

The Tamil Nadu Catering Establishments Rules, 1959

TAMILNADU

India

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Rule

THE-TAMIL-NADU-CATERING-ESTABLISHMENTS-RULES-1959 of 1959

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Chapter I Preliminary

1. [Short title and extent. [Substituted by Notification No. S.R.O. No. A-696 of 1963, dated the 28th June, 1963.]

(1) These rules may be called the Tamil Nadu Catering Establishments Rules, 1959. (2) They extend to the whole of the State of Tamil Nadu including the territories specified in the Second Schedule to the Andhra Pradesh and Madras (Alteration of Boundaries) Act, 1959 (Central Act 56 of 1959).]

2. Definitions.

- In these rules, unless the context otherwise requires, -(a) "Act" means the Tamil Nadu Catering Establishments Act, 1958 (Tamil Nadu Act XIII of 1958); (b) "Form" means a form appended in these rules; and (c) "Section" means a section of the Act.

Chapter II Registration of Catering Establishments

3. [Form of application and fees to be sent by the employer to the Inspector under sub-section (1) of section 4. [Substituted by Notification No. S.P.O. A-1/76, dated the 30th December, 1975.]

(1)The application to be sent by the employer to the Inspector under sub-section (1) of section 4 shall be in Form No. I.](2)The fees to be sent together with the application referred to in sub-rule (1) shall be as specified in the Table below :-[Table] [Substituted by Notification No. G.O. Ms. No. 28, Labour and Employment (H-1), dated the 5th April 2002, with effect from 29th May, 2002.]If the number of employees proposed to be employed on any day during the calendar year to which the registration relates :-

	Fees
	Rs. P.
Does not exceed 5	45.00
Exceeds 5 but does not exceed 10	90.00
Exceeds 10 but does not exceed 20	180.00
Exceeds 20 but does not exceed 50	450.00
Exceeds 50 but does not exceed 100	900.00
Exceeds 100	2250.00

3A. [Inspector's power to call for particulars before registration. [Inserted by Notification No. S.R.O. A-428 of 1966, dated the 12th April, 1966.]

- Before registering the catering establishment and issuing a registration certificate under [sub-section (3) of section 4], the Inspector may, for the purpose of being satisfied about the correctness of the [application] [Substituted by Notification No. S.R.O. A-1/76, dated the 30th December, 1975, for 'statement'.] sent to him under sub-section (1) of that section, call for such particulars as he may think fit.]

4. Grant of registration certificate.

(1)The register of catering establishments shall be maintained in Form No. II.(2)[The registration certificate shall be in duplicate in Form No. III, one to be issued to the employer and the other to serve as counter-foil.] [Substituted by Notification No. S.R.O. No. A-428 of 1966, dated the 12th April, 1966.]

5. Form in which the employer should notify any change to the Inspector under section 5.

(1)The employer shall notify every change he is required to notify' under section 5 in Form No. IV.(2)The notification of change shall, unless the registration certificate has already been sent to the Inspector, be accompanied by the registration certificate.

5A. [Amendment of certificate of registration. [Inserted by Notification No. S.R.O. A-1/76, dated the 30th December, 1975.]

(1)The certificate of registration issued under rule 4 or renewed under rule 6 may be amended by the Inspector concerned.(2)The application for the amendment of a certificate of registration shall be accompanied by-(i)a statement indicating the nature of the amendment required;(ii)a statement showing the change in particulars already furnished in the application for registration under rule 4, which necessitates the amendment;(iii)a treasury receipt showing that the appropriate fee for tire amendment of the certificate of registration has been paid in the local treasury; and(iv)the certificate of registration originally issued.(3)The fee for the amendment of the certificate of registration shall be [rupees thirty] only in addition to the amount, if any, by which the fee that would have been payable if the certificate of registration had been originally issued in the amended form, exceeds the fee paid for the certificate of registration.]

6. [Renewal of registration certificate. [Substituted by Notification No. S.R.O. A-1/76, dated the 30th December, 1975.]

(1)The employer shall send to the Inspector an application in Form No. I for the renewal of the registration certificate. The application shall be sent in duplicate before the date of expiry of the registration certificate together with such fee for the renewal of the registration certificate. On receipt of such application together with such fee, the Inspector may renew the registration certificate.(2)The fees to be paid for the renewal of the registration certificate shall be as specified in the Table under sub-rule (2) of rule 3.(3)If the application for renewal is not sent within the time specified in sub-rule (1), but is sent after the expiry of such period, the registration certificate may be renewed only on payment of the additional fee specified below in addition to the fee payable under sub-rule (2) for the renewal of the registration certificate.

- | | | |
|-----|---|--|
| (a) | If the application for renewal is sent within aperiod of one month from the date of expiry of the registrationcertificate. | 25 per cent of the fee payable under sub-rule(2). |
| (b) | If the application for renewal is sent after theexpiry of one month but within two months from the date of expiryof the registration certificate. | 50 per cent of the fee payable under sub-rule(2). |
| (c) | If the application for renewal is sent after theexpiry of two months from the date of expiry of the registrationcertificate. | 100 per cent of the fee payable under sub-rule(2). |
- (4)When the application for renewal is sent within the time specified in sub-rule (1) or sub-rule (3), the catering establishment shall be deemed to be duly registered until the Inspector passes orders on the application for the renewal of the registration certificate.]

6A. [Transfer of registration certificate. [Inserted by Notification No. S.R.O. A-428 of 1966, dated the 12th April, 1966.]

(1)The employer holding a registration certificate may, at any time, before the expiry of the

registration certificate apply in Form No. I-A for permission to transfer the registration certificate to another person.(2)[An application] under sub-rule (1) shall be sent to the Inspector together with the registration certificate and a fee of [rupees fifteen] [Substituted by G.O. Ms. No. 28, Labour and Employment, dated the 5th April 2002 with effect from 29th May, 2002.]. If the Inspector approves the proposed transfer, he shall enter upon the registration certificate under his signature an endorsement to the effect that the registration certificate has been transferred to the person named by the holder of the registration certificate.(3)An application for the transfer of a registration certificate under this rule shall be dealt with by the Inspector in the same manner as [an application] [Substituted by Notification No. S.R.O. A-1/76, dated the 30th December, 1975 for 'a statement'.] sent under sub-section (1) of section 4.

6B. Procedure on death of a holder of the registration certificate.

- If an employer holding a registration certificate dies, his heir or legal representative, if such heir or legal representative desires to continue the business, may, within two months from the date of the death of the holder of the registration certificate, make an application together with the registration certificate in original to the Inspector in Form No. I-A for transfer of the registration certificate to his name and the Inspector shall enter in the registration certificate under his signature an endorsement to the effect that the registration certificate has been transferred to such heir or legal representative.]

7. Issue of duplicate registration certificate.

(1)If a registration certificate is lost or destroyed, the employer shall forthwith report the matter to the Inspector by whom the certificate was issued or last renewed and shall apply to such Inspector with a fee of [rupees fifteen] [Substituted G. O. Ms. No. 28, Labour and Employment, dated the 5th April, 2002 with effect from 29th May 2002.] for the issue of a duplicate certificate.(2)Upon receipt of an application and the fee referred to in sub-rule (1), the Inspector shall furnish the employer with a duplicate copy of the certificate duly stamped "duplicate" in red ink.

8. Payment of fees and refund in certain circumstances.

- [(1) Every application under these rules shall be accompanied by a treasury receipt showing that the appropriate fee has been paid into the local treasury under the head of account [087-Labour and Employment-087 (a) Receipts under Labour Laws-01. Receipts under Tamil Nadu Catering Establishments Act, 1958.] [Substituted by Notification No. S.R.O. A-357 of 1962, dated the 24th April, 1962.](2)If the Inspector is satisfied that any catering establishment has not worked even on a single day during the period of validity of the registration certificate, he may order the refund of the fee collected for the period.(3)[If any application for the grant or renewal of a registration certificate is rejected, the registration fee paid shall be refunded to the applicant by the Inspector.(4)The Inspector, if satisfied, may also refund the excess registration fees, if any, paid by the employer.] [Inserted by Notification No. S.R.O. A-29 of 1961, dated the 19th December, 1960.][Chapter III] [Chapter III was inserted by S. R. O. A-1/76, dated the 30th December, 1975.] Appeals and Procedure

9.

(a) Every appeal under section 4-A shall be preferred in the form of a memorandum setting forth concisely the grounds of appeal and signed by the appellant or his authorised agent and shall be presented to the appellate authority in person or sent to him by registered post. (b) The memorandum shall be accompanied by a certified copy of the order appealed against and a treasury receipt for Rs. 10.00 being the fee for the appeal.

10.

(a) Where the memorandum of appeal does not comply with the provisions of sub-rule (a) of rule 9, it may be rejected or returned to the appellant for the purpose of being amended within a time to be fixed by the appellate authority; (b) Where the appellate authority rejects the memorandum under sub-rule (a) he shall record the reason for such rejection and communicate the order to the appellant; (c) Where the memorandum of appeal is in order, the appellate authority shall admit the appeal, endorse thereon the date of presentation and shall register the appeal in a book to be kept for the purpose, called the Register of Appeals.

11.

(a) Where the appeal has been admitted, the appellate authority shall send the notice of the appeal to the Inspector whose order is appealed against and the Inspector shall send the complete records of the case to the appellate authority. (b) On receipt of the records, the appellate authority shall send a notice to the appellant to appear before him at such date and time as may be specified in the notice for the hearing of the appeal.

12.

(a) If on the date fixed for hearing, the appellant or his authorised agent does not appear, the appellate authority may dismiss the appeal on that ground. (b) An order passed under sub-rule (a) may be set aside and the appeal reheard if the appellant shows good and sufficient cause to the satisfaction of the appellate authority within one month of the date of the said order and the appeal may be heard, after giving notice to the party of the date fixed for such hearing.

13. Powers of the appellate authority.

(a) If the appellant or his authorised agent is present when the appeal is called on for the hearing, the appellate authority shall proceed to hear the appellant or his authorised agent and any other person summoned by him for this purpose, and after considering all the facts and circumstances, either confirm/ reverse, or vary the order appealed against. (b) The order of the appellate authority shall state the points for determination, the decisions taken thereon and the reasons for the decision. (c) The order of the appellate authority shall be communicated to the appellant and a copy thereof shall be sent to the Inspector whose order has been appealed against.

14. Copies of orders of the appellate authority.

- Copies of orders of the appellate authority may be obtained on specifying the date and other particulars in full of the order or orders required.[Chapter IV] [This Chapter was inserted by Notification No. S.R.O. A-1/76, dated the 30th December, 1975.] National and Festival Holidays

15. Specification of festivals by Inspector.

(1)Every employer shall, within thirty days from the date on which the Act comes into force in the case of a catering establishment existing on that date, and within thirty days from the date of commencement of work in the case of any new catering establishment, send his proposal in duplicate for the specification of festivals in Form No. IV-A together with a copy of the notice mentioned in sub-rule (2) to the Inspector having jurisdiction over the area in which the catering establishment is situated :Provided that in case of any catering establishment, the Inspector may, if he thinks fit, extend the period within which the proposal for the specification of the festival should be sent.(2)The employer shall, on the day on which he sends to the Inspector the proposal mentioned in sub-rule (1) display in the premises of the catering establishment in such manner as can be readily seen and read by the employees a notice in Form No. IV-B specifying the period within which objections or suggestions of the employees referred to in sub-rule (3) shall be sent to the Inspector:Provided that the employer may consult the employees before formulating his proposal mentioned in sub-rule (1).(3)Objections or suggestions, if any, to the proposal of the employer shall be sent to the Inspector having jurisdiction over the area in which the catering establishment is situated by the employees or by the trade unions representing the employees within a period of fifteen days from the date on which the notice mentioned in sub-rule (2) is displayed in the premises of the catering establishment.(4)The Inspector shall, after considering the proposal of the employer and the objections and suggestions, if any, of the employees received within the period specified in sub-rule (3), specify the five festivals for which holidays are to be allowed under sub-section (2) of section 11.(5)The festivals specified by the Inspector under sub-rule (4) shall be communicated to the employer in Form No. IV-C in duplicate. The employer shall, within seven days of receipt of the communication, exhibit in his catering establishment a copy thereof in such manner as can be readily seen and read by the employees.

16. Change of the festivals specified.

(1)The employer or a majority of the employees or any trade union representing a substantial number of employees in any catering establishment in respect of which festivals have been specified under sub-section (2) of section 11 may, at any time, apply to the Inspector for a change in all or any of the festivals so specified.(2)The application for changing the specified festivals shall be sent to the Inspector having jurisdiction over the area in which the catering establishment is situated in Form No. IV-D in duplicate.(3)The provisions of rule 15 shall mutatis mutandis apply to the change of festivals under this rule.(4)The change made by the Inspector in the specified festivals under this rule shall be communicated to the employer in Form No. IV-C in duplicate. The employer shall, within seven days of receipt of the communication, exhibit in his catering establishment a copy thereof in such manner as can be readily seen and read by the employees. The festivals so changed

by the Inspector shall take effect from the 1st day of the calendar year immediately following the year in which such change is effected.

17. Statement to be sent to the Inspector and displayed in the catering establishment.

(1) Statement to be sent to the Inspector by the employer under sub-section (3) of section 11-A shall be in Form No. IV-E and shall be sent by registered post so as to reach the Inspector before the commencement of each calendar year in which the holidays are to be allowed. (2) Every employer shall exhibit simultaneously in his catering establishment a copy of the statement referred to in sub-rule (1) in such manner as can be readily seen and read by the employees of that catering establishment and shall maintain it in a legible condition.

18. Manner of service of notice under sub-clause (i) of clause (a) of sub-section (4) of section 11.

(1) The notice under sub-clause (i) of clause (a) of sub-section (4) of section 11 shall be in Form IV-EE and shall be served-(i) by giving or tendering it to the employee; or (ii) if the employee is not found, by affixing it at the entrance of his last place of residence or by giving or tendering it to some adult member of his family. (2) The signature of the person to whom the notice is given or tendered, with date and time shall be obtained on a true copy of the notice.

19. Maintenance of registers of National and Festival Holidays and records.

(1) Every employer shall maintain a register in Form No. IV-F and it shall be produced on demand by the Inspector having jurisdiction over the area: Provided that no separate register need be maintained if the Inspector having jurisdiction is satisfied that the particulars required to be kept in Form No. IV-F are contained in any other register maintained by the employer. (2) The records relating to a calendar year shall be preserved till the end of the subsequent calendar year.

Chapter V

Health and Sanitation

20. [Medical examination of persons prior to employment. [Substituted by Notification No. S.R.O. A-1/76, dated the 30th December, 1975.]

- No person shall be employed in the catering establishment if he fails to produce certificate of physical fitness from a Medical Practitioner registered under the Tamil Nadu Medical Registration Act, 1914 (Tamil Nadu Act IV of 1914), within a period of one month of his employment or if he is affected with any disease in a communicable form or is a carrier of such disease, such person shall furnish such information and submit himself to such physical examination as the said Medical Practitioner may require. The certificate of physical fitness produced by the employee shall be

maintained by the employer [x x x] and produced for inspection by the Inspector.]

21. [Ascertainment of age by the Inspector. [Inserted by G.O. Ms. No. 415, dated the 25th May, 1974, and rule 22 was re-numbered by S.R.O. A-1/76, dated the 30th December, 1975.]

- The Inspector may require an employer to produce an authentic extract from the records of any school, village munsiff, panchayat or municipality or other local body and in the absence of such extract, at least a certificate in Form No. V-A from a Registered Medical Practitioner showing the age of any person employed by such employer.]

22. [] [Re-numbered by Notification No. S.R.O. A-1/76, dated the 30th December, 1975.] [Periodical medical, examination of employees.] [Substituted by Notification No. S.R.O. A-428/66, dated the 12th April, 1966.]

(1) Every employee shall be examined once in a year by a Registered Medical Practitioner specified in rule 9 and the results of the examination shall be entered in the records maintained by the employer for the purpose. If on such examination, he is found to be affected with any disease in a communicable form or is a carrier of such disease, he shall cease to work in the catering establishment immediately. (2) The fee to be paid by the employer to the Registered Medical Practitioner for medical examination of the employee under sub-rule (1) shall be at the rate of rupee one per employee. (3) The renewal of medical certificate shall be made within one month after the expiry of one year from the date of issue of original medical certificate.

23. [] [Re-numbered by S.R.O. A-1/76, dated the 30th December, 1975.] Reporting of illness.

(1) An employee suffering from any infectious disease or any other illness shall report the fact to the employer. (2) The employer shall, as far as practicable, ascertain whether any employee is suffering from any illness either by personal inquiries or by examination of the employee at the time the employee reports himself for duty each day at the catering establishment, or if any employee does not report himself for duty as aforesaid on any day, by making necessary enquiries in the residential quarters, if any, provided by the employer in which the employee resides.

24. [Reporting of illness of employee to Health Officer. [Substituted by S.R.O. No. A-518 of 1962, dated the 7th June, 1962, and subsequently re-numbered by S.R.O. A-1/76, dated the 30th December, 1975.]

- The employer as soon as he is informed or becomes aware that an employee is suffering from any infectious disease or illness shall inform the Health Officer in the Tamil Nadu Public Health Service having jurisdiction over the area in which the catering establishment is situated of such disease or illness for such action as such Health Officer deems fit. The employee who is affected with any

disease in a communicable form or is a carrier of such disease shall not be allowed to work in the catering establishment till he is completely cured of such disease.]

25. [Scale of dress to be supplied to the employees. [Substituted by S.R.O. No. A-518 of 1962, dated the 7th June, 1962, and subsequently re-numbered by S.R.O. A-1/76, dated the 30th December, 1975.]

- The employee shall keep his person and dress in a clean and tidy condition. Each employee with not less than six months continuous service shall be supplied by the employer with the dress as specified below :

1. Servers. - Either two pants or at the option of the employee four dhoties of [1.83 metres] each and two shirts with half sleeves for every 12 months.

2. Cleaners. - Two half pants and two shirts with half sleeves for every 12 months.

3. Kitchen Staff. - Two aprons 1 for every 12 months.]

26. [[Inserted by S.R.O. A-1/76, dated the 30th December, 1975.]

Unless the employer makes at his own cost adequate arrangements for the washing of uniforms provided by him to the employees of the catering establishments, the employees shall be paid all allowance for washing of such uniforms at the rate of rupees three per month, in arrears on the day on which the wages or salary of the employees are paid.]

26A.

[x x x] [Omitted by S.R.O. No. A-1/76, dated the 30th December, 1975.]

**27. [] [Re-numbered by S.R.O. No. A-1/76, dated the 30th December, 1975.]
Washing facilities.**

- There shall be provided and maintained in every catering establishment for the use of the employees adequate and suitable facilities for washing which shall include soap and towels. Separate facilities shall be provided for each sex.

**28. [] [Re-numbered by S.R.O. No. A-1/76, dated the 30th December, 1975.]
Living or sleeping quarters.**

- None of the operations connected with a catering establishment shall be conducted or carried on in

any room used as living or sleeping quarters of employees.

**29. [] [Re-numbered by S.R.O. No. 1/76, dated the 30th December, 1975 and formerly substituted by S.R.O. No. A-428 of 1966, dated the 12th April, 1966.]
Fire extinguishers and first-aid boxes.**

(1) There shall be adequate fire extinguishers or fire buckets filled with sand to deal with fire accidents. The Inspector may specify the number of fire extinguishers or fire buckets to be provided in a catering establishment as may be deemed necessary. (2) There shall be provided and maintained so as to be readily accessible in or near the kitchen first-aid boxes or cupboards equipped with the following:-(A) In respect of catering establishments in which the number of persons employed does not exceed 20, each first-aid box or cupboard shall contain the following equipments:-(i) six small sterilized dressings; (ii) three medium size sterilized dressings; (iii) three large size sterilized dressings; (iv) three large size sterilized bum dressings; (v) [one bottle containing not less than 25 ml. of a two per cent alcoholic solution of iodine;] [Substituted by G.O. Ms. No. 1341, dated the 9th November, 1972.] (vi) one bottle of not less than 25 ml. of salvolatile having the dose and mode of administration indicated on the label; (vii) a snake-bite lancet; (viii) [one bottle of not less than 25 grams of potassium permanganate crystals;] [Substituted by G.O. Ms. No. 1341, dated the 9th November, 1972.] (ix) one pair of scissors; (x) one copy of the first-aid leaflet issued by the Chief Adviser (Factories), Government of India; and (xi) eye-drops; (xii) [Nebasulph or Neosprin] [Inserted by O.Ms. No. 412, Labour and Employment dated the 25th May, 1977.] (B) In respect of catering establishments in which the number of persons employed exceeds 20, but does not exceed 50, each first-aid box or cupboard shall contain the following equipments:-(i) [six packets of not less than 15 grams sterilized cotton wool;] [Substituted by G.O. Ms. No. 1341, dated the 9th November, 1972.] (ii) six medium size sterilized dressings; (iii) six large size sterilized dressings; (iv) six large size sterilized-bum dressings; (v) six (1/2 oz.) packets sterilized cotton wool; (vi) [one bottle of not less than 50 ml. containing two per cent, alcoholic solution of iodine;] [Substituted by G.O. Ms. No. 1341, dated the 9th November, 1972.] (vii) [one bottle of not less than 50 ml. containing salvolatile having the dose and mode of administration indicated on the label;] [Substituted by G.O. Ms. No. 1341, dated the 9th November, 1972.] (viii) one roll of adhesive plaster; (ix) a snake-bite lancet; (x) [one bottle of not less than 25 grams of potassium permanganate crystals;] [Substituted by G.O. Ms. No. 1341, dated the 9th November, 1972.] (xi) one pair of scissors; (xii) one copy of first-aid leaflet issued by the Chief Adviser (Factories), Government of India; and (xiii) eyedrops; (xiv) [Nebasulph or Neosprin.] [Inserted by O.Ms. No. 412, Labour and Employment dated the 25th May, 1977.] (C) In respect of catering establishments in which the number of persons employed exceeds 50, each first-aid box or cupboard shall contain the following equipments:-(i) twenty-four small sterilized dressings; (ii) twelve medium size sterilized dressings; (iii) twelve large size sterilized dressings; (iv) twelve large size sterilized bum dressings; (v) [twelve packets of not less than 15 grams sterilized cotton wool;] [Substituted by GO. Ms. No. 1341, dated the 9th November, 1972.] (vi) a snake-bite lancet; (vii) one pair of scissors; (viii) [two bottles of not less than 25 grams each of potassium permanganate crystals;] [Substituted by GO. Ms. No. 1341, dated the 9th November, 1972.] (ix) [one bottle of not less than 100 ml. containing two per cent, alcoholic solution of iodine;] [Substituted by GO. Ms. No. 1341, dated the 9th November, 1972.] (x) [one bottle of not less than 100 ml. of salvolatile having the-dose and mode of administration indicated on the label;] [Substituted

by GO. Ms. No. 1341, dated the 9th November, 1972.](xi)one copy of the first-aid leaflet issued by the Chief Adviser (Factories), Government of India;(xii)[twelve roller bandages-100 mm. or 10 cm. wide;] [Substituted by GO. Ms. No. 1341, dated the 9th November, 1972.](xiii)[twelve roller bandages-50 mm. or 5 cm. wide;] [Substituted by GO. Ms. No. 1341, dated the 9th November, 1972.](xiv)two rolls of adhesive plaster;(xv)six triangular bandages;(xvi)two packets of safety pins;(xvii)a supply of suitable splints;(xviii)one tourniquet;(xix)eyedrops;(xx)[Nebasulph or Neosprin.] [Substituted by GO. Ms. No. 1341, dated the 9th November, 1972.]Each first-aid box or cupboard shall be distinctively marked with a red cross on a white background.

Chapter VI

Leave with Wages

30. [] [Re-numbered by S.R.O. No. A-1/76, dated the 30th December, 1975.] Prescribed authority for the purpose of clause (14) of section 2.

- The prescribed authority for the purpose of clause (14) of section 2 shall be the Inspector.

31. Leave with Wages Register.

- [x x x] [Omitted by G.O. (D) No. 1088, Labour and Employment (H-1), dated the 19th August, 2004 with effect from 16th March, 2005.]

32. Leave Book.

- [x x x] [Rule 32 was omitted by dated the 19th August, 2004 with effect from 16th March, 2005.]

33. Grant of leave with wages.

- [x x x] [Sub-rule (1) of rule 33 was omitted by dated the 19th August, 2004 with effect from 16th March, 2005.](2)As far as circumstances permit, members of the same family shall be allowed leave at the same time.(3)If in accordance with any scheme for grant of leave by rotation to the employees framed by the employer, an employee is entitled to go on leave at a particular time of the year and the employee does not require leave at, that 11 time, the employee may be allowed to avail himself of the said period of leave at any other time subject to the employee giving his employer at least a fortnight's notice.

34. Grant of sick leave.

- [x x x] [Rule 34 was omitted by G.O. (D) No. 1088, Labour and Employment (H-1), dated the 19th August, 2004 with effect from 16th March, 2005.]

**35. [Calculation of the cash equivalent of free supply of meals and tiffin.
[Substituted by S.R.O. No. A-518 of 1962, dated the 7th June, 1962.]**

- The cash equivalent of the meals and tiffin [required to be] supplied to an employee free of charge shall be calculated at the rate of [Rs. 2.75] [Substituted by S.R.O. No. A-79 of 1971, dated the 5th February, 1971.] per day in respect of the district of Chennai, district headquarters, taluk headquarters, municipalities and townships and at [Rs. 2.50] [Substituted by S.R.O. No. A-79 of 1971, dated the 5th February, 1971.] per day in respect of town panchayats not falling under the former category.]

**36. [] [Re-numbered by S.R.O. No. A-1/76, dated the 30th December, 1975.]
Payment of wages if employee dies.**

(1) If an employee who had taken leave dies before he resumes work, the balance of his wages due for the period of leave with wages not availed of shall be paid to his nominee within one week of the receipt of the intimation of the death of the employee. (2) For the purpose of sub-rule (1), each employee shall submit a nomination in [Form No. VIII] [Substituted by S.R.O. No. A-428 of 1966, dated the 12th April, 1966.] duly signed by himself and attested by two witnesses. The nomination shall remain in force unless the nominee pre-deceases the employee or until it is cancelled or revised by another nomination. [Chapter VII] [Re-numbered by S.R.O. No. A-1/76, dated the 30th December, 1975.] Miscellaneous Provisions

**37. [] [Re-numbered by S.R.O. No. A-1/76, dated the 30th December, 1975.]
Appeals under section 19.**

- [(1) The Assistant Commissioners of Labour (Conciliation) or the Labour Officers in their respective areas assigned to them by the Commissioner of Labour shall be appellate authorities for the purposes of hearing appeals under sub-section (2) of section 19 and such appeal shall be preferred by the employees within thirty days from the date of service of the order dispensing with his services with the employer. Such service to be deemed effective, if carried out either personally or if that be not practicable by prepaid registered post to his last known address when the date of such service shall be deemed to be the date when the letter would reach the addressee in ordinary course of post:] [Substituted by G.O. Ms. No. 992, Labour, dated the 18th May, 1985.] Provided that an appeal may be admitted after the said period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (2) The notices to be given under clause (b) of sub-section (2) of section 19 shall be in [Form No. DC] [Substituted by S.R.O. No. A-428 of 1966, dated the 12th April, 1966 for 'Form No. VII'.] to the employer and in [Form No. X] [Substituted by G.O. Ms. No. 1753, Industries, Labour and Housing (Labour), dated the 12th April, 1966, for 'Form No. VIII'.] to the employees. The notice shall be sent to the parties by registered post acknowledgment due. (3) The procedure to be followed by the appellate authority when hearing the appeals preferred to it under sub-section (2) of section 19 shall be summary. It shall record briefly the evidence adduced and then pass orders giving its reasons therefor. (4) An authenticated copy of the order shall be furnished to each of the parties, either in person or by

registered post acknowledgment due.(5)Additional copies of the order shall be supplied to the parties only on an application accompanied by the requisite copy stamp papers.(6)[If the employer or his representative fails to appear on the specified date, the appellate authority may proceed to hear and determine the appeal ex-parte.] [Inserted by S.R.O. No. A-506 of 1963, dated the 1st May, 1963.](7)If the appellant fails to appear on the specified date, the appellate authority may dismiss the appeal.(8)Notwithstanding anything contained in sub-rules (6) and (7), an order passed under either of those sub-rules may be set aside and the appeal re-heard on good cause being shown within one month of the date of the said order, notice being served on the opposite party of the date fixed for such re-hearing.

38. [] [Re-numbered by S.R.O. No. A-1/76, dated the 30th December, 1975.] Maintenance of registers and display of notices.

(1)Every employer shall maintain a register of employment in [Form No. XIV] [Substituted by G.O. (D) No. 1088, Labour and Employment (H-1), dated the 19th August, 2004 with effect from 16th March, 2005, for 'Form No. XI'.] Wherein entries relating to hours of work including overtime work, if any, shall be made at the time of commencement of work on each day.(2)Every employer shall maintain a [Visitors' Book] [Substituted by S.R.O. No. A-1/76, dated the 30th December, 1975, for 'Visit book'.] in which an Inspector visiting the catering establishment may record his remarks regarding any defects that may come to his notice at the time of his inspection and shall produce it whenever required to do so by the Inspector.(3)[An employer shall exhibit in his catering establishment a notice in [Form No. XV] [Substituted vide S.R.O. No. A-283 of 1962, dated the 13th March, 1962.] specifying the daily hours of work, intervals for rest, and weekly holiday allowed to the employees. A copy of the notice shall be sent to the Inspector:]Provided that if any change in the notice so exhibited becomes necessary, a notice of such change shall be exhibited before such change is given effect to, and a copy of the said notice together with a statement of reasons for the change shall be sent simultaneously to the Inspector.(4)[x x x] [Omitted by S.R.O. No. A-428 of 1966, dated the 12th April, 1966.](5)[An abstract of the Act and the rules made thereunder shall be displayed either in English or in Tamil in every catering establishment in such form as the State Government may, by notification in the Tamil Nadu Government Gazette, specify.] [Substituted by G.O. Ms. No. 1900, Labour, dated the 6th August, 1983.](6)Any notice required to be exhibited under these rules shall be exhibited in such manner that it can be readily seen and read by any person whom it affects and shall be renewed whenever it becomes defaced or otherwise ceases to be clearly legible.(7)The registers referred to in these rules, except the Leave with Wages Register, shall be preserved for a period of 12 months from the date of the last entry noted in them and shall always be readily available in the catering establishment for inspection during all working hours of the catering establishment.(8)[Every employer shall maintain a Register of Wages in Form No. XVI.] [Inserted by G.O. (D) No. 1088, L&E (H-1), dated the 19th August, 2004 (w.e.f. 16th March, 2005).](9)Every employer, shall issue a wage slip in Form No. XVII to every employee, every montty; a day prior to the disbursement of wages or at least on the day of disbursement of wages or if the wages are paid daily, along with wages duly signed by him or any other authorised person and also obtain signature of the concerned employee. The copies of wage slip issued shall be maintained by the employer and produced to the Inspector on demand.(10)Every employer shall maintain a register of advances, deductions of damages or loss and fines in Form No. XVIII.

39. Maintenance and supply of Service Book.

- [* * *] [Omitted by G.O. (D) No. 1088, Labour, and Employment (H-1), dated the 19th August, 2004 (with effect from 16th March, 2005) (earlier inserted by, S.R.O. No. A-125 of 1974, dated the 27th March, 1974).]

40. [] [Re-numbered by S.R.O. No. A-1/76, dated the 30th December, 1975.] Information required by the Inspector.

- The employer shall furnish any information that any Inspector may require for the purpose of satisfying himself whether any provision of the Act, or the rules made thereunder has been complied with or whether any order of an Inspector has been duly carried out. Any demand by an Inspector of any such information if made during the course of an Inspection shall be complied with forthwith if the information is available in the catering establishment or if made in writing shall be complied with within seven days of receipt thereof.

41. [] [Re-numbered by S.R.O. No. A-1/76, dated the 30th December, 1975.] Service of notices.

- The despatch by post under registered cover of any notice or order shall be deemed sufficient service on the employee of such notice or order.

42. [] [Re-numbered by S.R.O. No. A-1/76, dated the 30th December, 1975.] Annual return.

- Every employer shall furnish an annual return in [Form No. XIII] [Substituted by S.R.O. No. A-428 of 1966, dated the 12th April, 1966.] on or before the [31st January] [Substituted, by S.R.O. No. A-1/76, dated the, 30th December, 1975, for '30th April'.] to the Inspector having jurisdiction over the area in which the catering establishment is situated.

42A. [] [Re-numbered by S.R.O. No. A-1/76, dated the 30th December, 1975.] Language of registers, records etc.

- All registers, records and notices required to be maintained, exhibited or given under these rules shall be either in English or in Tamil.

42AA. [Production of registers, records and notices. [Inserted by G.O. Ms. No. III, Labour, dated the 23rd January, 1986.]

- The registers, records and notices maintained or exhibited under the provisions of these rules shall always be available in the establishment and shall be produced or caused to be produced for inspection at all reasonable hours by an Inspector having jurisdiction.]

42B. [Exhibition of name board. [Amended by G.O. Ms. No. 499, Labour, dated the 29th February, 1984 w.e.f. 1st April, 1984.]

(1)The name board of every establishment shall be in Tamil and wherever other languages are also used, the version in English shall be in the second place followed by the versions in other languages, if any.(2)The Tamil version shall be written predominantly in the name board by providing more space than for other languages.(3)The Tamil letters in the name board shall be in the reformed script.Explanation. - The 'reformed script' means the script in the -form as given in the annexure to the G.O. Ms. No. 1875, Education, dated the 19th October, 1978, as amended by Government Memo. No. 4704/1/79-20, Education, dated the 23rd May 1979.]

**43. [] [Re-numbered by S.R.O. No. A-1/76, dated the 30th December, 1975.]
Preservation of records.**

- The registers, returns, and other records maintained or received under these rules, and specified in column (1) of the table below shall be preserved for the periods specified in the corresponding entries in column (2) thereof.

Registers, returns and records (1)	Periods of preservation (2)
1. Register of catering establishments	Permanent.
2. Registration certificate counterfoils	8 years.
3. [Application] [Substituted by S.R.O. No. A-1/76, dated the 30th December 1975, for 'Statement'.]sent by the employers forobtaining registration certificates	5 years
4. Notification of change in Form IV received fromemployers	5 years
5. Challans	5 years
6. Annual returns from the employers	3 years.

**44. [] [Re-numbered by S.R.O. No. A-1/76, dated the 30th December, 1975.]
Manner of destruction of records.**

(1)After the period of preservation specified in [rule 43] [Substituted by S.R.O. No. A-1/76, dated the 30th December, 1975.], the registers, returns and records shall be destroyed either by tearing or by burning in the presence of the head of the office.(2)The records destroyed by tearing may be sold or otherwise disposed of in such manner as the head of the office thinks fit.

**45. [] [Re-numbered by S.R.O. No. A-1/76, dated the 30th December, 1975.]
Power to exempt from rules.**

- The State Government may, by general or special order, exempt either permanently or for any specified period, any catering establishment or class of catering establishments or any person or

class of persons to which or to whom these rules apply, from all or any of the provisions of these rules, subject to such conditions as they deem fit, or direct that any such provision shall apply to any such catering establishment or class of catering establishments or any such person or class of persons, with such modification as may be specified in the order. Form No. I [See sub-rule (1) of rule 3 and sub-rule (1) of rule 6] Application under sub-section (1) of section 4 for Registration/ Application under Sub-Section (4) of Section 4 for Renewal of Registration Certificate for the Calendar Year

1. Full name of the catering establishment
2. (i) Full postal address and situation of the catering establishment.
(ii) Full address to which communications relating to the catering establishment should be sent.
3. (i) Maximum number of employees proposed to be employed on any one day during the calendar year.
(ii) Number of employees ordinarily to be employed in the catering establishment.
4. Full name and residential address of the person who shall be manager of the catering establishment.
5. Full name and residential address of the employer other than the manager, that is to say, ---
(i) the proprietor of the catering establishment;
(ii) directors in case of a public limited liability establishment;
(iii) where a managing agent has been appointed, the name of managing agent and directors thereof; and
(iv) shareholders, if any.
6. Financial resources of the employer, (e.g., particulars and value of movable and immovable properties, bank reference, income-tax assessment, etc.).
7. Previous experience of the applicant in the catering industry.
8. Whether the proposed site of the premises amounts to the alteration of the site of any existing premises and, if so, the reasons for such alteration. [The employer should quote the licence or any other order from the Local Authority (Corporation, Municipality, Panchayat Board or Specially Notified Area)].
9. Whether any catering establishment was closed by the applicant during the period of twelve months immediately preceding the date of the application and, if so, the reasons therefor.
10. [[Added by G.O. Ms. No. 315, Labour and Employment, dated 9.2.1981.] Whether the contribution to Tamil Nadu Labour Welfare Fund for the [previous year] [Substituted by G.O. Ms. No. 1473, Labour and Employment, dated 19.7.1982.] has been paid and, if so, furnish the full details of payment (viz., Cheque/ Demand Draft No. and date/ Money

Order Receipt No. and date).]

11. [] [Re-numbered by

S.R.O. No. A-75/81, Amount of feeRs. (Rupees) paid inNo.
dated the 9th February, Treasury on vide Challan (enclosed).
1981.]

Signature of Manager Signature of employer

Date : Date :

Note: (1) This form shall be completed in ink in block letters or typed.(2)If any of the persons named against item 5 is a minor, the fact shall be clearly stated.(3)In the case of catering establishment where a managing agent or agents have been appointed under the Companies Act, 1956 (Central Act 1 of 1956), the information required in item 5 shall be supplied only in respect of that person or persons.][Form No. I-A] [Inserted by Notification No. S.R.O. No. A-428 of 1996, dated the 12th April, 1966.][See rule 6-A]Application for Transfer of Registration Certificate

1. Full name of the catering establishment.
2. Full postal address and situation of thecatering establishment.
3. Registration certificate number.
4. The name and address of the persons to whom theregistration certificate is to be transferred.
5. Full name and residential address of the personwho shall be the employer of the catering establishment.
6. Full name and residential address of theemployer other than the manager of the catering establishment.
7. Amount of fee Rs..... (Rupees)paid in No. Treasury on videChallan (enclosed).

I agree that I shall accept all liabilities of the transfer in respect of the employees of the catering establishment.

Date : Signature of the Transferee

I agree that the Registration Certificate No dated may be transferred in the name of.....

Date : Signature of the Transferee

(Holder of the Registration Certificate)

N.B. - This form shall be completed in ink in block letters or typed.Form No. II[See sub-rule (1) of rule 4]Register of Catering Establishments

SI. No.	Date of receipt of application by the theInspector	Number and date of previous certificate	Name of employer catering establishment	Name of the in whose name the registrationcertificate is to be issued.	Address of the catering establishment
(1)	(2)	(3)	(4)	(5)	(6)

Maximum number of employees employed or to beemployed	Fee paid	Name of treasury	Number and date of challan	Number and date of the registration certificateissued	Initials of the Officer	Remarks
(7)	(8)	(9)	(10)	(11)	(12)	(13)

[Form No. III] [Substituted by Notification No. S.R.O. No. A-428 of 1966, dated the 12th April, 1966.][See sub-rule (2) of rule 4]Registration Certificate or Renewal thereof in Respect of a Catering EstablishmentRegistration number

Fees Rs. S.No.

Certified that.....is registered as a catering establishment in the Register of Catering Establishments and that the employer of the catering establishment is permitted to employ not more than employees on any day during the [calendar year] [Substituted for 'financial year' by Notification No. S. R. O. No. A-1/76, dated the 30th December, 1975.].This certificate shall remain in force till the [31st day of December] [Substituted for the expressions '31st day of March' by Notification No. S. R. O. No. A-1/76, dated the 30th December, 1975.] 20....

Date : Inspector

Renewal

Date of renewal	Fees paid for renewal	Date of expiry	Signature of the Inspector
(1)	(2)	(3)	(4)
(1)			
(2)			
(3)			
(4)			

Amendments

Amended to employ maximum number of employees	Signature of the Inspector
(1)	(2)
(1)	
(2)	
(3)	
(4)	

Transfers

Name of the person to whom transferred	Name of the catering establishment	Signature of the Inspector
(1)	(2)	(3)
(1)		
(2)		
(3)		
(4)		

Form No. IV[See sub-rule (1) of rule 5]Form in which any Change in Respect of Information contained in the [Application] [Substituted by S.R.O. No. A-1/76, dated the 30th December, 1975, for 'statement'.] under Section 4 Should be Notified

1. Full name of the catering establishment.
2. Registration number and date of registration.
3. Change in die particulars relating to situationof the establishment.

4. Change in the particulars relating to the employer.
5. Change in the number of employees employed, namely, ---
 - (i) Maximum number of employees employed, prior to the change
 - (ii) Number of persons newly engaged
 - (iii) Total
6. Any other change in the particulars in Form No. I relating to the statement under section 4 and the renewal of the registration certificate.

Signature of Manager Signature of employer

Date : Date :

Note : This form shall be completed in ink in block letters or typed. [Form No. IV-A] [Inserted by S.R.O. No. A-1/76, dated the 30th December, 1975.] [See sub rule (1) of rule 15] From (Name and address of the employer.) To (Designation and address of the Inspector having jurisdiction over the area in which the catering establishment is situated) Sir, I propose that the following festivals may be specified under sub-section (2) of section 11 of the Tamil Nadu Catering Establishments Act, 1958 (Tamil Nadu Act XIII of 1958) in respect of my catering establishment (*, #).

Sl. No. Description of festivals

- 1.
- 2.
- 3.
- 4.
- 5.

2. The total number of employees in the above catering establishment is....

3. A notice in Form No. IV-B has been exhibited in the above catering establishment on the..... A copy of the notice aforesaid is enclosed.

4. The names of the trade unions which claim to represent my employees are

To my knowledge there is no trade union representing the employees Yours faithfully, Signature of the employer. Date: Note. - (*) Here enter the name of the catering establishment. (#) Here enter the full address of the catering establishment. (%) Delete portion not applicable to the catering establishment. This form shall be completed in ink in block letters or typed. [Form No. IV-B] [Inserted by S.R.O. No. A-1/76, dated the 30th December, 1975.] [See sub-rule (2) of rule 15] Notice I have proposed to the # that the following 'festivals mentioned in column (2) of the statement below may / festivals mentioned in column (3) of the statement below may be specified / be specified in lieu of the festival/s already specified and mentioned in column (2) thereof under sub-section (2) of section 11 of the Tamil Nadu Catering Establishments Act, 1958 (Tamil Nadu Act XIII of 1958) in respect of this catering establishment. Statement

Sl. No.	Description of the festival	Description of festival proposed for specification in lieu of that/ those mentioned in column (2)
---------	-----------------------------	---

- | | | |
|-----|-----|-----|
| (1) | (2) | (3) |
| (1) | | |
| (2) | | |
| (3) | | |
| (4) | | |
| (5) | | |

2. Any employee of this catering establishment or trade union representing the employees of this catering establishment may send to the above-mentioned Inspector objections or suggestions, if any, to the proposal mentioned above.

3. The objections or suggestions should reach the above mentioned Inspector within a period of fifteen days from the date on which this notice is displayed in the premises of the catering establishment.

Date on which the notice is exhibited :.....Signature of the employer. Note : # Here enter the designation and address of the Inspector having jurisdiction over the area in which the catering establishment is situated. (*) Delete whichever is not applicable. This form shall be completed in ink in block letters or typed. [Form No. IV-C] [Inserted by S.R.O. No. A-1/76, dated the 30th December, 1975.] [See sub-rule (5) of rule 15 and sub-rule (4) of rule 16] Proceedings of (A) Under sub-section (2) of section 11 of the Tamil Nadu Catering Establishments Act, 1958 (Tamil Nadu Act XIII of 1958), I specify the *festival(s) mentioned in column (2) of the statement below/*festival(s) mentioned in column (3) of the statement below in lieu of the festival(s) mentioned in column (2) thereof, was specified for the catering establishment (%) in proceedings No , dated the for which holidays shall be granted every year to the employees in the catering establishment, namely, at....Statement

SI. No.	Description of festivals	*Description of festival/s specified in lieu of that/ those mentioned in column (2)
(1)	(2)	(3)
1.		
2.		
3.		
4.		
5.		

Date : Signature of Inspector.

Note. (1) Here enter designation of the Inspector having jurisdiction over the area in which the catering establishment is situated. (2) (*) Delete whichever is not applicable. (3) (%) Here enter the name of the catering establishment. (4) (#) Here enter the full address of the catering establishment. This form shall be completed in ink in block letters or typed. [Form No. IV-D]

[Inserted by S.R.O. No. A-1/76, dated the 30th December, 1975.][See sub-rule (2) of rule 16]To (Designation and address of the Inspector having jurisdiction over the area in which the catering establishment is situated) Sir, Reference: Your proceedings No dated..... I, the employer of the catering establishment, namely, We, the employees in the catering establishment, namely, I, the Secretary of the trade union representing a substantial number of employees in the catering establishment, (*) at (") namely (*) at (") propose that the festival/festivals mentioned in column (3) of the statement below maybe specified under sub-section (2) of section 11 of the Tamil Nadu Catering Establishments Act, 1958 (Tamil Nadu Act XIII of 1958) in respect of the above catering establishment at (") in lieu of the festival/festivals mentioned in column (2) which was/were specified in the proceedings cited. Statement

Sl. No.	Description of festival/festivals specified	Description of festival proposed for specification in lieu of that/those mentioned in column (2)
(1)	(2)	(3)
(1)		
(2)		
(3)		
(4)		
(5)		

2. The total number of employees in the above catering establishment is.....

3. A notice in Form No. IV-B has been exhibited in the above catering establishment on the A copy of notice aforesaid is enclosed.

A copy of the application has been sent to the employer of the above mentioned catering establishment by pre-paid registered post on the same date on which this is sent to you.

4.

** The names of the trade unions which claim to represent the employees are..... There is no trade union representing the employees.

Date : Yours faithfully
Signature of the employer
Signature of the employees
Signature of the Secretary of the trade union representing a substantial number of employees.

Note. - (1) This form shall be filled in ink in block letters or typed. (2) Against reference, the number and date of the proceedings in which the festivals were specified shall be given. (3)* Here enter full name of catering establishment. (4)# Here enter full address of the catering establishment. (5)\$

Delete whichever is not applicable.(6)** Delete the portion which is not applicable to the catering establishment.[Form No. IV-E] [Inserted by S.R.O. No. A-1/76, dated the 30th December, 1975.][See sub-rule (1) of rule 17]Statement Showing the Holidays Allowed under sub-section (2) of Section 11 of the Tamil Nadu Catering Establishments Act, 1958 (Tamil Nadu Act XIII of 1958)Name and address of the employer.Name and address of the catering establishment.No. and date of the proceedings of the Inspector.Festival holidays allowed in the year 20...

Serial number	Description of the holidays	Days, dates and months of the year on which theNational and Festival holidays are allowed under sub-section (2)of section 11 of the Tamil Nadu Catering Establishments Act, 1958(Tamil Nadu Act XIII of 1958)
---------------	-----------------------------	---

(1)	(2)	(3)
-----	-----	-----

1.

2.

3.

4.

5.

Date : Signature of the employer

Note. - This form shall be completed in ink in block letters or typed.[Form No. IV-EE] [Inserted by S.R.O. No. A-1/76, dated the 30th December 1975.][See rule 18]Notice to the Employee under sub-clause (i) of Clause (a) of Sub-Section (4) of Section 11Under sub-clause (i) of clause (a) of sub-section (4) of section 11 of the Tamil Nadu Catering Establishments Act, 1958 (Tamil Nadu Act XIII of 1958), the following employee is hereby required to work on..... which is a holiday allowed under sub-section (2) of section 11 of the Act. He is further required to give his option in writing whether he prefers to be paid for such holidays on which he works-(i)twice the wages; or(ii)wages for such day and to avail himself of a substituted holiday with wages on any other day.Dated at the day of 20.Signature of the employer.ToThiru (here enter the name of the employee).Copy to the Inspector.Note. - This notice shall be exhibited in a conspicuous place at or near the main entrance in the premises or the catering establishment.[Form No. IV-F] [Inserted by S.R.O. No. A-1/76, dated the 30th December 1975.][See sub-rule (1) of rule 19]Register of National and Festival Holidays

SI. No.	Name of employee	Ticket number or Father's name	Days dates and months of the year on whichNational and Festival holidays are allowed under sub-section (2)of section 11 of the Tamil Nadu Catering Establishments Act,1958 (Tamil Nadu Act XIII of
---------	------------------	--------------------------------	--

1958)

1

2

3

4

5

6

7

8

9

To be marked as follows :- 'H' for holidays allowed. 'W/D' for work on double wages. 'W/H' for work with substituted holidays 'M/E' if not eligible for the wages. [Form No. V] [Inserted by S.R.O. A-428 of 1966, dated the 12th April, 1966.] [See [rule] [Substituted by S.R.O. No. A-1/76, dated the 30th December, 1975.] 20] Certificate of Physical Fitness

1. Certificate No. and date:
2. Name of the employee:
3. Father's name:
4. Sex:
5. Age:
6. [Identification] [[Substituted ibid for 'descriptive'.]] marks:
7. Date of medical examination:
8. Result of medical examination:
9. Remarks:

Place : Signature and designation of Medical Officer.

Date : Thumb-impression or signature of the employee.

[Form No. V-A] [Inserted by S.R.O. No. A-1/76, dated the 30th December, 1975.] [See rule 21] Age Certificate I hereby certify that I have personally examined (name) son/ daughter/ wife of aged years, residing at and that (name) employed by (here mention the name of employer, name of the catering establishment and address) has completed sixteen/ eighteen years of age. Descriptive Marks are:

Place : Signature or Thumb-impression of the employee.

Date : Signature and designation of Registered Medical Practitioner.

Form VI and Form VII [Omitted by G.O. (D) No. 1088, Labour and Employment (H-L), dated the 19th August 2004 (Deemed to have come into force From 16th March, 2005).] [Form VIII] [Re-numbered vide S.R.O. No. A-428 of 1966, dated the 12th April, 1966.] [See sub-rule (2) of rule 36] Nomination I hereby certify that in the event of my death the balance of my pay due for a period of leave shall be paid to who is my and resides at

Witnesses- Signature of employee.

(1)

(2)

[Form IX] [Re-numbered vide S.R.O. No. A-428 of 1966, dated the 12th April, 1966.] [See sub-rule (2) of (rule 37) [Substitute by S.R.O. No. A-1/76, dated the 30th December, 1975.]] Notice to the Employer under clause (b) of Sub-Section (2) of Section 19 Sri has appealed to the Appellate Authority under clause (a) of sub-section (2) of section 19 of the Tamil Nadu Catering

Establishments Act, 1958 (Tamil Nadu Act XIII of 1958). A copy of his appeal petition is enclosed. The appeal has been posted for hearing on the day of 20 at a.m./p.m. at You should appear before the Appellate Authority on that day and answer the claim. You must be prepared to produce on that day all the witnesses upon whose evidence, and all the documents upon which, you intend to rely in support of your defence. In default of your appearance on that day, the matter will be heard and determined in your absence. Appellate Authority. [Form X] [Re-numbered vide S.R.O. No. A-428 of 1966, dated the 12th April, 1966.] [See sub-rule (2) of 2(rule 37)] Notice to the employee under clause (b) of Sub-Section (2) of Section 19 Your appeal has been posted for hearing on the day of 20.... at a.m/p.m. at You should appear before the Appellate Authority on that day to prove the claim. You must be prepared to produce on that day all the witnesses on whose evidence, and all the documents upon which, you intend to rely in support of your case. In default of your appearance on that day, the matter will be heard and determined in your absence. Appellate Authority. [Form XI] [Substituted by S.R.O. No. A-428 of 1966, dated the 12th April, 1966.] [See sub-rule (1) of (rule 38) [Substituted by S.R.O. No. A-1/76, dated the 30th December, 1975.]] Register of Employment

1. Serial Number
2. Name of the person employed
3. Young person or not
4. Father's Name
5. Time at which employment commences
6. Time at which employment ceases
7. Rest interval
8. Hours worked on

1 2

3 4 5 6 7

9. Total hours worked during the week
10. Days on which overtime work done and extent of such overtime on each occasion
11. Extent of overtime worked during the week

Form XI-A [Omitted by S.R.O. No. A-1/76, dated the 30th December, 1975.] Form XII & Form XII-A [Omitted by G.O. (D) No. 1088, Labour and Employment (H-I), dated the 19th August, 2004 deemed to have come into force from 16th March, 2005.] [Form No. XIII] [Substituted by S.R.O. No. A-428 of 1966, dated the 12th April, 1966.] [See 2(rule 42)] Annual Return Year ending the [31st December] [Substituted by S.R.O. No. A-1/76, dated the 30th December, 1975.] 20.

1. Name of the catering establishment
2. Name of the employer
3. Full postal address of the catering establishment

[Average number of employees employed daily ---] [Substituted by S.R.O. No. A-428 of 1966, dated the 12th April, 1966.]

Men

Women

Young persons ---

Male

Female

5. Normal hours worked per week ---

Young persons

Other than young persons

6. Number of days worked in the year

7. Number of employees who worked for 240 days during the previous calendar year ---

Young persons

Other than young persons

8. Number of employees who were granted leave during the calendar year ---

Young persons

Other than young persons

Certified that the information furnished above is to the best of my knowledge and belief correct.

1. The average daily number shall be calculated by dividing the aggregate number of attendance on working days by the number of working days in the year. In reckoning attendance by temporary as well as permanent employees shall be counted, and all employees shall be included, whether they are employed directly or otherwise. Attendance on separate shifts, e.g., night and day shifts shall be counted separately. Days on which the catering establishment was closed for whatever cause and days on which the business was not carried on shall not be treated as working days.

Date : Signature of employer.

Note. - Partial attendance for less than half a shift of working day shall be ignored and attendance for half a shift or more shall be treated as full attendance. Form XIV [See sub-rule (1) of rule 38] Register of Employment (Catering Establishments)

Name and

Address of the

Establishment

Leave credit
at the
beginning

Sl. No.	Name of employee	Sex	Designation (nature of Work)	Age/ Date of Birth	Date of Medical Exam and Certificate No.	Medical Leave	Leave Earned	Daily Hours of work done including overtime (if any) 1,

H - Weekly HolidayML - Medical LeaveEL - Leave EarnedMBL - Maternity LeaveFH - Festival HolidayNH - National HolidaySH - Substituted HolidayThe National Holiday and/or approved Festival Holiday occurring in the month shall be indicated against the date on the top.

Form XV[See sub-rule (3) of rule 38]Notice of Daily Hours of Work, Rest Interval, Weekly Holiday, etc.

Date of
payment of
wages

Indian Kanoon - <http://indiankanoon.org/doc/194838510/>

dated
4.9.2013]

(1) (2) (3) (4) (5) (6) (7) (8) (9) (10)

[Part II] [Part II deleted front Form XIV and inserted in Form XV by Errata Letter No. 17907/ (H1)/ 2009-13, dated 5.8 2013, published dated 4.9.2013.] {||-| Class of Workers| Rates of Wages|-|| Maximum| Minimum|-|||-|||}N.B.: If shifts are not available mention as "General".Date:Signature of the Employer/ Contractor/ Managing Director/ Managing Partner/ Manager/ Authorised Person(Name in Capitals)]Form XVI[See sub-rule (8) of rule 38]Register of Wages

Name of Establishment Wage Period

Name of the Employer/ Contractor with Address.....

Weekly/ Fortnight/ Month Year Wages earned Deductions

SI. No.	Name of the Employee	Sex	Designation/ Nature of Work	Daily rated/ piece rated/ Monthly rated	Wage Period-Week/ FN/ Month	Total No. of days worked during the week/ FN/Month	Units of work done/ No. of days worked daily rateof wage/ Piece rate
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Daily rate of wages/ Piece rate	Overtime rate	Basic Wages	Dearness allowance	Other Allowances/ Cash payment nature to bespecified	Overtime earned	Leave wages including cash in lieu of kinds	Gross wages
(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)

Provident fund	E.S.I.	Other Deduction (indicate Nature)*	Fines (if any)*	Net wages	Signature with Date Impression/ Cheque No. anddate in case of payment through Bank/ Advice of the Bank to beappended Total unpaid amounts accumulated	Total or Thumb
(17)	(18)	(19)	(20)	(21)	(22)	(23)

N.B.: Please see section 3 of the Tamil Nadu Labour Welfare Fund Act, 1972. Please see section 2(1) of the Tamil Nadu Labour Welfare Fund Act, 1972) Certified that the wages have been paid to all the workers employed for the month of/ for the week ending/ for the F.N. ending on Signature of Employee/ Manager/ Contractor/ Authorised Person. Form XVII [See sub-rule (9) of rule 38] [Wage Slip-cum-Leave Card] [Substituted for 'wage slip' by SRO A-25/2013, dated 5.8.2013, published dated 4.9.2013.]

(1) Name and address of the Establishment

(2) Name of the Employee

(3) Father's/ Husband's Name

(4) Designation

(5) Date of Entry into Service

(6) Wage Period : From to

(7) Wage Earned : Deductions

(a) Basic :

(b) D.A.

(c) H. R. A.

(d) O. T. Wages

(e) Leave Wages

(f) Other Allowances

(g) Gross Wages

(h) E. P. F.

(i) E. S. I.

(j) Other Deductions

Net amount paid

(8) Leave Availed during the month: El ML

(9) Leave at Credit: El ML

Signature of the Employer/ Manager/ or any other Authorised Person Signature or Thumb impression of the Employee. Form XVIII [See sub-rule (10) of rule 38] Register of Advances Paid Deduction for Damages or Loss and Fines Name and address of the Establishment Month Year Advance paid Deduction for damages/ loss Fines

SI. No.	Name of the employee	Father/ Husband's Name	Employee No.	Designation	Date of payment	Amount paid.	No. of instalments to be recovered	Date on which recovery completed	Damage/ Loss caused
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
	Date of show-cause notice	Total amount of deduction imposed	No. of instalments to be recovered	Date on which deduction completed	Act or omission	Date of show-cause notice	Amount of fine imposed	Date on which fine recovery completed	Signature/ Thumb impression of the

(11) (12) (13) (14) (15) (16) (17) (18) (19)

Revision of minimum rates of wages for employment in hotels and restaurants fixed under the Minimum Wages Act, 1948. - G.O. (2D) No. 41, Labour and Employment, dated the 15th November, 2005, No. II(2)/LE/910/2005, Published in Part II-Section 2 of the Tamil Nadu Government Gazette, Issue No. 48, dated the 14th December, 2005 at p. 512. - In exercise of the powers conferred by clause (b) of sub-section (1) of section 3 and sub-section (2) of section 5 of the Minimum Wages Act, 1948 (Central Act XI of 1948), and in supersession of the Labour and Employment Department Notification No. II (2)/LE/625/2000, published at pages 303 to 305 of Part II-Section 2 of the Tamil Nadu Government Gazette, dated the 7th June 2000, the Governor of Tamil Nadu, after consultation with the Advisory Board, hereby revises the minimum rates of wages payable to the classes of employees in the employment in Hotels and Restaurants in the State of Tamil Nadu specified in column (1) of the Schedule below, as specified in the corresponding entries in column (2) thereof, the draft of the same having been previously published as required by clause (b) of sub-section (1) of section 5 of the said Act. This Notification shall come into force with effect on and from the date of its publication in the Tamil Nadu Government Gazette.

Schedule

Employment in Hotels and Restaurants

Classes of employees	Minimum rates of wages (per month)		
(1)	(2)		
	Zone-A	Zone-B	Zone-C
	Rs.P.	Rs.P.	Rs. P.
(1) Grade-I	2420.00	2394.00	2360.00
(2) Grade-II	2380.00	2334.00	2300.00
(3) Grade-III	2334.00	2300.00	2261.00
(4) Grade-IV	2295.00	2261.00	2247.00
(5) Grade-V	2261.00	2247.00	2235.00

Note. - (1) (i) Zone-A shall comprise of all Municipal Corporations and Special Grade Municipalities, (ii) Zone-B shall comprise of all Municipalities other than Special Grade Municipalities, (iii) Zone-C shall comprise of all areas other than Municipal Corporations and Municipalities. (2) Where free food and tiffin are not supplied to the employee, the employees shall be paid besides the wages specified above, cash equivalent of food and tiffin at the rate of Rs. 24.30 per day for the total number of days in the month, namely 28, 29, 30 and 31, as the case may be. The classes of employees who come under each of the above five grades shall be the employees as specified in Note (4). (3) A "Residential Hotel" and a "Restaurant" shall have the meaning as defined under sections 2(11) and 2(12) respectively of the Tamil Nadu Catering Establishments Act, 1958 (Tamil Nadu Act XIII of 1958). (4) The Grades I, II, III, IV and V shall comprise of the following categories of employees, namely :- Grade-I

- 1. Head Cook**
- 2. Head Baker**
- 3. Sweet and Savoury Maker**
- 4. Receptionist**
- 5. Supervisor**
- 6. Clerk (including Bill Writer)**
- 7. Typist**
- 8. Telephone Operator**
- 9. Cashier**
- 10. Assistant Manager**
- 11. Accountant**
- 12. Purchase Officer**
- 13. Biryani Master.**

Grade-II

- 1. Assistant Cook**
- 2. Baker**
- 3. Steward**
- 4. Barman**
- 5. Head House Keeper**

6. Pantry-in-charge

Grade-III

- 1. Assistant Cook (Chinna Aduppu)**
- 2. Dosai Maker**
- 3. Idly Maker**
- 4. Ice Cream, Coffee, Tea and Milk Preparer**
- 5. Parotta and Rotti Maker**
- 6. Head Waiter**
- 7. Grinder**
- 8. Driver**
- 9. Electrician**
- 10. Air-condition Mechanic**
- 11. Plumber**
- 12. Carpenter**
- 13. Tailor**
- 14. Watchman and Security Guard**

Grade-IV

- 1. Supplier**
- 2. Room Server**

- 3. Waiter**
- 4. Bearer**
- 5. Store Assistant**
- 6. Vegetable Cutter**
- 7. Coffee Fryer and Grinder**
- 8. Pantryman**
- 9. Mikkals**
- 10. Kitchen Assistant**
- 11. Stall Server**

Grade-V

- 1. Cleaner of all Categories (such as Vessel Cleaners, Plate Washers and Table Cleaners)**
- 2. Room Attendant**
- 3. Luggage Carriers**
- 4. Lasker**
- 5. Masalchi**
- 6. Gardener**
- 7. Chambermaid**
- 8. Water Carrier**
- 9. Office Boy**

10. Page Boy

11. Lift Operator

Explanation. - (1) In addition to the minimum wages fixed above, the employees shall be paid dearness allowance as indicated below : -Dearness Allowance. - (i) The Dearness Allowance is linked to the Average Chennai City Consumer Price Index Number for the year 2000 (i.e., 475 points, with base 1982 = 100) and for every rise of one point over and above 475 points, an increase of Rs. 6.20 per month shall be paid as dearness allowance.(ii)The dearness allowance shall be calculated every year on the 1st April, on the basis of the average of the indices for the preceding 12 months, namely, from January to December.(iii)The first calculation shall thus be effective from the date of publication of this Notification in the [Tamil Nadu Government Gazette] [Published in Fort St. George Gazette, dated the 14th December 2005.], based on the average Chennai City Consumer Price Index Number for the previous year.(2)Where the nature of work is the same, no distinction in the payment of wages shall be made as between men and women workers.(3)To arrive at daily rates of wages, the monthly wages shall be divided by 26.(4)To arrive monthly rates of wages, the daily rates of wages shall be multiplied by 30.(5)Wherever the existing wages are higher than the minimum wages fixed herein, the same shall be continued to be paid.