

CONTENTS

CHAPTER I

Preliminary

1. [Short title and extent](#)
2. [Interpretation](#)

CHAPTER II

Members and Staff, and Meetings of the Board,

Committee and Advisory Committee

3. [Term of office of the members of the Committee and advisory Committee](#)
4. [Term of office of the members of the Board](#)
- 4-A. [Nomination of substitute members](#)
5. [Travelling allowance](#)
6. [Staff](#)
7. [Eligibility for re-nomination of the members of the Committee, Advisory Committee and the Board](#)
8. [Resignation of the Chairman and members of the Committee, Advisory Committee and the Board and filling of casual vacancies](#)
9. [Cessation and restoration of membership](#)

10. [Disqualification](#)
11. [Meetings](#)
12. [Notice of meetings](#)
13. [Chairman](#)
14. [Quorum](#)
15. [Disposal of business](#)
16. [Method of voting](#)
17. [Proceeding of the meetings](#)

CHAPTER III

Summoning of Witnesses by the Committee, Advisory Committee

and the Board and Production of Documents

18. [Summoning of witness and Production of documents](#)
19. [Expenses of witness](#)

CHAPTER IV

Computation of Payment of Wages, Hours of Work and Holidays

20. [Mode of computation of the cash value of wages](#)

21. [Time and conditions of payment of wages and the deductions permissible from wages](#)
22. [Publicity to the minimum wages fixed under the Act](#)
23. [Weekly day of rest](#)
24. [Number of hours of work which shall constitute a normal working day](#)
- 24-A. [Night Shifts](#)
25. [Extra wages for overtime](#)
26. [Form or register and records](#)
- 26-A. [Preservation of registers](#)
- 26-B. [Production of registers and other records](#)
- 26-C.

CHAPTER V

Claims under the Act

27. [Application](#)
28. [Authorization](#)
29. [Appearance of parties](#)

CHAPTER VI

Scale of Costs in Proceedings under the Act

30. [Costs](#)

31. [Court-fees](#)

CHAPTER VII

Miscellaneous

32. [Savings](#)

[FORM I](#)

[FORM II](#)

[FORM III](#)

[FORM IV](#)

[FORM V](#)

[FORM VI](#)

[FORM VI-A](#)

[FORMVII](#)

[FORM VIII](#)

[FORM IX](#)

[FORM IX-A](#)

[FORM X](#)

THE MINIMUM WAGES (CENTRAL) RULES, 1950

S.R.O. 776, dated the 14th October, 1950. -In exercise of the powers conferred by Sec. 30 of the Minimum Wages Act, 1948 (XI of 1948), the Central Government is pleased to make the following rules, the same having been previously published as required by the said section, namely:

CHAPTER I

Preliminary

- 1. Short title and extent.** - These Rules may be called the Minimum Wages (Central) Rules, 1950.
- 2. Interpretation.** - In these rules, unless the context otherwise requires, -
 - (a) “Act” means the Minimum Wages Act, 1948;
 - (b) “Advisory Committee” means an Advisory Committee appointed under Sec. 6 and includes an advisory sub-committee appointed under that section;
 - (c) “Authority” means the authority appointed under sub-section (1) of Sec. 20;
 - (d) “Board” means the Advisory Board appointed under Sec. 7;
 - (e) “Chairman” means the Chairman of the Advisory Board, the Committee or the Advisory Committee, as the case may be, appointed under Sec. 9;
 - (f) “Committee” means a committee appointed under Cl. (a) of sub-section (1) of Sec. 5 and includes a sub-committee appointed under that section;
 - (ff) “Day” means a period of twenty-four hours beginning at midnight;
 - (g) “Form” means a form appended to these rules;

- (h) “Inspector” means a person appointed as Inspector under Sec. 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) All other words and expressions used herein and not defined shall have the meaning, respectively assigned to them under the Act.

When the language of the provision is clear and suffers from no ambiguity then it will not be possible or permissible for the Court to give a meaning different from the one which the language suggests.¹

1. **Union of India v.Syed Sarzvar Ali,1999 (81) F.L.R.17 at p.20 (S.C.).**

CHAPTER II

Members and Staff, and Meetings of the Board, Committee and Advisory Committee

3. **Term of office of the members of the Committee and advisory Committee.** -The term of office of the members of the Committee or an Advisory Committee shall be such as in the opinion of the Central Government is necessary for completing the enquiry into the scheduled employment concerned and the Central Government may, at the time of the constitution of the Committee, or an Advisory Committee, as the case may be, fix such terms and may, from time to time, extend it as circumstances may require.

4. **Term of office of the members of the Board. -**

- (1) Save as otherwise expressly provided in these rules, the term of the office of a non-official member of the Board shall be two years commencing from 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 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 Central Government.

4-A. Nomination of substitute members. - If a member is unable to attend a meeting of the Committee or the Board, the Central Government or the body which nominated him 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, 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, and Advisory 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 rates and subject to the conditions applicable to a Government servant of the first class under the appropriate rules of the Central Government.

6. Staff. -

(1) The Central Government may appoint a Secretary to the Committee, and Advisory Committee or the Board, and such other staff as it may think necessary, and may fix the salaries and allowances payable to them and specify their conditions of service.

(2) (i) The Secretary shall be the Chief Executive Officer of the Committee, the Advisory Committee or the Board, as the case may be. He may attend the meetings of such Committee, Advisory 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 the minutes of such meetings and shall take necessary measures to carry out the decisions of the Committee, the Advisory Committee or the Board, as the case may be.

7. Eligibility for re-nomination of the members of the Committee, Advisory Committee and the Board. - An outgoing member shall be eligible for re-nomination for the membership of the Committee, Advisory Committee or the Board, of which he was a member.

8. Resignation of the Chairman and members of the Committee, Advisory Committee and the Board and filling of casual vacancies. -

(1) A member of the Committee, Advisory Committee or the Board other than the Chairman may by giving notice in writing to the Chairman, resign his membership.

(2) A resignation shall take effect from the date of communication of its acceptance on the expiry of 30 days from the date of resignation whichever is earlier. The Chairman may resign by letter addressed to the Central Government.

(3) When a vacancy occurs or is likely to occur in the membership of the Committee, Advisory Committee or the Board, the Chairman shall submit a report to the Central Government immediately. The Central Government shall then take steps to fill the vacancy.

9. Cessation and restoration of membership. -

(1) If a member of the Committee, Advisory 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, the Advisory 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 member 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, Advisory 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 un-discharged 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 been incurred under sub-rule (1), the decision of the Central Government thereon shall be final.

11. Meetings. - The Chairman may, subject to the provisions of rule 12, call a meeting of the Committee, Advisory 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 the receipt of such requisition.

12. Notice of meetings. - The Chairman shall fix the date, time and place of every meeting and a notice in writing containing the aforesaid particulars along with 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 meetings of the Committee, Advisory 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 by a majority of votes, a member who shall preside at such meeting.

¹**14. Quorum.** - No business shall be transacted at any meeting unless at least one-third of the members and 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 not even one representative each of both the employers and 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 member or class of members present]:

²[Provided further that the date, time and place of such adjourned meeting shall be intimated to all the members by telegram or by written communication.]

1. Subs. by G.S.R. 2201, dated 12th December, 1968, published in the Gazette. of India, Pt. II, Sec. 3 (i), dated 21st December, 1968.

2. Subs. by G.S.R. 751, dated 1st July, 1974,for the second proviso.

15. Disposal of business. - All businesses shall be considered at a meeting of the Committee, Advisory Committee or Board, as the case may be, and shall be decided by a majority of the votes of 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 by securing written opinion of the members:

Provided further that no decision on any matter under the preceding proviso shall be taken, unless supported by not less than a two-thirds majority of the members.

16. Method of voting. - Voting shall ordinarily be by 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. Proceeding of the meetings. -

(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 Central 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 modification, if any, as may be considered necessary at the next meeting.

CHAPTER III

Summoning of Witnesses by the Committee, Advisory Committee and the Board and Production of Documents

18. Summoning of witness and Production of documents. -

(1) A Committee, Advisory Committee or the Board may summon any person to appear as a witness in the course of an 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 this control relating in any manner to the enquiry.

(2) A summons under sub-rule (1) may be addressed to an individual or an organization of employers or a registered trade union of workers.

(3) A summons under this rule may be served-

(i) In the case of an individual, being delivered or sent to him by registered post;

(ii) In the case of an employer's organization or a registered trade union of workers, by being delivered or sent by registered post to the Secretary or other principal officer of the organization or union, as the case may be.

(4) The provision, of the Code of Civil Procedure, 1908 (5 of 1908), 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, Advisory Committee or the Board.

¹[(5) All books, papers and other documents or things produced before a committee, or the Board in pursuance of a 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 the other party, but the information so obtained shall be treated as “confidential” and the same shall be made public only with the consent in writing of the party concerned:

Provided that nothing contained in this rule shall apply to disclosure of any such information for the purpose of a prosecution under Sec. 193 of the Indian Penal Code, 1860 (45 of 1860).]

1. Ins. by the Minimum Wages (Central) Amendment Rules, 1969, vide G.S.R. 466, dated 2nd March, 1970.

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

CHAPTER IV

Computation of Payment of Wages, Hours of Work and Holidays

20. Mode of computation of the cash value of wages. -The retail prices at the nearest market shall be taken into account in computing the cash value of wages paid in kind of essential commodities supplied at concession rates. The computation shall be made in accordance with such directions as may be issued by the Central Government from time to time.

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

(1) ¹[(i) The wages of a worker in any scheduled employment shall be paid on a working day,-

(a) In the case of establishments in which less than one thousand persons are employed, before the expiry of the seventh day, and

(b) In the case of other establishments before the expiry of the tenth day, after the last day of the wage period in respect of which the wages are payable.

(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 of which his employment is terminated.

(iii) The wages of an employed person shall be paid to him without deduction of any kind except those authorized by or under these rules.

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 as deduction from wages.

(2) Deductions from the wages of a person employed in a scheduled employment shall be of one or more of the kinds, namely, -

(i) Fines in respect of such acts or omissions on the part of employed persons as may be specified by the Central Government by general or special order in this behalf;

(ii) Deduction for absence from duty;

(iii) Deductions for 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;

(v) Deductions for such amenities and services supplied by the employer as the Central Government may, by general or special order, authorize;

Explanation. - The words “amenities and services” in the clause do not include the supply of tools as 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 instalment 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 Funds Act, 1952 (19 of 1952), applies or any recognized provident fund as defined in Sec. 58-A of the Indian Income-tax Act, 1922 (11 of 1922), ² or any provident fund approved in this behalf by the Central Government during the continuance of such approval;

³[(x) Deductions for payment to Co-operative Society ⁴[or deductions for recovery of loans advanced by an employer from out of a fund maintained for the purpose by the employer and approved in this behalf by the Central Government] or deductions made with the written authorization of the person employed for payment of any premium in his life insurance policy to the Life Insurance Corporation of India established under the Life Insurance Act, 1956 (31 of 1956)];

⁵[(xi) Deduction 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.]

⁶[(xii) Deductions made with the written authorization of the employed persons (which may be given once generally and not necessarily every time a deduction is made), 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];

⁷[(xiii) Deductions made with the written authorisation of the employed person for contributions to the National Defence Fund or the Prime Minister's National Relief Fund or to any Defence Savings Scheme ⁸[approved by the Central Government or to such other fund as the Central Government] may, by notification in the Official Gazette, specify in this behalf;]

⁹[(xiv) Deductions for recovery of loans granted for house building or other purposes approved by the Central Government, and for the interest due in respect of such loans, subject to any rules made or approved by the Central Government regulating the extent to which such loans may be granted and the rate of interest payable thereon];

Provided that prior approval of the Inspector or any other officer authorized by the Central Government in this behalf is obtained in writing before making the deduction unless the employee gives his consent in writing to such deductions.

⁹[2-A) Notwithstanding anything contained in these rules, the total amount of deduction which may be made under sub-rule (2) in any wage period, from the wages of an employee shall not exceed-4i) 75 per cent of such wages in cases where such deductions are wholly or partly made for payments to consumer co-operative stores run by any co-operative society under Cl.(x) of sub-rule (2); and(ii) 50 per cent of such wages in any other case:

Provided that where the total amount of deductions which have to be made under sub-rule (2) in any wage period from

the wages of any employee exceeds the limit specified in Cl. (i), or, as the case may be, Cl. (ii) of this sub-rule, the excess shall be carried forward and recovered from the wages of succeeding wage period or wage periods, as the case may be, such number of instalments as may be necessary.]

(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.

(4) The amount of fine or deduction for damage or loss mentioned in sub-rule (3) shall be subject to such limits as may be specified in this behalf by the Central Government. All such fines imposed and deductions made shall be recorded in the registers maintained in Forms I and II, respectively. These registers shall be kept at the workspot and maintained up to date. Where no fine or deduction has been imposed or made on or from any employee in a wage period, a “nil” entry shall be made across the body of the relevant register at the end of the wage-period, indicating also in precise terms the wage-period to which the “nil” entry relates.]

¹⁰[(4-A) Every employer shall send annually a return in Form III ¹¹[* * *] so as to reach the Inspector not later than the 1st February following the end of the year to which it relates].

¹²[(5) The amount of fine imposed under sub-rule (3) shall be utilized only for such purposes beneficial to employees, as are approved by the Central Government.

(6) Nothing in this rule shall be deemed to affect the provisions of the Payment of Wages Act, 1936 (4 of 1936).

1. Subs. by G.S.R. 109, dated 14th January, 1959, published in the Gazette of India, Pt. II, Sec. 3 (i), No. 4, dated 24th January, 1959.

2 See now the Income-tax Act, 1961.

3. Subs. by G.S.R. 659, dated 26th July, 1958, published in Gazette of India, Pt. II, Sec. 3 (i), dated 2nd August, 1958.

4. Ins. by G.S.R. 717, dated 15th June, 1960, published in Gazette of India, Pt. II, Sec. 3 (i), No. 26, dated 25th June, 1960.

5. Subs. by S.R.O. 298, dated 23rd January, 1957, published in Gazette of India, Pt. II, Sec. 3 (i), No. 5, dated 2nd February, 1957.

6. Ins. by G.S.R. 627, dated 22nd April, 1961, published in Gazette of India, Pt. II, Sec. 3 (i), p. 743, dated 29th April, 1961.

7. Subs. by G.S.R. 676, dated 7th June, 1980 (w.e.f. 21st June, 1980), for Cl. (xiii) as inserted by G.S.R. 945, dated 23rd May, 1963.

8. Vide G.S.R. 463 (E), dated 2nd August, 1980.

9. Ins. by G.S.R. 676, dated 7th June, 1980 (w.e.f. 21st June, 1980).

10. Ins. by G.S.R. 1060, dated 3rd September, 1960, published in Gazette of India, Pt. II, dated 10th September, 1960.
11. Omitted by G.S.R. 1542, dated 8th November, 1962, published in Gazette of India, Pt. II, Sec. 3 (i), dated 17th November, 1962, p. 1878.
12. Subs. by S.R.O. 2574, dated 2nd August, 1954, published in gazette of India, dated 7th August 1954, p. 1899.

22. Publicity to the minimum wages fixed under the Act. - Notices ¹[in Form IX-A] containing the minimum rates of wages fixed together With ²[abstracts of] the Act, the rules made thereunder and the name and address of the Inspector shall be displayed in English and in a language understood by the majority of the workers in the employment ²[at the main entrances to the establishment and at its office] and shall be maintained in a clean and legible condition. Such notices shall also be displayed on the notice-boards of all Sub-divisional and District Offices.]

1. Ins. by S.R.O. 2727, dated 11th August, 1954, published in Gazette of India, Pt. II, Sec. 3 (i) dated 21st August, 1954, p. 2041.
2. Subs. by G.S.R. 918, dated 29th July, 1960, published in Gazette of India, Pt. II, Sec. 3 (i), No32, dated 6th August, 1960.

¹[23. **Weekly day of rest.** -

(1) Subject to the provisions of this rule, an employee in a scheduled' employment in respect of which minimum rates of wages have been fixed under the Act, shall be allowed a day of rest every week (hereinafter referred to as "the rest day") which shall ordinarily be Sunday, but the employer may fix any other day of the week as the rest day for any employee or class of employees in that scheduled employment:

Provided that the employee has worked the scheduled employment under the same employer for a continuous period of not less than six days:

Provided further that the employee 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 a notice to that effect in the place of employment at the place specified by the Inspector in this behalf.

Explanation. - For the purpose of computation of the continuous period of not less than six days specified in the first proviso to this sub-rule-

- (a) Any day on which the employee is required to attend for work but is given only an allowance for attendance and is not provided with work,
- (b) Any day on which an employee is laid off on payment of compensation under the Industrial Disputes Act, 1947,³[and]

²[(c) Any leave or holiday, with or without pay, granted by the employer to an employee in the period of six days immediately preceding rest day] shall be deemed to be days on which the employee has worked.

(2) Any such employee shall not be required or allowed to work in a scheduled employment on the rest day unless he has 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 employee 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 employee 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) An employee 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 for the substituted rest day at the rate applicable to the next preceding day:

Provided that where the minimum daily rate of wages of the employee 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 employee has been worked out by dividing the monthly rate of wages by twenty-six and such actual daily rate of wages is not less than the notified minimum daily rate of wages of the employee, no wages for rest day shall be payable, and in case the employee 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; and if any dispute arises whether the daily rate of wages has been worked out as aforesaid, the Chief Labour Commissioner may, on application made to him in this behalf, decide the same, after giving an opportunity to the parties concerned to make written representations:

Provided further that in the case of an employee governed by a piece-rate scheme, the wages for the rest day, or as the case may be, the rest day and the substituted rest day, shall be such as the Central Government may, by notification in the Gazette of India, prescribe, having regard to the minimum rate 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 employee 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 employee has worked, which precedes the rest day.

3[* * * * *

³[(5)] The provisions of this rule shall not operate to the prejudice of more favourable terms, if any, to which an employee may be entitled under any other law or under terms of any award, agreement or contract of service, and in such a case, the employee shall be entitled only to the more favourable terms as aforesaid.

Explanation. - For the purposes of this rule “week” shall mean a period of seven days, beginning at midnight on Saturday night].

1. Subs. by G.S.R. 918, dated 29th July, 1960, published in Gazette of India, Pt. II, Sec. 3 (i), No32, dated 6th August, 1960.

2. Ins. by G.S.R. 1324, dated 2nd August, 1963.

3. Sub-rule (5) omitted and sub-rule (6) re-numbered as sub-rule (5) by G.S.R. 158, dated 10th January, 1979, (w.e.f. 27th January, 1979).

24. Number of hours of work, which shall constitute a normal working day. -The number of hours which shall constitute a normal working day shall be-

(a) In the case of an adult- 9 hours;

(b) In the case of a child- 4 hours.

(2) The working day of an adult worker shall be so arranged and inclusive of intervals for rest, if any, it shall not spread over more than twelve hours on any day.

(3) The number of hours of work in the case of an adolescent shall be the same as that of an adult or a child according as he is certified to work as an adult or a child by a competent medical practitioner approved by the Central Government.

(4) The provisions of sub-rules (1) to (3) shall, in the case of workers in agricultural employment, be subject to such modification as may, from time to time, be notified by the Central Government.

¹[(4-A) No child shall be employed or permitted to work more than 4½ hours on any day.

(5) Nothing in this rule shall be deemed to affect the provisions of the Factories Act, 1948 (63 of 1948).]

1. Ins. by S.R.O. 3304, dated 2nd October, 1954.

¹[24-A. Night Shifts. - Where a worker in a scheduled employment works on shift, which extends beyond midnight-

(a) A holiday for the whole day for the purposes of rule 23 shall in his case mean a period of twenty-four consecutive hours beginning from the time when his shift ends; and

(b) The following day in such a case shall be deemed to be the period of twenty-four hours beginning from the time when such shift ends, and the hours after midnight during which such worker was engaged in work shall be counted towards the previous day.]

1. Added by S.R.O. 1932, dated 6th October, 1954.

¹[25. Extra wages for overtime. -

(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 overtime work, be entitled to wages-

(a) In the case of employment in agriculture, at one and a half time the ordinary rate of wages;

(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 wages plus such allowances including the cash equivalent of the advantages accruing through the concessional sale to the person employed of foodgrains and other articles as the person employed is for the time being entitled to but does not include a bonus.]

²[(2) A register of overtime shall be maintained by every employer in Form IV in which entries under the columns specified therein shall be made as and when overtime is worked in any establishment. The register shall be kept at the workspot and maintained up to date. Where no overtime has been worked in any wage period, a “nil” entry shall be made across the body of the register at the end of the wage-period indicating also in precise terms the wage-period to which the “nil” entry relates]

(3) Nothing in this rule shall be deemed to affect the provisions of the Factories Act, 1948 (63 of 1948).

1. Subs. by G.S.R. 158, dated 10th January, 1979.

2. Subs. by G.S.R. 1060, dated 3rd September, 1960, published in Gazette of India, dated 10th September, 1960.

26. Form or register and records. -

¹[(1) A register of wages shall be maintained by every employer at the workspot in Form X.]

²[(I-A) Every employer shall in respect of each person employed in the establishment, complete the entries pertaining to a wage-period-

(a) In columns 1 to 15 of Form X, before the date on which the wages for such wage-period fall due;

(b) In columns 16 and 17 of the said form, on the date when payment is made and obtain the signature or thumb-impression of e employee in columns 18 of the said form on the date when payments is made].

(2) A wage-slip in Form XI shall be issued by every employer to every person employed by him at least a day prior of the disbursement to wages.]

(3) Every employer shall get the signature or thumb-impression of every person employed on the ³[register of wages] and wage slip.

(4) Entries in the ³ [register of wages] and wages slips shall be authenticated by the employer or any person authorized by him in this behalf.

⁴[(5) A muster-roll shall be maintained by every employer at the workspot in Form V and the attendance of each person employed in the establishment shall be recorded daily in that form within three hours of the commencement of the work shift or relay for the day, as the case may be.]

⁵[(6) * * * * *

1. Subs. by G.S.R. 1473, dated 17th September, 1966.

2. Ins. by G.S.R. 139, dated 16th January, 1974.

3. Subs. by G.S.R. 721, dated 5th May, 1965.

4. Subs. by G.S.R. 139, dated 16th January, 1974, for sub-rule (5).

5. Sub-rule (6) as inserted by G.S.R. 1512, dated 15th December, 1961, has been omitted by G.S.R. 1213, dated 9th July, 1963.

¹**[26-A. Preservation of registers.** -A register required to be maintained under rules 21 (4), 25 (2) and 26 (1) ²[and the muster-roll required to be maintained under rule 26 (5)] shall be preserved for a period of three years after the date of last entry made therein.]

1. Ins. by G.S.R. 1060, dated 3rd September, 1960, published in Gazette of India, Pt. II, Sec. 3 (i), dated 10th September, 1960.

2. Subs. by G.S.R. 1523, dated 16th December, 1960, published in Gazette of India, dated 24th December, 1960.

1

⁸**[26-B. 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 during the course of the inspection:

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.

(2) Any infringement of the provisions of the Act or these rules noticed by the Inspector and communicated to the employer during the course of an inspection or otherwise shall be rectified by the employer and compliance report in respect thereof shall be submitted to the Inspector, on or before the date specified by him in this behalf:

Provided that the Inspector may, if it is necessary, demand the registers and records in his office or such other public place as may be nearer to the employer.

1. Subs. by G.S.R. 255, date 20th February, 1967for the rule inserted by G.S.R. 1523, dated 16th December, 1960.

¹**[26-C.** Notwithstanding anything contained in these rules, where a combined (alternative) form is sought to be used by the employer to avoid duplication of work for compliance with the provision of any other Act or the rules framed thereunder, an alternative suitable form in lieu of any of the forms prescribed under these rules may be used with the previous approval of the ²[Central Government].

1. Subs. by G.S.R. 1213, dated 9th July, 1963.

2. Subs. by G.S.R. 846, dated 19th July, 1984 (w.e.f. 19th July, 1984).

CHAPTER V

Claims under the Act

27. ¹[Application. -

(1) An application under sub-section (2) of Sec. 20 or sub-section (1) of Sec. 21, by or on behalf of an employed person or group of employed persons, shall be made in duplicate in Forms VI and VII, as the case may be, one copy of which shall bear the prescribed court-fee.

(2) A single application under Sec. 20, read with sub-section (1) of Sec. 21 may be presented on behalf of or in respect 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.]

1. Subs. by G.S.R. 1301, dated 28th October, 1960.

28. Authorization. - The authorization to act on behalf of an employed person or persons, under sub-section (2) of Sec. 20 or of sub- section (1) of Sec. 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.

29. Appearance of parties. -

(1) If an application under sub-section (2) of Sec. 20 or Sec. 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 parte.

(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 one month of the date of the said order, and the applicant shall then be reheard after service of notice on the opposite-party of the date fixed for re-hearing in the manner specified in sub-rule (1).

CHAPTER VI

Scale of Costs in Proceedings under the Act

30. Costs. -

- (1) The authority, for reasons to be recorded in writing, may direct that the cost of any proceeding 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 pleader or more than one applicant or opponent the authority may, subject as aforesaid, award to the successful party or parties such costs as it may deem proper.

31. Court-fees. - The court-fee payable in respect of proceedings under Sec. 20 shall be-

- (i) For every application to summon a witness e rupee in respect of each witness;
- (ii) For every application made by or on behalf of an individual - one rupee;
- ¹[(iii) For every application made on behalf or in respect of a number of employees- one rupee per employee subject to a maximum of twenty rupees:]

Provided that the authority may, if in its opinion, 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 persons employed in agriculture; or
- (b) In respect of an application made by an Inspector.

1. Ins. by G.S.R. 1301, dated 28th October, 1960.

¹[CHAPTER VII]
Miscellaneous

1. Added by S.R.O. 1276, dated 19th June, 1953, published in Gazette of India, dated 27th June, 1953, Pt. II, Sec. 3, p. 1943.

¹[32. Savings. - These rules shall not apply in relation to any scheduled employment in so far as there are in force rules applicable to such employment, which in the opinion of the Central Government make equally satisfactory provisions for the matters dealt with by these rules or such opinion shall be final.]

1. Subs. by S.R.O. 463, dated 18th February, 1955.

FORM I

[Rule 21 (4)]

Register of Fines

..... **Employer**.....

Serial No.	Name	Father's/ Husband's name	Sex	Department	Nature and date of the offence for which fine imposed	Whether workman showed cause against fine or not, if so, enter date.	Rate of wages	Date and amount of fine imposed	Date on which fine realized	Remarks
1	2	3	4	5	6	7	8	9	10	11

FORM II**[Rule 21 (4)]****Register of deductions for damage or loss caused to the employer by the neglect or default of the employed persons****..... Employer.....**

Serial No.	Name	Father's/ Husband's name	Sex	Department	Damage or loss caused with date	Whether workman showed cause against deduction, if so, enter date	Date and amount of deduction imposed	Number of instalments, if any	Date on which total amount realized	Remarks
1	2	3	4	5	6	7	8	9	10	11

FORM III**¹[Rules 21 (4-A)]****Annual Return**

Return for the year ending the 31st December

1. (a) Name of the establishment and postal address
- (b) Name and residential address of the owner/contractor
- (c) Name and residential address of the Managing Agent/Director/Partner in charge of the 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

23. Number of man-days worked during the year.
34. Average daily number of persons employed during the year

- (i) Adults
- (ii) Children

5. Total wages paid in cash

46. Total cash value of the wages paid in kind

7. Deductions:

Number of cases		Total amount	
		Rs.	P.
(a)	Fines		
(b)	Deductions for damage or loss		
(c)	Deductions for breach of contract		

8. Disbursement from fines:

9.

	Purpose	Amount	
		Rs.	P.
(a)			
(b)			
(c)			
(d)			

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

Signature.....

Dated.....

Designation.....

1. Subs. by G.S.R. 1542, dated 8th November, 1962, published in Gazette of India, Pt. II, Sec. 3 (i), p. 1878, dated 17th November, 1962.

2. This is aggregate number of attendance during the year.

3. The average daily number of persons employed during the year is obtained by dividing the aggregate number of attendances during the year by the working days.

4. Cash value of the wages paid in kind should be obtained by taking the difference between the cost price paid by the employer and the actual price paid by the employers or supplies of essential commodities at concessional rates.

FORM IV

[Rules 25 (2)]

Overtime register for workers

Month ending.....19

	1.	Serial No	
	2.	Name	
	3.	Father's/Husband's name	
	4.	Sex	
	5.	Designation and department	
	6.	Date on which overtime worked	
	7.	Extent of overtime on each occasion	
	8.	Total overtime worked or production in case of piece- workers	
	9.	Normal hours	
	10.	Normal rate	
	11.	Overtime rate	
	12.	Normal earning	
	13.	Overtime earning	
	14.	Total earning	
	15.	Date on which overtime payment made	

FORM V

[Rule 26 (5)]

Muster Roll

Name of Establishment.....

Serial No.	Name	Sex	Father's or Husband's name	Nature work	1	2	3	4	For the period ending 1[Total attendance Remarks

--	--	--	--	--	--	--	--	--	--

1. Ins. by G.S.R. 139, dated 16th January, 1974. 1.

¹[FORM VI

Form of application by an employee under Sec. 20 (2)

In the Court of the Authority appointed under the Minimum Wages Act, 1948

For.....area

Application No.....of 19

(1).....Applicant, (Through.....which is a registered trade union).

Address.....

Versus

(1).....

(2).....

(3).....

Opponent (s).

The applicant above-named states as follows:

(1) The applicant was/has been employed from.....to....as (category) in..... (establishment) of Shri/Messrs....engaged in.....(nature of work) which is scheduled employment within the meaning of Sec. 2 (e) of the Minimum Wages Act.

(2) The opponent(s) is/are the employer(s) within the meaning of Sec. 2 (e) of the Minimum Wages Act.

(3) ²(a) The applicant has been paid wages at less than the minimum rate of wages fixed for his category of employment under the Act by Rs.....per day for the period from.....to.....

²(b) The applicant has not been paid wages at Rs.....per day for the weekly days for rest from.....to.....

² (c) The applicant estimates the value of relief sought by him on each account as under:

(a) Rs.....

(b) Rs.....

(c) Rs.....

(5) The applicant, therefore, prays that a direction may be issued under Sec. 20 (3) of the Act for-

²(a) Payment of the difference between the wages payable under the Minimum Wages Act and the wages actually paid.

² (b) Payment of remuneration for the days of rest,

² (C) Payment of wages at the overtime rate,

³[(d) Compensation amounting to Rs.....]

(6) The applicant begs leave to amend or add to or make alteration in application, 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.

Dated

.....

Signature or thumb-impression of the employed person, or legal practitioner, or official of a registered trade union duly authorized.]

1. Subs. by G.S.R. 1301, dated 28th October, 1960, published in Gazette of India, Pt. II, Sec. 3 (i), dated 5th November, 1960.

2. Delete the portions not required.

3. Ins. by G.S.R. 1144, dated 8th September, 1961, published in Gazette of India, Pt. II, Sec. 3 (i), dated 16th September, 1961.

¹[FORM VI-A

Form of Group Application under Sec. 21 (1)

In the Court of the Authority appointed under the Minimum Wages Act, 1948

For.....area

Application No.....of 19

Between A, B, C and (state the number).....other.....Applicants, (through a legal practitioner/an official of which is a registered trade union).

Address and..... X, Y, Z

Opposite-party.

Address.....

The application state as follows:

(1) The applications whose names appear in the attached schedule were/have been employed from.....to.....as.....categories in.....(establishment) Shri/Messrs.....engaged in..... (nature of work) which is/are scheduled employment(s) within the meaning of Sec. 2 (g) of the Minimum Wages Act.

(2) The opponent(s) is/are the employers) within the meaning of Sec. 2 (e) of the Minimum Wages Act.

(3) ²(a) The applicants have been paid wages as less than the minimum rate of wages fixed for their category (categories) of employments) under the Act by Rs per day for the period(s)from.....to.....

² (b) The applicants have not been paid wages at Rs.....per day for the weekly days of rest from.....to.....

² (c) The applicants have not been paid wages at overtime rate(s) for the period from....to.....

(4) The applicants estimate the value of relief sought by them on each account as under;

(a) Rs.....

(b) Rs.....

(c) Rs.....

Total Rs.....

(5) The applicants, therefore, prays that a direction may be issued under Sec. 20 (3) of the Act for-

² (a) Payment of the difference between the wages payable under the Minimum Wages Act and the wages actually paid,

² (b) Payment remuneration for the days of rest Wages Act and the wages actually paid,

² (c) Payment of wages at the overtime rates,

³[(d) Compensation amounting to Rs.....]

(6) The applicant begs leave to amend or add to or make alterations in the application, if and when necessary, with the permission of the authority.

(7) The applications does solemnly declare that the facts stated in this application are true to the best of his knowledge, belief and information.

Dated.....

.....

Signature or thumb-impression of

the employer person, or legal practitioner,

duly authorized.]

1. Subs. by G.S.R. 1301, dated 28th October, 1960, published in Gazette of India, Pt. II, Sec. 3 (i), dated 5th

November, 1960.

2. Delete the portions not required.

3. Ins. by G.S.R 1140, dated 8th September, 1961, published in Gazette of India, Pt. II, Sec. 3 (i), dated 16th September, 1961.

¹ [FORMVII

**Form of application by an inspector or person acting, with
the permission of the Authority under Sec. 23 (2)**

In the Court of the Authority appointed under the Minimum Wages Act, 1948

For.....area

Application No.....of 19

..... Applicant,

(1) Address.....

Versus

Opponent(s)

(1)

Address.....

The application above-named states as follows:

(1) The opponent(s) has /have-

³(a) 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 the period(s) from.....to.....,

³ (b) Not paid wages at Rs.....per day for the weekly days of rest fromto.....

³ (c) Not paid wages at the overtime rate(s) for the period from.....to.....to the following employees:

(1) The applicant estimates the value of relief sought for the employees on each accounts as under:

(a) Rs.....

(b) Rs.....

(c) Rs.....

Total Rs.....

(3) The applicant, therefore, prays that a direction may be issued under Sec. 20 (3) of the Act for-

³ (a) Payment of the difference between the wages payable under the Minimum Wages Act and the wages actually paid,

¹ (b) Payment of remuneration for the days of rest,

²(c) Payment of wags at the overtime rate,

³[(d) Compensation amounting to Rs.....]

(4) The applicant begs leave to amend or add to or make alterations in the application, if and 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.

Dated.....

Signature.....

1. Subs. by G.S.R. 1301, dated 28th October, 1960, published in Gazette of India, Pt. II, Sec. 3(3), dated 5th November, 1960.

2. Delete the portion not required.

3. Ins. by G.S.R. 1140, dated 8th September, 1961, published in the Gazette of India, Pt. II, Sec. 3 (i), dated the 1st September, 1961.

FORM VIII

Form of Authority in favour of a Legal Practitioner or any official of a
registered trade union referred to in Sec. 20 (2)

In the Court of the Authority appointed under the Minimum Wages Act, 1948

For.....area

Application No.....of 19

(1).....

(2).....

Applicant(s).

(3)

Versus

(1).....

(2).....

Opponent(s)

(3).....

I, here by authorize 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 do all things incidental to such appearing and acting.

Dated.....

.....

Signature of thumb-impression of the employees.

FORM IX

Form of Simmons of the opponent to appear before the Authority when an application under sub-section (1) of Sec. 20 or under Sec. 21 is entertained

(Title of the application)

To

(Name, description and place of residence)

Whereas.....has made the above said application to me made 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 the documents upon which you intend to rely 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.

Date.....

¹[FORM IX-A

(Rule 22)

**²[Abstracts of] the Minimum Wages Act, 1948 and the
rules made thereunder**

I. Whom the Act affects

1. (a) The Act applies to persons engaged on scheduled employments on specified class of work in respect of which minimum 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 remuneration payable to an employed person on the fulfillment of his contract of employment ² [and 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 extended by general or special order of the appropriate Government;

(ii) Contribution paid by the employer to any pension fund or provident fund or under any scheme of social insurance;

- (iii) The travelling allowance or the value of any travelling concession;
 - (iv) The sum paid to the person employed to defray special expenses entailed on him by the nature of his employment;
 - (v) Gratuity payable on discharge.
- (2) 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 wages with or without a cost of living allowance and the cash value of any concession, like supplies of essential commodities at concession rates;
 - (iii) An all-inclusive rate comprising of basic rate, cost of leaven alliance and cash value of concession, if any.
- (3) The minimum wages payable to employees of scheduled employment, notified under Sec. 5 read with Sec. 3 or as revised from time to time under Sec. 10 read with Sec. 3 may be-
- (a) A minimum time rate;
 - (b) A minimum piece rate;
 - (c) Guaranteed time rate;
 - (d) An overtime rate;

Differing with (1) different scheduled employments, (2) different classes of work, (3) different localities, (4) different wage-periods, and (5) different age group.

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 wage fixed for that cases of employee.

The minimum wages payable under this Act shall be paid in cash unless the Government authorizes payment thereof either wholly or partly in kind.

Wage-period shall be fixed for the payment of wages at intervals not exceeding one month ³[or such other larger period as may be prescribed].

Wage shall be paid on a working day within seven days of the end of the wage-period or within ten days if 1,000 or more persons are employed.

The wages of a person discharged shall be paid not later than the second working day after his discharge.

If an employee employed on any day for a period less than the normal working day the 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 commission of the employer to provide him 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.

IV. Hours of work and Holidays

The number of hours which shall constitute a normal working day shall be -

(a) In the case of an adult, 9 hours,

(b) In the case of a child, a 4 hours.

The working day of an adult worker inclusive of the interval of rest shall not exceed twelve hours on any day.

⁴[The employer shall allow a day of rest with wages to the employees every week, Ordinarily, Sunday will be the weekly day of rest, but any other day of the week may be fixed as such rest, day. No employee shall be required to work on a

day fixed as rest day, unless he is paid wages for that day at the overtime rate and is also allowed a substituted rest day with wages (see rule 23).]

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 to overtime worked be entitled to wages in scheduled employment other than agriculture at double the ordinary rate of wages.

V. Fines and 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. ⁵[It shall be subject to such limits as may be specified in this behalf by the Central Government.] It shall be utilized in accordance with the directions of the Central Government;
- (ii) Deductions for absence from duty;
- (iii) Deductions for damage to or loss of goods entrusted to the employee 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. The employed person 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 the presence of another person' The amount of the said deduction shall also be intimated to him. ⁶[It shall be subject to such limits as may be specified in this behalf by the Central Government];
- (iv) Deductions for house accommodation supplied by the employer ⁷ [or by the State Government or any authority constituted by a State Government for providing house accommodation];
- (v) Deductions for such amenities and service supplied by the employer as the Central Government may by general or special order authorize. These will 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-payment of wages; such advances shall not exceed an amount equal to wages for two calendar months of the employed person and the monthly instalment of deduction shall not 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) Deduction for subscription to and for repayment of advances from any provident fund;

⁸[(x) Deductions for payment to co-operative societies or deduction for recovery of loans advances by an employer from out of a fund maintained for the purpose by the employer and approved in this behalf by the Central Government or deductions made with the written authorization 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 Act, 1956 (31 of 1956);]

(xi) Deductions for recovery or adjustment of amount other than wages paid to the employed person in error or in excess of what is due to him:

Provided that prior approval of the Inspector or any other officer authorized by the Central Government in this behalf obtained in writing before making the deductions, unless the employer gives his consent in writing to such deduction;

(Xii) ⁹[deductions made with the written authorization of the employed person (which may be given once generally and not necessarily every time a deduction is made) 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 schemes of any such Government.

Every employer shall send annually return in Form III showing the deduction from wages so as to reach the Inspector not later than the 1st February following the end of the year to which it relates.]

VI. Maintenance of registers and Registers

Every employer ¹⁰[shall maintain at the workspot a register of wages in the form prescribed] specifying the following particulars for each period in respect of each employed person:

- (a) The minimum rates of wages payable;
- (g) The number of days in which overtime was worked;
- (c) The gross wages;

- (d) All deductions made from wages;
- (e) The wages actually paid and the date of payment.

Every employer shall issue wage-slip ¹¹[in the form prescribed] 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-slips.

Entries in the wage-book and wage-slips shall be properly authenticated by the employer or his agent.

¹²[A muster-roll, register of fines, register of deduction for damage or loss and register of overtime shall be maintained by every employer at the workspot in the form prescribed.]

¹² [Every employer shall keep exhibited at the main entrance to the establishment and its office notices in English and the language understood by a majority of the workers of the following particular in clean and legible form:

- (a) Minimum rate of wages;
- (b) ¹³[abstracts of] the Act and the rules made thereunder;
- (c) Name and address of the Inspector.

¹¹ of wages, muster-roll, register of fines, register of deductions for damage or loss and register of overtime shall be preserved for a period of three years after the date of last entry made therein.

All registers and records required to be maintained by an employer under the 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 employers.]

VII. Inspectors

An Inspector can enter in any premises and can exercise powers of Inspection (including examination of documents and

taking of evidence) as he may deem necessary carrying out the purposes of the Act.

VIII. Claims of Complaints

Where an employee is paid less than the minimum at of wages fixed for his class of work or less than the amount due to him under the provision of this Act, he can make an application in the prescribed form within six months to the authority appointed for the purpose. Application delayed beyond the 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 trade union, Inspector under the Act or other person acting with the permission of the authority can make the complaint on behalf of an employed person.

¹²[A single application may be presented on behalf of or in respect of a group of employed persons whose wages has been delayed, if they are borne on the same establishment and their claim relates to the same wage period or periods.]

¹³ [A complaint under Sec. 22 (a) relating to payment of less than the minimum rates of wages or less than the amount due to an employee under the provisions of the Act can be made to the Court only after the application in respect of the facts constituting the offence has been presented under Sec. 20 and has been granted wholly or in part, and the appropriate Government or an officers authorized by it in this behalf has sanctioned the making of the complaint.]

A complaint under Sec. 22 (b) or Sec. 22-A regarding contravention of the provisions relating to hours of work and weekly day of rest or other miscellaneous offences relating to maintenance of registers, submission or returns, etc. can be made to the Court by or with the sanction of an Inspector. The time-limit for making such complaint is one month from the date of grant of sanction by the Inspector, in the case of offences falling under Sec. 22 (b) and six months from the date on which the offence is alleged to have been committed, in the case of offences falling under Sec. 22-A.]

IX. Action by the Authority

The authority may direct the payment of the amount by which the minimum wages payable exceed the amount actually paid together with the payment of compensation not exceeding ten times the amount of such excess. The authority may direct payment of compensation in cases where the excess is paid before the disposal of the application.

If malicious or vexatious complaint is made, the authority may impose a penalty not exceeding Rs. 50 on the applicant and order that it be paid to the employer.

Every direction of the authority shall be final.

¹⁴ [X. Penalties for offences under the Act]

Any employer who pays to any employee less than the amount due to him under the provisions of this Act or infringes any order or rule in respect of normal working day, weekly holiday shall be punishable with imprisonment of either description for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

14 [Any employer who contravenes any provision of the Act or of any rule or order made thereunder shall, if, no other penalty is provided of such contravention by the Act, be punishable with fine which may extend to five hundred rupees. If the person committing any offence under the Act is a company, every person who at the time the offence was committed was in charge of and was responsible to, the company in the conduct of the business of the company as well as the company shall be deemed to be guilty of the offences and shall be liable to be proceeded against and punished accordingly. No such person will be liable to punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

Any director, manager, secretary or other officer of the company with whose consent or connivance an offence has been committed is liable to be proceeded against and punished under the Act.

Notes.-(a) “Company” means any body corporate and includes a firm or other association of individuals.

(b) “Director” in relation to a firm means partner in the firm.]

X. Minimum Rates of wages Fixed

Name of undertaking.....

Serial No.	Category of employees	Minimum Wages
XII. Name and address of the Inspector(s)		
Name	Address	

- 1. Ins. by Notification No. 2727, dated the 11th August, 1954, published in the Gazette of India, Pt. II, Sec. 3 (i), p. 2041, dated the 21st August, 1954.**
- 2. Subs. by G.S.R. 109, dated the 14th January, 1959, published in the Gazette of India, Pt. II, Sec. 3 (i), No. 4, dated 24th January, 1959.**
- 3. Added by G.S.R. 109, dated the 14th January, 1959, published in the Gazette of India, Pt. II, Sec. 3 (ii), No. 4, dated the 24th January, 1959.**
- 4. Subs. by G.S.R. 918, dated the 29th July, 1960, published in the Gazette of India, Pt. II, Sec. 3 (i), dated 6th August, 1960.**
- 5. Subs. by G.S.R. 213, dated 7th February, 1962, published in the Gazette of India, Pt. II, Sec. 3 (i), p. 169, dated 17th February, 1969.**

6. Subs. by G.S.R. 213, dated the 7th February, 1962, published in the Gazette of India, Pt. II, Sec. 3 (i) p. 169, dated the 17th February, 1969.
7. Subs. by G.S.R. 109, dated the 14th January, 1959, published in the Gazette of India, Pt. II, Sec. 3 (i), No. 4, dated the 24th January, 1959.
8. Clause (x) substituted and Cl. (xi) inserted by *ibid*.
9. Ins. by G.S.R. 213, dated the 7th February, 1962, published in the Gazette of India, Pt. II, Sec. 3 (i), p. 169, dated the 17th February, 1962.
10. Subs. by *ibid*.
11. Ins. by G.S.R. 213, dated the 7th February, 1962, published in the Gazette of India, Pt. II, Sec. 3 (i), p. 169, dated 17th February, 1962.
12. Subs. by *ibid*.
13. Subs. by G.S.R. 109, dated the 14th January, 1959, published in the Gazette of India, Pt. II, Sec. 3 (i), dated the 24th January, 1959.
14. Subs. by G.S.R. 109, dated the 14th January, 1959, published in the Gazette of India, Pt. II, Sec. 3 (i), No. 4, dated the 24th January, 1959.

¹ [FORM X

Rule 26 (1)]

Register of Wages

Wages period from to Name of establishment place

1. SI. No.

2. Name of the employee

3. Father's/Husband's name

4. Designation

5. Basic Minimum rate of

6. D.A. wages payable

7. Basic Rates of wages

8. D.A. actually paid

9. Total attendance/units of work done

10. Overtime worked

11. Gross wages payable

12. Employee's contribution to P.F.

13. H.R.

14. Other deductions

Deductions

15. Total deductions

16. Wages paid

17. Date Of payment

18. Signature or thumb-impression of the employee

1. Subs. by G.S.R. 1473, dated the 17th September, 1966.

¹ [FORM XI

[Rule 26 (2)]

Wage Slip

Name of establishment.....

Place.....

1. Name of employee with father's/husband's name.

2. Designation.

3. Wage-period.

4. Rate of wages payable:

(a) Basic

(b) D.A.

5. Total attendance/ unit of work done.

6. Overtime wages.

7. Gross wages payable.

8. Total deductions.

9. Net wages paid.

Pay-in-charge.

.....

Employee's signature/
thumb-impression.]

1. Subs. by G.S.R. 1473, dated 17th September, 1966.