

The Rajasthan Minimum Wages (Undisbursed Amounts) Rules, 1961

RAJASTHAN

India

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Rule

THE-RAJASTHAN-MINIMUM-WAGES-UNDISBURSED-AMOUNTS-RULES of 1961

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The Rajasthan Minimum Wages (Undisbursed Amounts) Rules, 1961 Notification No. F. 3(31) Lab/60, dated 27-05-1962, published in Rajasthan Gazette, Part 4-C, Supplement No. 21, dated 23-8-1962 In exercise of the powers conferred by section 30 read with section 22D of the Minimum Wages Act, 1948 (Act 11 of 1948), the State Government hereby makes the following rules, the same having been previously published in the Rajasthan Raj-patra, Part III (B), dated 8-9-1961 as required by section 30 of the said Act.

1. Short title.

- These rules may be called the Rajasthan Minimum Wages (Undisbursed Amounts) Rules, 1961.

2. Definition.

- In these rules, unless there is anything repugnant in the subject or context (a) "Act" means the Minimum Wages Act, 1948; (b) "Authority" means the officer appointed under sub-section (1) of section 20 of the Act; (c) "Financial year" means the year commencing on the 1st day of April and ending on 31st March; (d) "Section" means a section of the Act; (e) "Treasury" means a treasury maintained and run by the Government of Rajasthan and includes a sub-treasury.

3. Undisbursed amounts to be deposited with Authority.

(1) All amounts payable by an employer to the employee as the amount of minimum wages of the employee under the Act or otherwise due to the employee under the Act or any rule or order made thereunder shall, if such amount could not and cannot be paid to the employees on account of his death before payment or on account of his whereabouts not being known be deposited with the Authority within three months from the date when the amount of minimum wages or other amount otherwise due as aforesaid became payable to the employee concerned. (2) An employer depositing the amount with the Authority under sub-rule (1) shall furnish therewith a Statement in Form 'A' and the Authority shall give a receipt in Form 'B' for the amounts so deposited.

4. Amounts unclaimed, for three years to be credited to State Government.

- Where any employee to whom the amount is payable or any person entitled to claim it on his behalf fails to draw it from the Authority within a period of three years from the date on which the amount is deposited with the Authority under rule 3, the amount shall, at the end of each financial year be paid to the Treasury to the credit of the State Government as deposited unclaimed, for eventual benefit of any person who may duly establish his claim thereto.

5. List of amounts unclaimed to be posted in the office of the Authority.

(1) In the month of January each year, a list showing the amounts which at the end of financial year will be due for being credited to the State Government under rule 4 and the names of the persons to whom the said amounts are payable, shall be posted in the office of the Authority. (2) If the said amounts are not claimed by any person before the 25th March in that year, the Authority shall deposit the same into the Treasury to the credit of State Government before the 31st day of March in that year. (3) In the month of April following, the Authority shall furnish to the Accountant General, Rajasthan, a statement of all the amounts credited to the State Government, showing separately the said amounts in serial order, the names of persons to whom they were payable and the dates on which the said amounts were payable and the dates on which the said amounts were credited to the State Government.

6. Refund.

- If any person proves to the satisfaction of the Authority that he is entitled to any amount credited to the State Treasury under rule 4, the Authority shall make an application in Form C to the Accountant General Rajasthan for the refund of the said amount and the Accountant General shall refund to the authority after verifying that it has been received by him and was credited to the State Treasury under rule 4. Form 'A' [See rule 3(2)] Deposit of amounts payable to the employee Amount of Rs..... (Rupees.....) is hereby presented for deposit as required by section 22 of the Minimum Wages Act, 1948, which was payable to Shri/Srimati/ Kumari/ residing at.....on 19 but remained undisbursed /on account of his/her death, which occurred on and his/her whereabouts are not known.

Place..... Signature of employer

Dated..... Name of the establishment.

Form 'B'[See rule 3(2)](Amount deposited under section 22D of the Minimum Wages Act, 1948)Book No.....Receipt No.....Name of the depositor.....Name of the establishment for which the depositor is employer.... n favour of.....Amount deposited Rs.....(Rupees).....Date of deposit.....

Place..... Authority,UnderMinimum Wages Act.

Form 'C'[See rule 6](Application for refund)

Office of theAuthority

Under the MinimumWages Act, 1948.

To Dated.....19.....

The Accountant General, Rajasthan, Jaipur.Sir,I have the honour to report that a claim has been preferred by...for an amount of Rs..... (Rs.....) bearing serial No.....of 19...in the statement furnished to you under sub-rule (2) of rule 5, of the Rajasthan Minimum Wages (Undisbursed Amounts) Rules, 1961 which was credited to the State Government Treasury/Sub-Treasury.....on.....

2. I have satisfied myself of the validity of the claim and request that the Treasury Officer be authorised, to refund the said amount.

Yours faithfullyAuthority Under the Minimum Wages Act.