

The Rajasthan Minimum Wages Rules, 1959

RAJASTHAN

India

The Rajasthan Minimum Wages Rules, 1959

Rule THE-RAJASTHAN-MINIMUM-WAGES-RULES-1959 of 1959

- Published on 15 October 1959
- Commenced on 15 October 1959
- [This is the version of this document from 15 October 1959.]
- [Note: The original publication document is not available and this content could not be verified.]

The Rajasthan Minimum Wages Rules, 1959 Published vide Notification No. 7586/F.3(24) Lab./58, dated 15-10-1959, published in Rajasthan Gazette, Part 4-C (Extraordinary), dated 16-10-1959. In exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), the State Government hereby makes the following rules, the same having been previously published in Rajasthan Rajpatra, Part III (b) at pages 191-218, dated 5-2-1959, as required by sub-section (1) of section 30 of the said Act.

Chapter I Preliminary

1. Short title and extent.

(1) These Rules may be called the Rajasthan Minimum Wages Rules, 1959. (2) They extend to the whole of the State of Rajasthan.

2. Interpretation.

- In these rules, unless the context otherwise requires :- (a) 'Act' means the Minimum Wages Act, 1948 [Central Act XI of 1948]; (b) 'Day' means a period of twenty four hours beginning at midnight; (c) 'Authority' means the authority appointed under sub-section (i) of section 20; (d) 'Board' means the Advisory Board appointed under section 7; (e) 'Chairman' means the Chairman of the Advisory Board or the Committee, as the case may be, appointed under section 9; (f) 'Committee' means a Committee appointed under clause (a) of sub-section (1) of section 5 and includes a sub-committee appointed under that section; (g) 'Form' means a Form appended to these rules; (h) 'Inspector' means a person appointed as Inspector under section 19; (i) 'Registered Trade Union' means a Trade Union registered under the Indian Trade Unions Act, 1926; (j) 'Section' means a Section of the Act; and (k) 'Words & Expressions' All other words and expressions used herein and

not defined shall have the meaning respectively assigned to them in the Act. Order No. F.1 (13) (19) Shram/75 dated 17-9-1975. S.O. 130-The Government is pleased to constitute State Level Apex Body to look into the matters relating to Strikes, Lookout, closures, lay-offs and large scale retrenchments, in pursuance of the directions from the Government of India. The Committee shall consist of the following:-

1.	Labour Minister, Rajasthan	Chairman
2.	State Minister, Labour	Vice-Chairman
3.	Labour Secretary	Member
4.	Labour Commissioner & Addl. Secretary to Government.	Member
Representing Employers;		
1.	Employers' Association of Rajasthan	Two representatives.
2.	Rajasthan Textile Mills Association	Two representatives.
3.	Industries Association of Rajasthan	One representative.
4.	Commissioner, State Enterprises, Rajasthan	One representative.
Representing Workmen;		
1.	INTUC	three representatives.
2.	AITUC	three representatives.

Joint Labour commissioner Member-Secretary & Dy. Secy, to GovernmentThe Association of Employers' and Organisations of Labour shall intimate names of persons, who would attend the meetings of this Body on behalf of their Organisations. The Associations/Organisations can send alternate Members in place of duly nominated Member, if the duly nominated Member is unable to attend meeting for certain reasons.[Published in Rajasthan Gazette Extra-Ordinary Part 4-C dated 19-9-1975 Part 282- 283.]

Chapter II

Membership Meetings and Staff of the Board & Committee

3. Term of office of members of Committee.

- The term of office of the members of a Committee shall be such as in the opinion of the State Government is necessary for completing the enquiry into the schedule employment concerned and the State Government may, at the time of the constitution of a Committee, fix such term and may, from time to time, extent it, as circumstances may require.

4. Term of office of 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 on 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 the 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 State Government.

4A. [Nomination of substitute member. [Inserted by Notification No. F. 1(7) (9)1&E/66, dated 14-8-67, published in Rajasthan Gazette, Part 4-C (Extraordinary) dated 14-8-67.]

- If a member of the Committee or the Board is unable to attend a meeting thereof, the State Government may by notice in writing signed on its behalf and by such member and addressed to the Chairman of the said Committee or the Board, as the case may be nominate a substitute in his place to attend that meeting. Such a substitute member shall have all the rights of a member in respect of that meeting.]

5. Travelling allowance.

- 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 rate and subject to the conditions applicable to a Government servant of the first class under the rules of the State Government.

6. Staff.

- (i) 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 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 out-going member shall be eligible for re-nomination for the membership of the Committee, or the Board of which he was a member.

8. Resignation of Chairman and members of Board and committee and filling of casual vacancies.

(1) A member of the Committee, or the Board other than the Chairman may be giving notice in writing to the Chairman, resign his membership. (2) The Chairman may resign by letter addressed to the State Government. (3) When a vacancy occurs or is likely to occur in the membership of the Committee, or the Board, the Chairman shall submit a report to the State Government immediately. The Government shall then take steps to fill the vacancy.

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 provisions 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 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 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 reasons for failure to attend three consecutive meetings are adequate, the members shall be restored to membership immediately after a resolution to that effect is adopted.

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 :-(i) if he is declared to be of unsound mind by a 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 incurred under sub-rule (1), the decision of the State 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, the Chairman shall call a meeting within fifteen days from the date of receipt of such requisition.

12. Notice of Meetings.

(1) The Chairman shall fix the date, time and place of every meeting, and notice in writing containing the aforesaid particulars alongwith a list of business to be conducted at the meeting shall be sent to each member by registered post at least fifteen days before the date fixed for such meeting; Provided

that in the case of an emergent meeting notice of seven days only may be given to every member.

13. Chairman.

(1)The Chairman shall preside at the meeting of the Committee, or the Board, as the case may be.(2)In the absence of the Chairman at any meeting the members shall elect from amongst themselves one member, by a majority of vote, who shall preside at such meeting.

14. [Quorum. [Substituted vide Notification No. G.S.R. 44/F 1(7)(9)/L & E/66, dated 11-9-1969, published in Rajasthan Gazette, Part 4-C (I), Extraordinary, dated 11-9-1969.]

- No business shall be transferred at any meeting unless at least one-third of the members, of whom there shall be at least one representative each of both the employers and the employees, are present:Provided that if at any meeting less than one-third of the members are present or on representatives of both the employers and the employees are present, The Chairman may adjourn the meeting to a date not later than seven days from the date of the original meeting and it shall thereupon be lawful to dispose of the business at such adjourned meeting irrespective of the number or class of members present.]

15. Disposal of business.

- All business shall be considered at a meeting of the Committee, or the Board, as the case may be, and shall be decided by a majority of the votes of the members present and voting. In the event of an equality of votes, the Chairman shall have a casting vote :Provided that the Chairman may, if he thinks fit, direct that any matter shall be decided by the circulation of necessary papers and securing written opinion of the members :Provided further that no decision on any question which is referred under the first proviso, shall be taken, unless supported by not less than two-third of the members.

16. Method of voting.

- Voting shall ordinarily be show of hands, but if any member asks for voting by ballot, or if the Chairman so decides, the voting shall be by secret ballot and shall be held in such manner, as the Chairman may decide.

17. Proceedings of the Meeting.

(1)The proceedings of each meeting showing inter alia the names of the members present thereat shall be forwarded to each member and to the State 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 witness by Committee or 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 any 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 organisation of employers or a registered trade union of workers.(3)A summon 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 organisation or a registered trade union of workers by being delivered or sent by registered post to the Secretary or other principal officer of the organisation or union, as the case may be.(4)The provisions of the Civil Procedure Code relating to the summoning and enforcement of the appearance of witnesses and the production of 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 issued under sub-rule (1), may be inspected by the Chairman and independent members, and also by such parties, as the Chairman may allow with the consent of other party, but the information obtained therefrom shall not be made public :Provided that nothing contained in this sub-rule, shall apply to a disclosure of any such information for the purpose of a prosecution under section 193 of the Indian Penal Code, 1860 (Central Act 45 of 1860).] [Added vide Notification dated 9-5-1968, published in Rajasthan Gazette, Part 4, dated 5-9-68.]

19. Expenses of witness.

- Every person, who is summoned and appears as a witness before a Committee, or the Board, shall be entitled to an allowance for expenses, incurred by him in accordance with the scale for the time being in force for payment of such allowances to witnesses appearing in civil courts in the State.

Chapter IV

Computation and Payment of wages, hours of work and holidays

20. [Mode of computation of the cash value or wages. [Renumbered & Inserted by Notification No. F. 1(7)(9) L& E/66, dated 14-8-1967, published in Rajasthan Gazette, Part 4-C, Extra-ordinary, dated 14-8-1967.]

(1)The retail prices at the nearest market shall be taken into account in computing the cash value of wages paid in kind and of essential commodities supplied at concession rates. This computation

shall be in accordance with such directions, as may be issued by the State Government from time to time.(2)The cash value of concessions in respect of supplies of essential commodities at concessional rates to workmen working in scheduled employment in respect of which rates of wages have been fixed under the Act, shall be equal to the difference between the retail price of such commodities at the nearest market and the price charged by the employer to such workmen.]

21. Time and conditions of payment of wages and the deductions permissible from wages.

(1)(i)The wage period with respect to any scheduled employment for which wages have been fixed shall not exceed one month and the wages of a worker in such employment shall be paid before the expiry of the seventh day by the establishment which employs less than 1000 persons and before 10th day by other establishment, after the last day of the wage period.(ii)Where the employment of any person is terminated by or on behalf of the employer, the wages earned by him shall be paid before the expiry of the second working day after the day on which his employment is terminated.(iii)The wages of an employed person shall be paid to him without deduction of any kind except those authorised by or under these rules.(iv)The employer shall display in a conspicuous place at or near the main entrance of the establishment, a notice in English and in the language of majority of the persons employed therein showing for not less than two months in advance, the days on which wages are to be paid.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.(2)Deduction from the wages of a person employed in scheduled employment shall be of one or more of the following kinds, namely :-(i)Fines. - Provided that no fine shall be imposed on any employed person save in respect of such acts and omissions on his part as the employer with the previous approval of the State Government may have specified;(ii)Deduction. - For absence from duty;(iii)deductions for the 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 house accommodation supplied by the employer or the State Government or Municipality or Housing Board and other authorities constituted by or with the permission of the State Government for providing housing accommodation;(v)deductions for such amenities and services supplied by the employer as the State Government may by general or special order authorise.Explanation. - The words 'amenities and services' in this clause does not include the supply of tools and protectives required for the purposes of employment.(vi)deductions for recovery of advances or for adjustment of over payments of wages :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 installment of deduction exceed one-fourth of the wages earned in that month.(vii)deductions of income-tax payable by the employed person;(viii)deductions required to be made by order of a court or other competent authority;(ix)deductions for subscriptions to, and for repayment of advances from any provident fund to which the Provident Fund Act, 1925 applies or any recognised provident fund, as defined in section 58A of the Indian Income-Tax Act, 1922, or any provident fund approved in this behalf by the State during the continuance or such approval.(x)deductions for payment to cooperative societies or to a scheme of insurance approved by the Government;(xi)deductions for recovery or adjustment of amounts other than wages paid to the employed person in error or in excess of what is

due to him;(xii)deductions, made with the written authorisation of the person employed for payment of any premium on his life insurance policy to the Life Insurance Corporation of India established under the Life Insurance Corporation Act, 1956, or for the purchase of securities of the Government of India or of any State Government or for being deposited in any Post Office Savings Bank in furtherance of any savings scheme of any such Government;Provided that the prior approval of the Inspector or any other officer authorised by the State Government in this behalf is obtained in writing before making the deductions, unless the employee gives his consent in writing to such deductions.(3)Any person desiring to impose a fine on an employed person or to make a deduction for damage or loss caused by him shall explain to him personally and also 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 give him an opportunity to offer any explanation in the presence of another person. The amount of the said fine or deduction shall also be intimated to him :Provided that the total amount of fine imposed in any one wage period on an employed person shall not exceed 3.1/8% of the wages payable to him in respect of that period and further that the amount of deduction for damage to or loss of goods caused by an employed person shall not exceed the amount of the damage or loss caused to the employer.(4)The amount of fine or deduction mentioned in sub-rule (3), shall be such as may be specified by the State. All such deductions and all realisation thereof shall be recorded in a register maintained in [Form I and II] as the case may be. A return in Form III shall be submitted [2[by the employer to the Inspector by 15th of February each year.] [Substituted vide notification No. G.S.R. 351 (4)/F. 1(7)(9) L & E/66, dated 9-6-71, published in Rajasthan Gazette, Part 4-C(1), Ordinary, dated 28-10-1971.](5)The amount of fine imposed under sub-rule (3), shall be utilised only for such purposes beneficial to the employees, as are approved by the State Government.(6)Nothing in this rule shall be deemed to effect the provisions of the Payment of Wages Act, 1936.

22. [Publicity of minimum wages fixed under the Act. [Substituted, by notification No. F. 1 (7) (9) L & E/66, dated 14-8-1967, published in Rajasthan Gazette, Part 4-C, Extra-ordinary dated 14-8- 1967.]

- Every employer shall keep exhibited the following notices in a conspicuous place, in the factory, workshop or place where the workers in the scheduled employment are employed and in the case of out workers, in such factory, workshop or place, as is used for giving outwork to them :-(1)Notice No. 1. - Rates of Minimum Wages fixed under the Minimum Wages Act, 1948 (Form XIII);(2)Notice No. 2. - Abstract of the Minimum Wages Act, 1948, under the Rajasthan Minimum Wages Rules, 1959 (Form X);(3)Notice No. 3. - Name and address of the Inspector concerned (Form XIV);(4)Notice No. 4. - Weekly holiday (Form No. XV);(5)Notice No. 5. - Working hours of employees (Form XVI);(6)Notice No. 6. - Time for payment of wages (Form XVII);Provided that in the case of employment in the public motor transport, the notice No. 4, 5 and 6 corresponding to Forms XV, XVI and XVII shall also be exhibited conspicuously on every vehicle].

23. [Weekly day of rest. [Substituted, by notification No. F. 1 (7)(9) L & E/66, dated 14-8-1967, published in Rajasthan Gazette Part 4-C, Extra-ordinary dated 14-8-1967.]

(1) Where a worker in a scheduled employment in respect of which minimum rates of wages have been fixed under the Act, has worked in the scheduled employment under the same employer for a continuous period of not less than six days, he shall subject to the provisions of this rule, be allowed a day of rest every week (here-in-after referred to as "rest day") which shall ordinarily be Sunday: Provided that the employer may fix any other day of the week as the rest day for any worker or class of workers in that scheduled employment: Provided further that the worker shall be informed of the day fixed as the rest day and of any subsequent change in the rest day before the change is effected, by display of notice to that effect in the place of employment at a place to be specified by the Inspector in this behalf. Explanation. - For the purpose of the computation of the continuous period of not less than six days specified in this sub-rule. (a) any day on which any worker is required to attend for work but is given only an allowance for attendance and not provided with work; and (b) any day on which a worker is laid off on payment on compensation under the Industrial Disputes Act, 1947, shall be deemed to be days on which the worker has worked. (2) Any such worker shall not be required or allowed to work in a scheduled employment on the rest day unless he has had or will have a substituted rest day for a whole day on one of the five days immediately before or after the rest day. Provided that no substitution shall be made which will result in the worker working for more than ten days consecutively without a rest day for a whole day. (3) Where in accordance with the foregoing provisions of this rule, any worker works on a rest day and has been given a substituted rest day on any one of the five days before or after the rest day, the rest day shall, for the purpose of calculating the weekly hours of work, be included in the week in which the substituted rest day occurs. (4) A worker shall be granted for the rest day wages calculated at the rate applicable to the next preceding day and in case he works on the rest day and has been given a substituted rest day, he shall be paid wages for the rest day on which he worked, at the overtime rate and wages or the substituted rest day at the rate applicable to the next preceding day: Provided that where the minimum daily rate of wages of the worker, as notified under the Act has been worked out by dividing the minimum monthly rate of wages by twenty six or where the actual daily rate of wages of the worker has been worked out by dividing the monthly rate of wages by twenty-six and such actual daily rate of wages of the worker is not less than the notified minimum daily rate of wages of the worker, no wages for the rest day shall be payable, and in case the worker works on the rest day and has been given a substituted rest day, he shall be paid only for the rest day on which he worked an amount equal to the wages payable to him at the overtime rate: Provided further that in the case of a worker governed by a piece-rate scheme, the wages for the rest day, or as the case may be, for the rest day and the substituted rest day, shall be such, as the State Government may from time to time, specify in this behalf having regard to the minimum rates of wages fixed under the Act in respect of the scheduled employment. Explanation. - In this sub-rule, "next preceding day" means the last day on which the worker has worked, which precedes the rest day or the substituted rest day, as the case may be; and where the substituted rest day falls on a day immediately after the rest day, the next preceding day means the last day on which the worker has worked, which precedes the rest day. (5) The provisions of this rule shall apply to the worker in scheduled employment other than agricultural employment. (6) The provisions of this rule shall not operate to the prejudice of more favourable terms, if any, to which a worker may be entitled under any other law or under the terms of any award, agreement or contract of service, and in such a case the worker shall be entitled only to the more favourable terms aforesaid. Explanation. - For the purpose of this rule, "Week" shall mean a period of seven days beginning at midnight on Saturday

night].

**24. [Number of hours of work that shall constitute a working day.
[Substituted, by notification No. F. (7)(9) L & E/66, dated 14-8-1967, published
in Rajasthan Gazette, Part 4-C, Extra-ordinary dated 14-8-1967.]**

(1)The number of hours of work constituting a normal working day shall-(a)in the case of an adult worker, be nine hours, inclusive of interval for rest as specified in sub-rule (2);(b)in the case of child be 4-1/2 hours;(c)in the case of an adolescent, be 9 hours or 4-1/2 hours as the case may be, according as the adolescent may be certified to work as an adult or child by a registered medical practitioner approved by the State Government.(2)The period of work of an adult worker each day shall be so fixed that no period shall exceed five hours, and that no worker shall work for more than five hours before he has had an interval for rest of at least half an hour.(3)The periods of work of an adult worker shall be so arranged that inclusive of his intervals for rest under sub-rule (2), they shall not spread over more than ten and a half hours in any day ;Provided that the Inspector may, for reasons to be specified in writing increase the hours spread over to twelve hours.(4)No woman shall be employed or permitted to work beyond 6.00 p.m. and earlier than 6.00 a.m. during 1st September to the end of February or beyond 7.00 p.m. and earlier than 7 a.m. from the 1st March to 31st August.(5)The provisions of sub-rules (1) to (4) shall in the case of workmen in agricultural employment be subject to such modifications, as may, from time to time, be notified by the State Government.

**24A. [Application of sections 13(1), 23 & 24 to Employer. [Inserted & deleted
vide notification No. F. 1 (7)(9) L & E/66, dated 14-8-1967, published in
Rajasthan Gazette, Part 4-C. Extra-ordinary dated 14-8-1967.]**

- The provisions of section 13(1) and rules 23 and 24 shall apply to the classes of employees specified in section 13(2) only to the extent and subject to the conditions specified below:-(1)No worker shall be allowed or required to work continuously for a period of more than fourteen days without a rest day of 24 consecutive hours.(2)Every worker shall be allowed a substituted rest day within a fortnight of the rest day on which he is allowed or required to work and an intimation thereof shall be sent to the Inspector so as to reach him at least 24 hours before the substituted rest day is allowed.(3)[No worker in any establishment [other than a worker in employment in agriculture] shall be required or allowed to work for more than 9 hours a day and 48 hours in any week :Provided that the total number of hours of work including overtime shall not exceed ten hours on any working day :Provided further that the total number of over-time hours worked by any worker shall not exceed 50 hours in a quarter.](4)The payment for the work done in excess of the normal working hours fixed in rule 24, shall be made at the over-time rate fixed by the State Government.(5)A notice of over-time work to be taken from the workers shall be affixed in the premises of the employment before the commencement of the work mentioning the names of the persons put on overtime work and the purpose and duration of such employment. A copy of such notice shall also be sent to the Inspector concerned within 24 hours of the start, of the work.]

25. Night shift.

(1)Where a worker in a scheduled employment works on a shift which extends beyond mid-night - (a)for the purpose of rule 23, a holiday for the whole day shall mean in his case period of a twenty four consecutive hours beginning when his shift ends; (b)the following day for him shall be deemed to be the period of twenty four hours beginning when such shift ends, and the hours he has worked after mid-night shall be counted towards the previous duty. (2)X X X (3)[X X X [Substituted & Inserted vide notification No. F. 1 (7)(9) L & E/66, dated 14-8-1967, published in Rajasthan Gazette Part 4-C, Extra-ordinary dated 14-8-1967.](4)[X X X [Substituted & Inserted vide notification No. F. 1 (7)(9) L & E/66, dated 14-8-1967, published in Rajasthan Gazette, Part 4-C, Extra-ordinary dated 14-8-1967.](5)X XX (6)[X X X [Substituted & Inserted vide notification No. F. 1 (7)(9) L & E/66, dated 14-8-1967, published in Rajasthan Gazette, Part 4-C, Extra-ordinary dated 14-8-1967.]

26. Extra wages for over-time.

(1)When a worker works in an employment for more than nine hours on any day or for more than forty-eight hours in any week he shall, in respect of over-time work, be entitled to wages- (a)[in the case of employment in agriculture, at double the ordinary rate of wages.] [Substituted by the Amending Notification No. F. 1 (7)(9) Shram/66, dated 30-2-77, vide GSR 672, Published in Rajasthan Gazette, Part 4-C dated 5-1-78, Part 425.](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 wage 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 payments shall be kept in Form IV.

Chapter V

Form of Registers and Records

27. Wage Register and slips.

- [(1) A register of wages shall be maintained by every employer and kept in such Form, as may be notified by the Government and shall include the following particulars- (i)the gross wages of each worker for each wage period; (ii)all deductions made from wages, with an indication, in each case of the kinds of deductions mentioned in sub-rule (2) of rule 21; (iii)the wages actually paid to each worker for each wages period and the date of payment; (iv)rates of wages payable; (v)a register of wages shall be maintained by every employer at the work-spot in Form XI. (2)Wage slip in Form XII shall be issued by every employer to every person employed by him at least a day prior to the disbursement of wages. (3)Every employer shall get the signature or the thumb impression of every person employed on the wage book and wage slip. (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 and kept in Form V. (6)[In the case of the employment on "the construction or maintenance of the roads or in building operations" only and in

"agriculture", the owners of such employments may not be required to maintain registers, forms and returns, as required under the Act : Provided that(a)the owner of the house, builds a house for his own use, the value of which does not exceed Rs. 30,000/- or repairs or alters his own house, the value of which does not exceed Rs. 10,000/- at a time,(b)the owner of the cultivated land-owns a land, the acreage of which is not above 25 acres.(7)Notwithstanding anything contained in this rule, where a combined form is sought to be used by the employer to avoid duplication of work for compliance with the provisions of any other Act or the rules framed thereunder, and alternate suitable form in lieu of any of the forms prescribed under this rule, may be used with the previous approval of the Labour Commissioner of the State.(8)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 cause beyond the control of the employer.(b)Where an employee works for any period not exceeding 4 hours a day.(c)Strike or stay in strike.(9)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 employee 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 after the interval for mid-day rest, he shall be paid wages for a full normal working day.(10)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, the employees shall receive wages for such day in proportion the number of hours he worked bears to the number of hours constituting the normal working day.(11)If an employee works for any period not exceeding 4 hours a day, he shall receive wages for such day in the proportion the number of hours he worked, bears to the number of hours constituting the normal working day.] [Added vide Notification No. F. 1 (7) L & E/66, dated 14-8-1967, published in Rajasthan Gazette Part 4-C. Extra-ordinary, dated 14-8-1967.]Order No. F. 1 D. 37/Lab./72 dated 5-5-1972.S.O. 64. - Whereas, the University of Rajasthan has submitted an application for using Muster Roll and Wages Register in the forms attached hereto instead of in the forms prescribed by Rule 27 of the Rajasthan Minimum Wages Rules, 1959 :And whereas, the said forms of Muster Roll and Wages Register are similar to the forms prescribed by the said rule :Now, therefore, in exercise of the powers conferred by sub-rule (7) of rule 27 of the Rajasthan Minimum Wages Rules, 1959,1, N.K. Joshi Labour Commissioner, Rajasthan, Jaipur do hereby approve the use of said forms of Muster Roll and Wage Register by the University of Rajasthan in place of the forms prescribed by the said rule.

27A. [Preservation of registers. [Inserted vide Notification No. F.1(7)(9) L & E/66, dated 14-8-1967. published in Rajasthan Gazette Part 4-C, Extra-ordinary, dated 14-8-1967.]

- The registers required to be maintained under rule 21(4) and 27(1) and the muster roll required to be maintained under rule 27(5), shall be preserved for a period of three years after the date on which the latest entry is made therein.

27B. Production of Registers and other records.

- All registers and records required to be maintained by an employer under these rules shall be produced on demand before the Inspector :Provided that where an establishment has been closed, the Inspector may demand the production of the registers and records in his office or such other public place, as may be nearer to the employer.] [Substituted & Inserted vide Notification No. F. 1(7)(9) L & E/66, dated 14-8-1967. published in Rajasthan Gazette, Part 4-C, Extraordinary, dated 16-8-1967.]

Chapter VI

Claims and the Act

28. [Applications. [Substituted vide Notification No. F. 3(48) Lab. 62, dated 15-11-62, published in Rajasthan Gazette, Part 4-C. Ordinary dated 3-1-1963.]

(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, VI-A or VII, as the case may be, one copy of which shall bear the prescribed court-fee.(2)A single application under section 20 read with section 21(1) may be presented by or on behalf of a group of employed persons, if they are borne on the same establishment and their claim relates to the same wage period or periods.]

29. Authorisation.

- The authorisation 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.

30. 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 a 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 hear and determine the application ex party.(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 a 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).

Chapter VII

Scale of costs in proceedings under this Act

31. Costs.

(1)The Authority, for reasons to be recorded in writing, may, direct that the costs of any proceedings pending before it shall not follow the event.(2)The costs which may be awarded shall include :- (i)expenses incurred on account of court fees;(ii)expenses incurred on subsistence money to witnesses; and(iii)pleader's fees to the extent of ten rupees provided that the Authority in any proceeding may reduce the fees to a sum not less than five rupees or for reasons to be recorded, in writing increase it to a sum not exceeding twenty five rupees.(3)Where there are more than one pleaders or more than one applicants or opponents, the Authority may subject as aforesaid, award to the successful party or parties such costs as it may deem proper.

32. Court fees.

- The Court-fee payable in respect of proceedings under section 20 shall be;-(i)for every application to summon a witness-One rupee in respect of each witness;(ii)for every application made by or on behalf of an individual/individuals-One rupee :Provided that the Authority may, if in its opinion, the applicant is a pauper exempt him wholly or partly from the payment of such fees :Provided further that no fee shall be chargeable-(a)from person employed in Agriculture, or(b)in respect of an application made by an Inspector.(iii)[for every application made on behalf in respect of Oa number of employees, one rupee per employee.] [Inserted vide Notification No. F.3 (48) Lab./62, dated 15-11-1962, published in Rajasthan Gazette, Part 4-C, Ordinary dated 3-1-1963.]

33. Exemption.

- The State Government may declare that these rules shall not apply to any scheduled employment, if there are in force rules applicable to such employment, which in the opinion of the State Government, make equally satisfactory provisions in regard to the matter dealt with by these rules and such opinion shall be final.

34. Repeal.

- The Rajasthan Government Minimum Wages Rules, 1951, and the State of Ajmer Minimum Wages Rules, 1950 and all other rules corresponding to these rules in force in any part of the State of Rajasthan are hereby repealed.Form IRegister of finesRule 21(4)]Employer.....

S.No.	Name	Father's Husband's name	Sex	Department	Nature and date of the offence for which fineimposed
1	2	3	4	5	6

Whether workman showed cause against fine or not, if so enter date	Rate of wages	Dated and amount of fine imposed	Date on which fine realised	Remarks
7	8	9	10	11

Form II Register of deduction for damage or loss caused to the employer, by the default of the employed persons [Rule 21(4)] Employer.....

S. No.	Name	Father's/Husband's name	Sex	Department	Damage or loss caused with date
1	2	3	4	5	6

Whether worker showed cause against deduction, if so, enter date	Date and amount of deduction imposed	Number of installments, if any	Date on which total amount realised	Remarks
7	8	9	10	11

[Form III] [Substituted vide Notification. No. G.S.R. 351 (4)/F.1 (7)(9) L & E/66, dated 9-6-1971, published in Rajasthan Gazette, Part 4-C(1), Ordinary dated 28-10-1971.] [Rule 21 (4)] Annual Return for the year ending 31st December

1. (a) Name of Establishment and Postal Address.....

(b) Name and residential address of the owner/contractor... (c) Name and residential address of Managing Agent/Director/ Partner in charge of day-to-day affairs of the establishment owned by a company, body corporate or association..... (d) Name and residential address of the Manager/Agent, if any.....

2. Number of days worked during the year.....

3. Number of mandays worked during the year.....

4. [Average daily number of persons employed during the year...

(i) Adults..... (ii) Children.....]

5. Total wages paid in cash....

6. [Total cash value of the wages paid in kind.....] [Cash value of the wages paid in kind should be obtained by taking the differences between the cost price paid by the employer and the actual price paid by the employees for supplies of essential commodities given at concessional rates.]

7. Deduction :

No. of cases	Total amount
	Rs. P.

- (a) Fines.
- (b) Deduction for damage or loss.
- (c) Deduction for breach of contract.

8. Disbursement for fine.	Purpose	Amount
		Rs. P.

- (a)
- (b)
- (c)
- (d)

9. Balance of fine found in hand at the end of the year.....

Dated :SignatureDesignation.Form IVOver/time Register for workers[Rule 26(2)]Month ending 19

S.No.	Name	Father's/ Husband's name	Sex
1	2	3	4

Designation and Department	Dates on which over-time worked	Extent of over-time on each occasion	Total overtime worked or production in case of piece workers	Normal hours
5	6	7	8	9

Normal rate	Normal earnings	Over time rate	Over-time earnings	Total earnings	Date on which over-time payments made
10	11	12	13	14	15

Form VMuster Roll[Rule 27(5)]Name of Establishment.....Place.....

S.No.	Name	Father's/ Husband's Name	Sex	Nature of work
-------	------	--------------------------	-----	----------------

For the period ending	Remarks
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16	

Form VI[Form of application by an employee under section 20(2)]In the Court of Authority appointed under the Minimum Wages Act 1948, for area. Application

No.....of.....(1).....Applicant (through.....a legal practitioner/or official of.....which is Registered Trade Union).Address.....Versus(1).....(2).....Opponent(s)(3).....Address...
 applicant above named states as follows:-(1)The applicant was/has been employed from..as..(category) in..(Establishment) of Shri/Messers..engaged in..(nature of work) which is a scheduled employment within the meaning of section 2(g) of the Minimum Wages Act.(2)The opponent(s) is/are the employer (s) within the meaning of section 2(e) of the Minimum Wages Act.(3)[(a) The applicant has been paid wages at less than the minimum rates of wages fixed for his category of employment under the Act by Rs.....per day for the period from to.....;] [Delete the portion not required.](b)[the applicant has not been paid wages at Rs...per day for the weekly days of rest fromto.....;] [Substituted, vide Notification No. F.3 (48) Lab./62, dated 15-11-1962. published in Rajasthan Gazette, Part 4-C, Ordinary, dated 3-1-1963.](4)The applicant estimates the value of relief sought by him on each account as under :- (a)Rs.....(b)Rs.....(c)Rs.....Total Rs.....(5)The applicant, therefore, prays that a direction may be issued under section 20(3) of the Act for :- (a)[payment of the difference between the wages payable under the Minimum Wages Act and the wages actually paid;] [Delete the portion not required.](b)[payment of remuneration for the days rest;] [Delete the portions not required.](c)[payment of wages at the over time rate.] [Delete the portions not required.](6)The applicant begs leave to amend or add to or make alterations in the applications, if and when necessary, with the permission of the Authority.(7)The applicant does solemnly declare that the facts stated in this application are true to the best of his knowledge, belief and information. Signature or thumb impression of the employed person for legal practitioner or official of a registered Trade Union duly authorised. Form VIA [Form of Group Application under section 21(1)] In the Court of the Authority appointed under the Minimum Wages Act, 1948, for areas. Application No. of 19... between A, B, C and (state the number) other applicant. (Through.....a legal practitioner/an official of.....which is Registered Trade Union).Address.....and X, Y, Z.....opposite party.Address.....The applicant states as follows:-(1)The applicants whose' names appear in the attached schedule were/have been employed from..... to.....as.....(categories) in (Establishment of)... Shri/Messers.....engaged in (nature of work) which is/are scheduled employment (s) within the meaning of section 2(g) of the Minimum Wages Act.(2)The opponent (s) is/are the employer (s) within the meaning of section 2(e) of the Minimum Wages Act.(3)[(a) The applicants have been paid wages at less than the minimum rates of wages fixed for their category (categories) of employments (s) under the Act by Rs.....per day for period (s) from.....to.....] [Delete the portions not required.](b)[The applicants have not been paid wages at Rs.....per day for the weekly days of rest from.....to.....] [Delete the portions not required.](c)[The applicants have not been paid wages at the over-time rate (s) for the period from.....to.....] [Delete the portions not required.](4)The applicants estimate the value of relief sought by them on each account as under :- (a)Rs.....(b)Rs.....(c)Rs.....(5)The applicants, therefore, pray that direction may be issued under section 20(3) of the Act for-(a)payment of the difference between the wages payable under the Minimum Wages Act and the wages actually paid;] [Deleted the portions not required.](b)[payment of remuneration for the days of rest; [Deleted the portions not required.](c)[payment of wages at the overtime rate (s). [Deleted the portions not required.](6)The applicants beg leave to amend or add or make alterations in the application, if any, when necessary,

with the permission of the authority.(7)The applicants do solemnly declare that the facts stated in this application are true to the best of their knowledge, belief and information.Signature or thumb impression of the employed persons, or legal practitioner or official of a registered Trade Union duly authorised.Form VIIForm of application by an Inspector or person acting with permission of the Authority under section 20(2).In the Court of the Authority appointed under Act, 1948, for..... area.....Application

No.....of.....19.....(1).....Applicant.Address.....Versus(1).....opp
applicant above-named states as follows(a)[paid wages at less than the minimum rates of wages fixed for their category (categories) of employment(s) under the Act by [Rs.....to.....] [Deleted the portions not required.](b)[not paid wages at Rs...per day for the weekly day of rest from.....to.....] [Deleted the portions not required.](2)The applicant, estimates the value of relief sought for the employees on each account as under:-(a)Rs.....(b)Rs.....(c)Rs.....(3)The applicant, therefore, prays that a direction may be issued under section 20(3) of the Act for:-(a)[payment of the difference between the wages payable under the Minimum Wages Act,and the wages actually paid;] [Deleted the portions not required.](b)[payment of remuneration for the days of rest;] [Deleted the portions not required.](c)[payment of wages at the over-time rate(s);] [Deleted the portions not required.](4)The applicant begs leave to amend or add to or make alterations in the applications, if any when necessary, with the permission of the Authority.(5)The applicant does solemnly declare that the facts stated in this application are true to the best of his knowledge, belief and information.Signature.....Form VIII(Rule 29)[Form of authority in favour of a legal practitioner or official of a registered trade union referred in section 20(2)]In the Court of the Authority appointed under the Minimum Wages Act, 1948.

Applicant No. Area

(1) of 19....

(2) Applicant (s)

Versus

(1) Opponent (s)

(2)

(3)

I hereby authorise Mr..... a legal practitioner/an official of the registered trade union of.. .to appear and act on my behalf in the above described proceeding and to do all things incidental to such appearance and act.Signature or thumb impression of the Employee.Date.....Form IX(Rule 30)[Form of summons to the Opponent to appear before the Authority when an application under sub-section (2) of section 20 or under section 21 is entertained](Title of the Application)To.....(Name, description and place of residence).Whereas has made the above said application to me under the Minimum Wages Act, 1948, you are hereby summoned to appear before me in person or by a duly authorised agent, and able to answer all material questions relating to the application, or who shall be accompanied by some person able to answer all such questions, on the..... day.....of.....19.....at.....O'clock in the.....noon, to answer the Claim; and as the day fixed for the appearance is appointed for the final disposal of the application, you must be prepared to produce on that day all the witnesses upon whose evidence and all the documents upon

which you intend to reply in support of your defence. Take notice that, in default of your appearance on the day before mentioned, the application will be heard and determined in your absence. Signature of the Authority. Date [Form X] [Substituted, vide Notification No. F. 1 (7)(9) L & F/66, dated 14-8-67. published in Rajasthan Gazette, Part 4-C, Extra-ordinary, dated 14-8-1967.] Notice No. 2 (Rule 22) Extracts from the Minimum Wages Act, 1948 and the rules made thereunder.

1. Whom The Act Affects.

(a) the Act applies to persons engaged on scheduled employments on specified class of work in respect of which minimum rates of wages have been fixed. (b) no employee can give up by contract or agreement his rights in so far as it purports to reduce the minimum rates of wages fixed under the Act. II. Definition of wages.

2. "Wages" means all remunerations payable to an employed person on the fulfillment of his contract of employment and also includes house rent allowance. It excludes-

(i) the value of any house accommodation, supply of light, water, medical attendance or any other amenity or any service extension by general or special order of the appropriate Government; (ii) Contribution paid by the employer to any pension fund, provident fund or under any scheme of Social Insurance; (iii) the travelling allowance or the value of any travelling concessions; (iv) the sum paid to the person employed to defray special expenses entitled on him by the nature of his employment; (v) Gratuity payable on discharge. The minimum rate of wages may consist of: (i) A basic rate of wages and a special allowance called the cost of living allowance. (ii) A basic rate of wage with or without a cost of living allowance and the cash value of any concessions like supplies of essential commodities at concession rates; (iii) On all inclusive rate comprising of basic rate, cost of living allowance and cash value of concessions, if any.

3. The minimum wages payable to employee of scheduled employment notified under section 5 read with section 3 may be :

(a) a minimum time rate, (b) a minimum piece rate, (c) a guarantee time rate, (d) a over-time rate; differing with (1) different scheduled employments; (2) different classes of work; (3) different localities; (4) different age groups. (e) Minimum rates of wages may be fixed by hour, by the day, by the month or by such other larger wage period as may be prescribed. III. Computation and conditions of payment. The employer shall pay to every employee engaged in scheduled employment under him wages at a rate not less than the minimum rate of wages fixed for the class of employees. The minimum wages payable under this Act shall be paid in cash unless the Government authorises payment thereof either wholly or partly in kind. Wages period shall be fixed for the payment of wages at intervals not exceeding one month. Wages shall be paid on a working day within seven days of the end of the wage period or within ten days if 1000 or more persons are employed. The wages of a person discharged shall be paid not later than second working day after

his discharge. If an employee is employed on any day for a period less than the normal working day he shall be entitled to receive wages for a full normal working day provided his failure to work is not caused by his unwillingness to work but by the omission of the employer to provide him with his work for that period. Where an employee does two or more classes of work to each of which a different minimum rate of wages is applicable, the employer shall pay to such employee in respect of the time respectively occupied in each such class of work wages at not less than the minimum rate in force in respect of each such class. Where an employee is employed on piece work for which minimum time rate and not a minimum piece rate has been fixed the employer shall pay to such employee wages at not less than the minimum time rate.

VI. Hours of work and holidays. The number of hours which shall constitute a normal working day shall be:

(a) in the case of adult. 9 hours

(b) in the case of a child 4-1/2 hours

The working day of an adult worker inclusive of the intervals of rest shall not exceed twelve hours on any day. The employer shall allow a day of rest with pay in every period of seven days. Ordinarily, Sunday the first day of the week shall be the holiday. When a worker works in an employment for more than nine hours on any day or for more than forty eight hours in a week he shall in respect of overtime work be entitled to wages in scheduled employment other than agriculture, at double the ordinary rate of wages and in the case of employment in Agriculture at one and a half time the ordinary rate of wage.

V. Finance & deductions. No deductions shall be made from wages except those authorised by or under the Rules. Deductions from the wages shall be one or more of the following kinds, namely :-

- (i) Fines. - An employed person shall be explained personally and also in writing the act or omission in respect of which the fine is proposed to be imposed and given an opportunity to offer any explanation in the presence of another person. The amount of the said fine shall also be intimated to him, it shall be such as may be specified by the State Government. It shall be utilised in accordance with the directions of the State Government.
- (ii) Deductions for absence from duty.
- (iii) Deductions for damage to or loss of goods entrusted to the employee for custody, or for less than money for which he is required to account where such damage or loss is directly attributable to his neglect or default. The employed persons shall be explained personally and also in writing the damage or loss, in respect of which the deduction is proposed to be made and given an opportunity to offer any explanation in the presence of another person. The amount of the said deduction shall also be intimated to him. It shall be such as may be specified by the State Government.
- (iv) Deductions for house accommodation supplied by the employer.
- (v) Deductions for such amenities and services supplied by the employer as the State Government may by general or special order authorise. These will not include the supply of tools and protective required for the purposes of employment.
- (vi) Deductions for recovery of advance or for adjustment of overpayment of wages; such advances shall not exceed an amount equal to wages for two calendar months of the employed persons and the monthly installment of deductions shall not exceed one fourth of the wages earned in that month.
- (vii) Deductions of income tax payable by the employed persons.
- (viii) Deduction required to be made by order of a court or other competent authority.
- (ix) Deductions for subscriptions to and for repayment of advance from any provident fund.
- (x) Deduction for payment to cooperative societies or to a scheme of insurance approved by the Central or State Government.

VI. Maintenance of Register & Records. Every employer shall maintain a register of wages in the form XI prescribed. Every employer shall issue wages slips in form XII

containing prescribed particulars to every person employed. Every employer shall get the signature or the thumb impression of every person employed on the wage-book and wage-slip. Entries in the wage books and wage-slips shall be properly authenticated by the employer or his agent. A Muster Roll shall be maintained by every employer and kept in the form V. Every employer shall keep exhibited at such place selected by the inspector, notices in English and in languages understood by a majority of the workers of the following particulars in a clean and legible form : (a) Minimum rates of wages. (b) Extracts from the Acts and Rules made thereunder. (c) Name and address of the Inspector.

VII. Inspections. An inspector can enter in any premises and can exercise powers of inspections (including examination of documents and taking evidence) as may deem necessary for carrying out the purpose of the Act. The Inspector can also seize or take copies of such register, record or wages or notices or portions thereof as he may consider relevant in respect of an offence under this Act. Any person require to produce any document or thing or to give information by an Inspector shall be deemed to be legally bound to do so within the meaning of section 175 and section 176 of the Indian Penal Code.

VIII. Claims & Complaints. Where an employee is paid less than the minimum rates of wages fixed for his class of work or less than the amount due to him under the provisions of this Act, he can make an application the prescribed form within six months to the authority appointed for the purpose. An application delayed beyond this period may be admitted if the authority is satisfied that the applicant had sufficient cause for not making the application within such period. Any legal practitioner, official of a registered Union, Inspector under the Act or other person acting with the permission, the Authority can make the complaint on behalf of an employed person. A single application may be presented by or on behalf of any number of person belonging to the same factory the payment of whose wages has been delayed. A complaint regarding less payment of notified wages under section 22 of the Act can be made to the court only with the sanction of the Authority within one month of the grant of such sanction. A complaint under section 22 of the Act can be made to the court only by or with the sanction of an inspector within six month of the date on which the offence is alleged to have been committed.

IX. Action by Authority. When any application under sub-section (2) of section 20 is entertained, the Authority shall hear the applicant and the employee or give them an opportunity of being heard, and after such further inquiry, if any, as it may consider necessary, may, without prejudice to any other penalty to which the employer may be liable under the Act, direct:—(i) in the case of a claim arising out of payment of less than the minimum rate of wages, the payment to the employee of the amount by which the minimum wages payable to him exceed the amount actually paid, together with the payment of such compensation as the Authority may think fit, not exceeding ten times the amount of such excess; (ii) in any other case, the payment of the amount due to the employee, together with the payment of such compensation as the Authority may think fit not exceeding ten rupees and the Authority may direct payment of such compensation in cases where the excess or the amount due is paid by the employer to the employee before the disposal of the application.

X. Penalties for the offence under the Act. An employer who pays to an employee less than the minimum rates of wages or less than the amount due to him under the provisions of the Act or contravenes any rule or order regarding hours for a normal working day, etc. shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees, or with both. Any employer who contravenes any provision of the Act or any rule made thereunder shall if no other penalty is provided for such contravention by the Act, be punishable with the fine which may extend to five hundred rupees. The authority imposing such fine shall also take into consideration

the amount of any compensation already awarded in any proceedings already held before the Authority. Offence by the Companies. - Where an offence under this Act has been committed by a company and it has been proved that the offence has been committed with the consent or connivance of or is attributed to any neglect on the part of any director, manager, secretary or other officer of the company shall also be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly. Company here means any body corporate and includes firms or other associations of individuals. Director here means a partner in the firm. XI. Cognizance of offences. No Court shall take cognizance of a complaint against any person for any offence in cases of less payment than the minimum rates of wages fixed or less than the amount due unless an application in respect of the facts constituting such offence has been presented before the Authority and has been granted wholly or in part and the Government or any other officer authorised by the Government in this behalf has sanctioned the making of such complaint and in cases of contravention of any rule or order made regarding hours for a normal working day or for not providing for a day of rest or for not providing payment for work on a day of rest unless the complaint has been made by or with the sanction of the Inspector and the complaint in either of the cases has been presented before the court within one month of the making of the said sanction and for all other contraventions of the provisions of the Act, or of any rule or order made thereunder unless the complaint has been made by or with the sanction of the Inspector and the same has been presented within six months of the date on which the offence is alleged to have been committed. XII. Minimum rates of wages fixed.

Name of undertakings.

S.No. Category of employees. Minimum rates of wages.

XIII. Name and address of the Inspector (s).

Name Address.

[Form XI & XII] [Substituted vide notification No. F. 1 (7)(9) L & E/66, dated 14-8-67, published in Rajasthan Gazette, Part 4-C, Extra-ordinaxy, dated 14-8-1967.] Name of establishment.....Place.....

Register of Wages, Rule 27(1) Wages Slip, Rule 27(2)

Name of the worker	Wage period	Minimum rates pay able under Act	Actual rate of wages paid	Days worked
1	2	3	4	5
Actual wages paid on the basis of columns 4 & 5		Any other allowance not included in column 6	Gross wages payable (total of columns 6 & 7)	Deductions, if any
6		7	8	9
Kinds of deductions	Actual net wages paid (difference of Cls. 8 and 9)		Date of payment	Signature or thumb impression of the worker
10	11		12	13

(A) If any concessions are payable to a worker as part of minimum wages fixed under the Minimum Wages Act, 1948, they should be included in this column, concessions being expressed in term of

money;(B)If the number of days worked is not the same as the number of days for which payment has been made, the letter should be shown in column 5.

Dated..... Signature of the employer or any person authorised by him.

[Form No. XIII] [Form Nos. XIII to XVII have been added vide notification No. F. (7)(9) L & E/66, dated 14-8-1967. published in Rajasthan Gazette Part 4-C, Extra-ordinary, dated 14-8-1967.] Notice No. 1 Rates of minimum wages fixed under the Minimum Wages Act, 1948. (To be affixed in a conspicuous and convenient place). Government Order No. Dated. Employment/s monthly and daily rates of wages or table of wages. Signature of employer. Dated. Form No. XIV Notice No. 3 Name and address of the Wage Inspector [Section 18(2), rule 22] (To be affixed at such place as may be selected by the Inspector and maintained in a clean and legible condition)

Name of the Wages Inspector. Address of the Wages Inspector.

Signature of employer. Dated. Form No. XV Notice No. 4 Weekly Holiday [Section 18(2), rule 23] (To be affixed in a conspicuous and convenient place)

1. Name of employment.....

2. Name of the establishment or concern.....

3. Address.....

S.No. Name of the workers Day on which weekly holiday is allowed

Signature of employer. Dated. Form No. XVI Notice No. 5 Working hours of workers [Section 18(2), rule 24] (To be affixed in a conspicuous and convenient place)

1. Name of the employment.....

2. Name of the establishment or concern.....

3. Address.....

S.No.	No. or name of the workers	Whether adult or child	Adolescent	Work begins
Rest interval From To	Or intervals From To	Hours or work	Hours of rest	Spread over

Signature of employer Dated. Form No. XVII Notice No. 6 Time of payment of wages [Section 18(2), rule 21] (To be affixed in a conspicuous and convenient place)

1. Name of the employment.....

2. Name of the establishment or concern.....

3. Address

S.No. Name or name of the workers Wage period Date of the payment of wages

Signature of employer.Dated.....[The average daily number of persons employed during the year is obtained by dividing the aggregate number&of attendance during the year by the number of working days.]