

The Tamil Nadu Agricultural Labourer Fair Wages Rules, 1969

TAMILNADU

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Act 554 of 1969

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The Tamil Nadu Agricultural Labourer Fair Wages Rules, 1969 Published vide Notification G.O. Ms. No. 1668, Revenue, dated 4th August 1969 - S.R.O. No. A-554 of 1969 In exercise of the powers conferred by section 14 of the Tamil Nadu Agricultural Labourer Fair Wages Ordinance, 1969 (Tamil Nadu Ordinance IV of 1969), the Governor of Tamil Nadu hereby makes the following rules:-

1. Short title and commencement.

(1) These rules may be called the Tamil Nadu Agricultural Labourer Fair Wages Rules, 1969.

2. Definitions.

- In these rules-(a) ["Act" Means the Tamil Nadu Agricultural Labourer Fair Wages Act, 1969 (Tamil Nadu Act 19 of 1969);] [Substituted by G. O. Ms. No. 279, Revenue, dated 30-1-1970.](b) "form" means a form appended to these rules;(c) "section" means a section of the [Act] [Substituted by G. O. Ms. No. 279, Revenue, dated 30-1-1970.].

3. Application under section 6 (1).

(1) The application to be made to the Conciliation Officer by any agricultural labourer [or any officer not below the rank of Revenue Inspector authorised by the Conciliation Officer] [Substituted by G. O. Ms. No. 866, Revenue, dated 12-5-1983.] in this behalf under sub-section (1) of section 6 shall be in Form I. It shall be accompanied by a spare copy of the application, for service on the landowner.(2) On receipt of the application under sub-rule (1), the Conciliation Officer shall fix a date for hearing and shall cause notice of the date so fixed to be served on the landowner mentioned in application. A copy of the application shall also accompany such notice.(3) On the date fixed under sub-rule (2), or on any subsequent date to which the application may be adjourned, the

landowner may appear in person or through his authorised agent.(4)If the landowner admits the correctness of the averments made in the application, the Conciliation Officer shall issue a direction under sub-section (2) of section 6.(5)If the landowner does not admit the correctness of the averments in the application, he may file a counter-statement and, thereupon, the Conciliation Officer shall, after taking such evidence or making such enquiry as he considers necessary, pass orders on the application in accordance with the provisions of the Act.

4. Appeal under section 8.

(1)Every appeal filed before the Revenue Court under section 8 shall be accompanied by the original or a certified copy of the order appealed against and as many spare copies of the appeal petition as there are respondents.(2)The appeal shall be filed within thirty days from the date of communication of the order appealed against.(3)The Revenue Court may, however, admit an appeal filed beyond the prescribed time limit, if it is satisfied that the appellant had sufficient reason for not filing the appeal within the time.(4)On receipt of an appeal, the Revenue Court shall fix a date for hearing and shall cause a notice of the date so fixed to be served on the respondent or respondents. A copy of the appeal petition shall accompany such notice.(5)On the date fixed for hearing, or on any subsequent date to which the appeal may be adjourned, the Revenue Court shall hear both sides and pass suitable orders.

5. Orders to contain grounds for decision.

- All orders passed by the Conciliation Officer or the Revenue Court shall contain the grounds for decision in brief and shall be communicated to the parties concerned.

6. Proceedings to be summary.

- The proceedings before the Conciliation Officer and the Revenue Court shall be summary and shall, as far as possible, be governed by the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908), with regard to:-(a)the amendment of pleadings;(b)the addition of parties;(c)the passing of ex parte orders and setting them aside for good cause;(d)the ordering dismissal for default of appearance and setting aside such orders for good cause;(e)local inspection; and(f)the passing of orders.

7. Fees.

- The Court-fee payable on applications, appeals and petitions under the [Act] [Substituted by G.O. Ms. No. 279, Revenue dated 30-1-1970.] shall be as shown below:-

	Rs.P.
(1) Application under sub-section (1) of section 6	Nil
(2) Appeal under section 8	1.00
(3) Revision petition under section 9	2.00

(4) Applications or petitions other than those specified above 1.00

8. Parties may be represented by authorised agent.

- In any proceedings before the Conciliation Officer or the Revenue Court, the Conciliation Officer or the Revenue Court, as the case may lie, may permit any agent authorised by a party to plead on his behalf: Provided that the permission may be cancelled at any stage of the proceedings.

9. Manner of service of notice.

- All notices and orders issued or made under the Act or under these rules shall be served on the person concerned in the following manner:-(a)by delivering or tendering the notice or order to the person concerned or his counsel or authorised agent; or(b)by delivering or tendering the notice or order to some adult member of the family; or(c)by sending the notice or order to the person concerned by registered post acknowledgment due; or(d)if none of the aforesaid modes of service is practicable, by affixing the notice or order on some conspicuous part of the last known place of residence or business of the person concerned.

10. Powers of Conciliation Officer, etc.

- The Conciliation Officer or any person authorised by him shall have the following powers for effective enforcement of the orders passed under the [Act] [Substituted by G. O. Ms. No. 279, Revenue, dated 30-1-1970.].(a)power to enter upon any land on which, or into any building in which, the harvested paddy is kept;(b)power to deliver the quantity of paddy due to the agricultural labourer as fair wages;(c)power to sell the paddy, where it could not be delivered to the agricultural labourer and to pay the amount of fair wages due to the agricultural labourer and refund the balance to the landowner; and(d)power to distrain movables from the land owner or agricultural labourer for realisation of fair wages or other amounts due from him, after observing the formalities prescribed by the [Tamil Nadu] [Substituted by G. O. Ms. No. 279, Revenue, dated 30-1-1970.] Revenue Recovery Act, 1864 ([Tamil Nadu] [Substituted by G. O. Ms. No. 279, Revenue, dated 30-1-1970.] Act II of 1864) and sell the properties distrained, utilise the proceeds for payment of the fair wages due and refund the balance, if any, to the owner of the properties.

11. Cash value of fair wages.

- Where fair wages have to be paid in cash in lieu of paddy, the cash value of the fair wages shall be calculated with reference to the price of paddy of the variety grown by the landowner in each case, prevailing on the date on which the fair wages fell due. For this purpose, the prices notified by Government in the periodical price reports shall be taken into account.

11A. [Facts to be taken into consideration under section 12-A(2)(d). [Inserted by G. O. Ms. No. 2807, Revenue, dated 26-10-1972.]

- The Government shall, before issuing a notification under sub-section (1) of section 12-A, take into consideration the following factors in addition to the factors specified in sub-section (2) of section 12-A, namely:-(a)the average market value of paddy prevailing in the area or (b) the rates of wages payable to labourer in other sectors in the area.]

12. Authorisation letters.

- Authorisation letter produced under rule 8 shall be engrossed on non-judicial stamp paper of the value of Rs. 1.50. Form I[See Rule 3(1) of the Tamil Nadu Agricultural Labourer Fair Wages Rules, 1969]Form of Application for Payment Affair Wages

1. Name and address of the agricultural labourer.

2. Name and address of the landowner or landowners from whom wages are due.

3. Nature of agricultural operation, cultivation or harvest.

4. If for cultivation-

(a)Number of days of work done.(b)Fair wages due to the agricultural labourer.(c)Fair wages actually paid.(d)Fair wages still due.

5. If for harvest-

(a)Total quantity of paddy harvested.(b)Quantity due as fair wages.(c)Number of labourer who harvested.(d)Quantity due to the applicant.(e)Quantity actually paid.(f)Quantity still due.

6. Remarks.