours in any day and in the aggregate fifty-four hours in any week.

(3) The period of work each day shall be so fixed that no period shall exceed five hours and that no worker shall work for more than five hours and that before he has had an interval for rest of at least half an hour.

(4) The periods of work of a worker in scheduled employment, shall be so arranged that inclusive of his intervals for rest under sub-rule (3) they shall not spread over more than 12 hours on any day.

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(5) The number of hours of work in the case of an adolescent worker in a school employment shall be the same as that of an adult or a child according as he is permitted to work as an adult or a child by a competent medical practitioner notified by the Government.

(6) The provisions of sub-section (1) to (5) shall, in the case of workers in agricultural employment including employment in plantations, be subject to such modifications as may from time to time, be notified by the Government.

Certain provisions of rules 23 and 24 not to apply to certain specified employments.

The provisions of rules 23 and 24 specified in column (1) of the table below shall not apply in relation to the classes of employees specified in the corresponding entries in column (2) of that table subject to the conditions specified in the corresponding entries in column (3) thereof:-

THE TABLE.

Provisions of Rules 23 and 24 which shall not apply to classes of employees.

1. 2. 3.

1. No employer shall be employed for more than 12 hours on any one day, 10 hours during any three consecutive days or 60 hours during each period of seven consecutive days commencing from the first employment on which work or in any other manner which could not have been foreseen or prevented.

2. A person who is employed in any of such work shall be notified in addition to the provisions of rule 23 and 24.

Rule 23 and 24 (2) & (4) of the Act.

Employees engaged in any emergency or urgent work, or which could not have been foreseen or prevented.

1.	2.	3.
----	----	----

3. Within 24 hours of the commencement of work, notice shall be sent to the Inspector describing the nature of urgent work and the period probably required for its completion.

4. A compensatory holiday for every weekly holiday lost for each employee shall be granted within one month from the date on which the weekly holiday was lost.

5. Extra wages for overtime shall be paid as provided in rule 27.

Sub-Rule (3) Employees engaged of Rule 24. In work in the nature of preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working in the employment concerned.

Exemption shall apply only in respect of the persons who are permitted by the Inspector of Factories within whose jurisdiction the employment is situated on application by the employer.

Employees whose employment is essentially intermittent.

Sufficient time though not a fixed period shall be given for meals to the satisfaction of the Inspector concerned.

Employees engaged in any work which for technical reasons has to be completed before the duty is over.

The total overtime hours worked beyond 9 hours per day and 48 hours per week shall not exceed 50 hours per quarter of a calendar year.

Employees engaged in a work which could not be carried on except at times dependent on the operation of safety devices.

Extra wages for overtime shall be paid as provided in rule 27.

26. Cases and circumstances in which an employee employed for a period of less than the requisite number of hours constituting a normal working day shall not be entitled to receive wages for a full normal working day.
- (1) The following shall be cases and circumstances in which an employee employed for a period of less than the requisite number of hours constituting a normal working day shall not be entitled to receive wages for a full normal working day.
- (a) Tempest, fire, rain, breakdown of machinery or stoppage of or any cut in the supply of power, epidemic, civil commotion or other natural causes beyond the control of the employer.
- (b) Refusal to work.
- (c) Strike or stay-in-strike.
- (2) In the case of interruption brought about by tempest, fire, rain, breakdown of machinery, epidemic, civil commotion or other natural causes beyond the control of the employer, the employer who has already started work for the day shall be paid wages at half the minimum rates of wages fixed for a normal working day if the interruption occurs at any time before the interval for midday rest. If the interruption occurs after the interval for midday rest, he shall be paid wages for a full normal working day.
- (3) If by reason of stoppage of or any cut in the supply of power, effected by the Government, an employer is prevented on any working day from giving work to his employees for a full normal working day, employers shall receive wages for each day in the proportion the number of hours he worked bears to the number of hours constituting the normal working day.
27. Extra wages for overtime -
- (1) When a worker works on any day for more than the number of hours constituting the normal working day, or for more than forty-eight hours in any week, he shall in respect of overtime work, be entitled to wages.
- (a) In the case of employment in agriculture, stock-raising, fishing, etc., at one and a half times the ordinary rate of wages.
- (b) In the case of any other scheduled employment, at double the ordinary rate of wages.

Explanation.

The expression 'ordinary rate of wages' means the basic wages plus such allowances including the cash equivalent of the advantages accruing through the concessional sale to the person employed of food-grains and other articles as the person employed is for the time being entitled to but does not include a bonus.

- ✓ (2) A register showing over-time payment shall be kept in Form IV. Over time work shall be entered up in the register before the expiry of 24 hours from the commencement of such work.

23. Form of registers and records.

(1) A register of wages shall be maintained by every employer at the work spot or the principal office attached to it and kept in Form V and shall include the following particulars.

- (a) The minimum rates of wages payable to each employed person.
- (b) (i) Total overtime worked (or total production during overtime in the case of piece-rate workers) in the wages period. (This entry should agree with the total for each wage period shown in column (8) of the overtime register).
- (ii) Over-time earnings in the wages period. (This entry should correspond with the total for each wage period shown in column (3) of the overtime register).
- (c) The gross wages of each person employed for each wage period.
- (d) All deductions made from wages, with an indication, in each case, of the kinds of deductions mentioned in sub-rule (2) of rule 24 and
- (e) The wages actually paid to each person employed for each wage period and the date of payment.

✓ (2) Wage slips containing the aforesaid particulars and such other particulars, as may be notified by the Government shall be issued by every employer to every person employed by him at least a day before the disbursement of wages.

Section 30

30. Application.

(1) An application under sub-section (2) of section 20 or sub-section (1) of section 21 by or on behalf of an employed person or group of employed persons shall be made in duplicate, in Form VI or Form VII, as the case may be. Each application in Form VI or Form VII shall be accompanied by a statement containing the following particulars, namely:

- (a) Name of applicant;
- (b) Period of service of each applicant;
- (c) Minimum wages payable in respect of each applicant;
- (d) Wages actually paid in respect of each applicant; and
- (e) Difference between the minimum wages payable and the wages actually paid in respect of each applicant.

(2) A single application on behalf of or in respect of any number of employed persons shall be sufficient if the number of employed persons, for whom the minimum wages application is presented belong to the same employer, scheduled employment working under the same employer.

31. Authorization.

The authorization to act on behalf of an employed person or persons under sub-section (2) of section 20 or of sub-section (1) of section 21, shall be given in Form VIII by an instrument which shall be presented to the authority hearing the application and shall form part of the record.

32. Appearance of Parties.

(1) If an application under sub-section (2) of section 20 or section 21 is entertained, the authority shall serve upon the employer by registered post a notice in Form IX to appear before him on specified date with all relevant documents and witnesses, if any, and shall inform the applicant of the date so specified.

(2) If the employer or his representative fails to appear on the specified date, the authority may itself determine the application as valid.

✓(3) Every employer shall get the signature or thumb-impression of every person employed on the wage books at the time of the payment of wages.

✓(4) Entries in the wage books and wage slips shall be authenticated by the employer or any person authorised by him in this behalf.

✓(5) A muster roll shall be maintained by every employer at the work spot or the principal office attached to it and kept in Form V and it shall be written up every day on which work is performed.

Note:- In the case of a plantation, the estate will be deemed to be the work-spot but the employer shall make the registers available for inspection by the Inspector at the actual division or place of work in the estate, if so required.

29. Certain documents deemed to be maintained under the Rules.

Where the Chief Inspector is of the opinion that any register maintained as part of the routine of the scheduled employment or under any other enactment given in respect of any or all of the employees in a scheduled employment, the particulars required for the enforcement of the Act, he may by order in writing direct that such register shall, to the corresponding extent, be maintained in the place of and be treated as the register required under these rules in respect of that scheduled employment.

The registers, records and notices maintained as exhibited under the provisions of these rules shall always be available at or as near as practicable, to the site of employment and shall be produced or caused to be produced for inspection, at all reasonable hours by any Inspector having Jurisdiction over the establishment.

(b) In respect of an application made by an Inspector
 (a) from persons employed in institutions or
 Provided further that no fee shall be chargeable
 payment of such fees
 applicant is a person, except in the case of a party to a
 Provided that the authority may, in its opinion,
 individual (or group of employees) - the rules
 (11) For every application made by or on behalf of an
 One Rupee in respect of every appeal
 (1) For every application to which a witness
 section 20 shall be
 The Court may also in respect of proceedings under

34. Court-fee

costs as it may deem proper.
 assessed, and no fee shall be payable by a party or parties with
 one applicant or applicant in the authority may, subject as
 (3) Where there are more than one pleader or more than
 limit of Rs. 10/-
 and travelling in connection with the trial subject to
 (1A) Expenses incurred by the parties on substantiation
 subject.
 in writing increase to a sum not exceeding twenty-five
 sum not less than five rupees or for reasons to be recorded
 that the authority in any proceeding may reduce the fees
 (11) Pleader's fees to the extent of ten rupees provided
 and
 (11) Expenses incurred on expenditure money to witness
 (8) Expenses incurred on account of Court-fee
 (2) The costs which may be awarded shall include -
 shall not follow the event.
 may direct that the cost of any proceeding pending before
 (1) The authority for reasons to be recorded in writing

33. Costs

BOARD OF COSTS IN PROCEEDINGS UNDER THE ACT.

CHAPTER VI

(3) If the applicant or his representative fails to appear on the specified date, the authority may dismiss the application.

(4) An order passed under sub-rule (2) or sub-rule (3) may be set aside on sufficient cause being shown by the defaulting party within one month of the date of the said order and the application shall then be re-heard after service of notice on the opposite party of the date fixed for re-hearing, in the manner specified in sub-rule (1).

(15)

SOCIAL NUMBER	NAME	Father's/Husband's NAME	SEX	DEPARTMENT	NATURE AND DATE OF THE OFFENSE FOR WHICH FINE IMPOSED.	WHETHER SHOW-CAUSE NOTICE WAS SERVED.	WHETHER WORKMAN SHOWED CAUSE AGAINST FINE OR NOT, IF SO, GIVE DATE.	DATE OF PAGES.	DATE AND AMOUNT OF FINE IMPOSED.	DATE ON WHICH FINE PAID.

FORM 1
 DATE 21 (4)
 REGISTER OF FINES.
 EMPLOYER.

35. Nothing contained in these rules shall affect any rights or privileges which any employee in a non-scheduled employment is entitled to under any other law, contract, custom or usage applicable to such employment if such rights or privileges are more favourable to him than those which he would be entitled to under these rules.

36. Preservation of records.

Files relating to the claims under section 20 of the Act shall be preserved for a period of five years from the date of final decision.

37. Manner of destruction of records.

After the period of retention mentioned in rule 35, the records may be destroyed either by tearing or by burning in the presence of the head of the office provided that records of secret or confidential nature, shall be destroyed only by burning.

The records destroyed by tearing may be sold or otherwise disposed of in such manner as the head of the office thinks fit.

38. Authority for purposes of section 22-D

The prescribed authority for the purposes of section 22-D shall be authority appointed under section 20(1).

* *****

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FORM II
 Rule 21 (A)
 REGISTER OF DEDUCTIONS FOR DAMAGE OR LOSS CAUSED TO THE EMPLOYEE, OR THE FELLOW OR MEMBER OF
 EXPECTED PERSONS.
 EMPLOYEE.

1	2	3	4	5	6	7	8	9	10	11	12	
Social Security Number.	Member's name.	Relationship to member.	Employer's name.	Address.	City.	State.	Zip.	Whether or not covered by date.	Whether or not covered by date.	Date and amount of deduction.	Number of deductions.	Date of payment.
								entered with date.	checked with date.	impeded.	of emp.	paid.
								against deduction, if so, enter date.				

FORM IV

Rule 27 (2)

OVERTIME REGISTER FOR WORKERS.

Month ending

19

Name

Father's/Husband's name

Sex,

Occupation and department.

Dates on which overtime worked.

Amount of overtime on each occasion.

Total overtime worked or production in case of piece-workers.

Normal hours

Normal rate.

Overtime

Normal earnings.

Overtime earnings

Total earnings

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

11.

12.

13.

25

The applicant(s) do(es) solemnly declare that
stated above is true to the best of his (their) know-
belief and information.

The verification is signed at _____ on _____ day.

Signature or thumb-impression
employee(s) or legal practitioner
official of a registered trade
duly authorized.

When the application is by a group of employees
the thumb-impressions or signatures of two of the employees
need be put to the application and a full list of
applicants should be attached to the application.

CONFIDENTIAL

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ON
BY
D
FOR
BY

CONFIDENTIAL

Signature of the Applicant

Date

Take notice that in default of your appearance on the day before mentioned, the application will be heard and determined in your absence.

To rely in support of your defense, you must be prepared to produce on that day all the witnesses who are named in the affidavits upon which you intend to rely in support of your defense.

The answer to the claim, and as the day fixed for the appearance of the applicant, shall be the day of the appearance of the applicant, and as the day fixed for the appearance of the applicant, shall be the day of the appearance of the applicant, and as the day fixed for the appearance of the applicant, shall be the day of the appearance of the applicant.

(Name, description and place of residence)

(Title of the application)

OF EVIDENCE TO THE OFFICE TO WHICH BEFORE THE AUTHORITY
AN APPLICATION UNDER THE SECTION (2) OF SECTION 20 OR UNDER
SECTION 21 IS MAINTAINED.

FORM IX
MIL 5M

FORM FOR EXTENSIVE MAINTENANCE OF REGISTER
REGISTER OF WAGES.

Rule 23 (1).

Reduction

1	2	3	4	5	6	7	8	9	10	11	12	13
Contract number		Number/Worker's name	Sex	Designation and department	Minimum rate of wages fixed	Total overtime hours worked or total production during overtime in the case of piece-rate workers	Overtime earnings in the wage period	Gross wages for each wage period	Amount deducted	Kind of deduction	Net wages paid for each wage period and the date of payment	Signature/thumb-impression of the employer

Suburban-Hervey,
Carnegie Library, Carnegie at Silver St.,
Parsippany, N.J.
No. 09-1-70.

Authorized for issue

G. J. - (Herald Son)
Administrator,
Madison and Hill, N.J.

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SECTION 20(2)

The applicant does not normally declare that what is stated above is true to the best of his knowledge, belief and information. This declaration is signed on _____ of _____ 19____.

The applicant has leave to attend or add to or make alterations in the application if and when necessary. (a) payment of the difference between the wages due according to the minimum wage rate of wages fixed by Government and the wages actually paid, and (b) compensation amounting to the sub-section (3) of section 20 for - The applicant pays that a direction may be issued under the applicant settles the value of the relief sought for the employee at the sum of Rs. _____

(1)
(2)
(3)

The opponent is bound to pay wages at the minimum rate of wages fixed by Government but he has paid less wages to the following employees:
(1) that
(2) that
The applicant above named begs respectfully to submit as follows -

(1) Applicant
Address:
Village:
Opponent:
Address:

Application No. _____ of _____ 19____
In the Court of the Authority appointed under the Minimum Wages Act, 1948, for areas _____
FORM OF APPLICATION BY AN EMPLOYER OR PERSON ACTING WITH THE AUTHORITY OF THE AUTHORITY UNDER SECTION 20(2).

101

11
2/193

FORM VIII
Rule 31...

FORM OF AUTHORITY IN FAVOUR OF A LEGAL PRACTITIONER OR AN OFFICIAL OF REGISTERED TRADE UNION REFERRED TO IN SECTION 20(2)

In the Court of the Authority appointed under the Minimum Wages Act, 1948, for _____ area.

Application No. _____ of _____ 19 _____

{1}
{2}
{3}

Applicant(s)

VERSUS.

{1}
{2}
{3}

Opponent(s)

I hereby authorize Mr. _____ a legal practitioner, an official of the registered trade union of _____ to appear and act on my behalf in the above described proceedings and to do all things incidental to such appearing and acting.

Signature of the applicant/official of the employer.

REGISTRATION NO. _____

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