

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

ACTs – Payment of Gratuity Act, 1972 (Act No.39 of 1972) – Andhra Pradesh compulsory Gratuity Insurance Rules, 2011 – Notification – Issued.

LABOUR EMPLOYMENT TRAINING AND FACTORIES (LAB.IV) DEPARTMENT

G.O.Ms.No. 11

Dated:04.03.2011

Read:

Lr.No.M1/8842/2010, dated: 04.12.2010 from the Commissioner of Labour, Andhra Pradesh.

ORDER:

The following notification will be published in the Andhra Pradesh Gazette.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of Section 15 read with Section 4A of the Payment of Gratuity Act, 1972 (Act No.39 of 1972), the Government of Andhra Pradesh hereby make the following Rules:

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| Short title and Commencement | 1. (i) These rules may be called the Andhra Pradesh Compulsory Gratuity Insurance Rules, 2011.

(ii) They shall come into force at once. |
| Obtaining Insurance for payment of Gratuity:- | 2. Every employer other than an employer of an establishment belonging to, or under the control of, the Central Government or a State Government, shall subject to provisions of sub section (2) under section 4A of the Act, obtain an insurance in the manner prescribed under sub-section (4) of section 4A of the Act for his liability for payment towards the gratuity under this Act, from the Life Insurance Corporation of India or any other Insurance Company incorporated under the Company's Act, 1950. |
| Recovery of the amount of Gratuity:- | 3. (i) The Controlling Authority appointed under section 3 of the Act is authorized to recover the amount of the Gratuity payable to an employee, as decided by the employer under sub-section (2) of section 7 of the Act or in case of a dispute, as decided by the Controlling Authority under sub-section (4) of section 7 of the Act, from the Life Insurance Corporation of India or any other Insurance Company with whom an Insurance has been taken under sub-section (1) of section 4A of the Act or as the case may be, the Board of Trustees of the "Approved Gratuity Fund" constituted in accordance with sub-section (5) of section 2 of the Income Tax Act, 1961 and

(ii) Such board of trustees should include equal number of representatives of the employer and the employees of the establishments. |

P.T.O.

- Registration of the establishment
4. (i) Every employer of an establishment covered by the Act shall get his establishment registered with the Controlling Authority of the area in Form-I, within 30 days from the notification of the compulsory insurance provided under section 4A of the Act, along with details of employees of the establishment, to be furnished in Form-III:
- ii) Every employer shall furnish the details of the employees insured, to the controlling authority in Form-III at the time of registration of the establishment with the controlling authority and thereafter whenever there is a change in the employees insured.
- Continuing approved Gratuity Fund:-
5. Every employer of an establishment covered under the Act, who had already established an Approved Gratuity Fund in respect of his employees and who desires to continue such arrangement, and every employer employing 500 or more persons who establishes an Approved Gratuity Fund in accordance with sub-section (5) of section 2 of the Income Tax Act, 1961 may opt to continue / adopt such arrangement by submitting an option in Form-II, provided such existing Approved Gratuity Fund covers the entire liability of all the employees of the establishment, under the Act.

FORM – I

(Refer Section 4A (3) of the Payment of Gratuity Act, 1972 read with rule 4(i) of the A.P. compulsory Gratuity Insurance Rules, 2011)

APPLICATION FOR REGISTRATION OF AN ESTABLISHMENT WITH THE CONTROLLING AUTHORITY

1. Name of the Establishment	
2. Address of the establishment	
3. Name of the employer	
4. Address of the employer	
5. No. of employees insured	
6. Details of the Insurance Company	
(a) No. of Insurance Policy	
(b) Date of commencement of insurance policy	
(c) Terms of Insurance policy (copy of the insurance policy to be enclosed	
(d) Details of employees insured details of employees shall be furnished in Form-III	
7. If the employer had already established an Approved Gratuity Fund before notification of the rules, details of board of trustees of the gratuity fund may be furnished:	

P.T.O.

(a) Date of constitution of the board of Trustees	
(b) Names and addresses of the Board of Trustees	

Station:

Date:

SIGNATURE OF THE EMPLOYER

Name:

**Designation &
Address**

F O R M – II

OPTION TO CONTINUE UNDER THE EXISTING INSURANCE

(Section 4A (2) read with rule 5 of the A.P. compulsory Gratuity Insurance Rules, 2011)

In hereby opt to continue the existing insurance scheme in lieu of the compulsory insurance notified under section 4A(1) of the Act. The details of existing Insurance Scheme are –

- a) No. of Insurance Policy :
- b) Date of commencement of Insurance Policy :
- c) Terms and conditions of Insurance policy
(copy of the insurance policy to be enclosed):
- d) No. of employees covered (details of
employees to be furnished in Form-III) :
- e) Details of registration of the trust :
- f) Date of constitution of Trust :
- g) Names and addresses of the trustees. :

Station:

Date:

SIGNATURE OF THE EMPLOYER

Name:

**Designation &
Address**

P.T.O.

FORM – III

DETAILS OF EMPLOYEES OF THE ESTABLISHMENT COVERED UNDER THE
COMPULSORY INSURANCE

(section 4A read with rule 4 (ii) of the A.P. Compulsory Gratuity Insurance Rules,
2011)

1. Name of the Employee :
2. Name of Father/Husband :
3. Designation/Category :
4. Date of Joining/appointment :
5. Wages of the employee :
6. Date of Admission to
Compulsory Insurance :
7. Date of retirement :

Station:

Date:

SIGNATURE OF THE EMPLOYER

Name:

Designation &

Address

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D. SREENIVASULU
SECRETARY TO GOVERNMENT

To

The Commissioner of Printing, Stationery and Stores Purchase for Publication in
the Gazette, Hyderabad.

The Commissioner of Labour, Andhra Pradesh, Hyderabad.

Copy to:

The Law (B) Department.

//FORWARDED :: BY ORDER//

SECTION OFFICER