

THE MINIMUM WAGES RULES, 1958

In exercise of the powers conferred by Section 30 of the Minimum Wages Act, 1948 (Central Act XI of 1948) the Government of Kerala hereby make the following Rules the same having been previously published as required under Sub-section (1) of the said Section, namely:—

THE KERALA MINIMUM WAGES RULES, 1958

CHAPTER I

PRELIMINARY

1. *Short title and extent.*— (1) These rules may be called the Kerala Minimum Wages Rules, 1958.

(2) They extend to the whole of the State of Kerala.

2. *Interpretation.*— In these rules, unless the context otherwise requires—

- (a) 'Act' means the Minimum Wages Act, 1948 (Central Act XI of 1948);
- (b) 'Authority' means the Authority appointed under Sub-section (1) of Section 20;
- (c) 'Board' means the Advisory Board appointed under section 7;
- (d) 'Chairman' means the Chairman of the Advisory Board or the Committee as the case may be appointed under Section 9;
- (e) 'Committee' means a Committee appointed under clause (a) of Sub-section (1) of Section 5 and includes a subcommittee appointed under that Section;
- (f) 'Form' means a form appended to these rules;
- (g) 'Inspector' means a person appointed as Inspector under Section 19;
- (h) 'Registered Trade Union' means a Trade Union registered under the Indian Trade Unions Act, 1926 (XVI of 1926);

- (i) 'Section' means a Section of the Act; and
- (j) All other words and expressions used herein and not defined shall have the meaning respectively assigned to them under the Act.

CHAPTER II

MEMBERS AND STAFF AND MEETINGS OF THE BOARD AND COMMITTEE

3. *Term of Office of the Members of the Committee.*— The term of office of the members of the Committee shall be such as in the opinion of the Government is necessary for completing the enquiry into the scheduled employment concerned and the Government may, at the time of the Constitution of the Committee fix such terms and may, from time to time, extend it as circumstances may require.

4. *Term of Office of members of the 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 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 in 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 Government.

*[4A. *Nomination of substitute members.*— If a member is unable to attend a meeting of the committee or the Board the 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].

*[4B. No Act or proceeding of the Committee or the Board shall be questioned on account of any vacancy in the membership or any defect in the appointment of member thereof or any defect or irregularity in any such act or proceeding, not effecting the merits of the case]

*[Inserted by SRO No. 162/76 dated 10-2-1976]

*[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 such rates as may be specified by the Government in this behalf from time to time].

*[Substituted by Notn. dated 13-1-1961]

6. *Staff.*— (1) Government may appoint the Secretary to the 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, 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 the 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 renomination of the members of the Committee and the Board.*— An out-going member shall be eligible for renomination for the membership of the Committee, or the Board, of which he was a member.

8. *Resignation of the Chairman and members of the Committee and the Board and filling of casual vacancies.*— (1) The member of the Committee or the Board other than the Chairman may by giving notice in writing to the Chairman resign his membership;

(2) The Chairman may resign by letter addressed to the Government;

*[(3) A resignation shall take effect from the date of communication of its acceptance or on the expiry of 30 days from the date of resignation whichever is earlier].

*[Inserted by Notn. dated 4-8-1959]

*[(4) 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 Government immediately. Government shall then take steps to fill the vacancy.]

*[Inserted by Notn. dated 4-8-1959]

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 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, 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 been incurred under Sub-rule (1) the decision of the 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 or not less than two-thirds of the representatives of the employers or the employees, as the case may be, the Chairman shall call a meeting within a period of 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 a notice in writing containing the aforesaid particulars along with a list of business to be conducted at the meetings shall be sent to each member by registered post at least *[seven days] before the date fixed for such meeting.

*[Substituted by SRO No. 558/82]

*[x x x]

*[Omitted by SRO No. 558/82 dated 21-4-1982]

13. *Chairman*.— (1) The Chairman shall preside at the meetings 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 votes, who shall preside at such meeting.

*[14. *Quorum*.— No business shall be transacted at any meeting unless at least one-third of the members and at least one representative of both employers and employees are present;

Provided that if at any meeting no representative of the employees has turned up, or less than one-third of the members 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]

*[Substituted by Notn. dated 19-5-1969]

*[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].

*[Added by SRO No. 558/82 dated 21-4-1982]

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 the 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 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 Chairmen 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 there at shall be forwarded to the 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 OR THE 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 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 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 summons 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 employer's 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 Code of Civil Procedure, 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 or the Board.

(5) All books, papers and other documents or thing produced before a Committee, or the Board in pursuance of summons under Sub-section (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 obtained therefrom shall not be made public:

Provided that nothing contained in this Rule shall apply to a disclosure of any such information for the purpose of a prosecution under Section 193 of Indian Penal Code (Central Act XLV of 1860).

19. Expenses of witnesses.— Every person who is summoned and appears as a witness before the 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 allowance 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 of wages.*— The average retail prices at the nearest market for the period of three months immediately preceding the month for which the Wages are to be computed shall be taken into account in computing the cash value of wages paid in kind and of concession in respect of essential commodities supplied at concession rates. This computation shall be made in accordance with such directions as may be issued by the Government from time to time.

21. *Time and conditions of payment of wages and the deductions permissible from wages.*— (1) (i) * [The wages of a worker in any scheduled employment] shall be paid on a working day.

* [Substituted by Notn. dated 14-8-1959]

- (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 in the employment of any person is terminated by or on behalf of the employer or due to the acceptance of the employee's resignation, 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.

Explanation.— (1) Every payment made by the employer to the employed person to the employer or his agent shall for the purpose of these rules, be deemed to be a deduction from wages.

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

- (i) fines in respect of such acts and omissions on the part of the employed persons as may be specified by the Government by general or special order in this behalf;
- (ii) deductions 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, or the Government or any authority notified by the Government for providing housing accommodation;
- (v) deduction for such amenities and services supplied by the employer as the Government, may, by general or special order authorise;

Explanation.— The words 'amenities and services' in this clause do not include the supply of tools and protective 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) deduction 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 subscription to and for repayment of advance from any Provident Fund to which the Provident Funds Act, 1925 (Central Act XIX of 1925) or the Employees' Provident

Fund Act, 1952 (Central Act XIX of 1952) 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 Government during the continuance of such approval;

- *[(x) deductions for payment to Co-operative Societies *[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 State Government] or 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 Act, 1956 (Act 31 of 1956)]

*[Substituted by Notn. dated 30-12-1958]

- (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:

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.

- *[(xii) deductions made with the written authorisation 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].

*[Added by Notn. dated 29-9-1961]

- *[(xiii) deductions made with the written authorisation of
 - (a) the employed person; or

- (b) the President or secretary of the registered trade union of which the employed person is a member on such conditions as may be prescribed for contribution to the National Defence Fund or to any Defence Savings Scheme approved by the State Government.]

*[Inserted by Notn. 17-7-1963]

(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 an explanation in writing and also to be heard in person, if he so desires (in the presence of another person). The fine shall be levied for the deduction ordered after due consideration of the explanation offered (in writing or in person as the case may be). The amount of the said fine or deduction shall also be intimated to him.

(4) (i) The total amount of deduction for damage or loss ordered under Sub-rule (3) shall not exceed in any one wage period, an amount equal to half anna in rupee of the wages payable to the employed person in respect of such wage period.

(ii) The total amount of fine which may be imposed under Sub-rule (3) shall not exceed the cost of replacing the article damaged or lost on the date of passing the order of recovery, or the book value of the article whichever is less. Where the amount of deduction exceeds an amount equal to one third of the wages payable to the employed person in respect of a wage period, the deduction shall be made in instalments in such a way that the amount of each instalment does not exceed one third of the average wages payable to him between one instalment and the other.

*[(iii) All realisations under clause (i) and all deductions under clause (ii) shall be recorded in registers maintained in Form I and Form II respectively. A return in Form III shall be submitted annually

by every employer, who has made any realisation or deduction as aforesaid, to the **[Inspector of plantations in respect of employments in plantations or to the Assistant Labour Officer in respect of other employments] having jurisdiction over the area, so as to reach him on or before the 1st day of February of the succeeding year. In case no realisation under clause (i) or deduction under clause (ii) is made during any year, the employer shall submit an annual return in Form III-A, to the **[Inspector of plantations in respect of employments in plantations or to the Assistant Labour Officer in respect of other employments] having jurisdiction over the area, so as to reach him on or before the said date:

Provided that, if the Inspector is of opinion that any muster-roll or register maintained as part of the routine of an establishment gives in respect of any or all the employed persons in that establishment the particulars required in the form prescribed under this Sub-rule he may, by order in writing direct that such roll or register shall to the corresponding extent, be maintained in place of and be treated as the register of that establishment required to be maintained under this Sub-rule].

*[Substituted by Notn. 8185/A1/69/LSWD dated 26-9-1971]

**[Substituted by SRO 155/76 dated 10-1-1976]

(5) All realisations from fine shall be applied only to such purposes which are beneficial to the persons employed in the scheduled employment as are generally approved by the Government in this behalf.

(6) Nothing in this rule shall be deemed to affect the provisions of the Payment of Wages Act, 1936, the Madras Shops and Establishments Act, 1947 and the Travancore-Cochin Shops and Establishments Act, 1125.

*[22. *Publicity to the minimum wages fixed under the Act.*— Notice in Form IV containing the minimum rates of wages fixed **[the wage period and date of payment of wages] together with abstracts of the Act, the Rules made there under and the name and address of the Inspector shall be displayed in English and in language understood by the majority of the work-

ers in the employment ***[at the main entrance to the establishment and at its office] and shall be maintained in a clean and legible conditions].

*[Substituted by Notn. dated 4-8-1959]

**[Inserted by SRO No. 162/76 dated 10-1-1976]

***[Substituted by SRO No. 225/64 dated 11-7-1964]

23. *Weekly holidays.*— (1) Unless otherwise permitted by the Government, no worker shall be required or allowed to work in Scheduled employment, on the first day of the week (hereinafter referred to as the said day) except when he was or will have a holiday for the whole day on one of the three days immediately before or after the said day. Every worker who shall be required or allowed to work in a scheduled employment on the said day shall be paid wages equal to his average daily wages during the week he has last worked:

Provided that the weekly holiday may be substituted by another day:

Provided further that no substitution shall be made which will result in any worker working for more than ten days consecutively without a holiday for a whole day.

(2) Where in accordance with the provision of Sub-rule (1), any worker works on the said and has had a holiday on one of the three days immediately preceding it, the said day shall, for the purpose of calculating his weekly hours of work, be included in the preceding week.

Explanation.— For the purposes of this rule week shall mean a period of seven days beginning at mid-night on Saturday night.

(3) Nothing in this rule shall be deemed to affect the provisions of the Madras Shops and Establishments Act, 1947 and the Travancore-Cochin Shops and Establishments Act, 1125.

24. *Number of hours of work which shall constitute a normal working day for employments other than plantations.*— (1) 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, $4\frac{1}{2}$ hours.

(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 period 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 spread over to twelve hours.

(4) 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 Government.

(5) The provisions of Sub-rule (1) to (4) shall, in the case of workers in agricultural employment, be subject to such modifications as may, from time to time, be notified by the Government.

(6) No child shall be employed or permitted to work for more than 4 and half hours on any day.

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

25. Number of hours of work which shall constitute a normal working day for employment in Plantations.— (1) The number of hours which shall constitute a normal working day for employment in plantations shall be:

- (a) in the case of an adult, 9 hours;
- (b) in the case of an adolescent, 6 hours and 40 minutes;
- (c) in the case of a child 4 and half hours.

(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 period of work of an adult worker shall be so arranged that inclusive of this intervals for rest under Sub-rule (2) they shall not spread over

more than twelve hours including the time spent in waiting for work on any day.

(4) The period of work of an adolescent 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.

(5) Nothing in this rule shall be deemed to affect the provisions of the factories Act, 1948 and the Plantations Labour Act, 1951.

26. Cases and circumstances in which an employee employed or a period of less than the requisite number of hours constituting a normal working day.— (1) 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].

*[Substituted by Notn. dated 8-9-1966]

(c) Strike or stay in strike.

(2) In the cases of interruption brought about by tempest, fire, rain, break down of machinery, epidemic, civil commotion or other natural causes beyond the control of the employer, 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 at any time before the interval for mid day rest. If the interruption occurs after the interval for mid day rest he shall be paid wages for a full normal working day.

(3) 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 the proportion the number of hours he worked bears to the number of hours constituting the normal working day

*[(4) 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 by Notn. dated 8-9-1966]

27. Number of hours of overtime.— The total number of hours of overtime a worker shall be required or allowed to work in any employment shall not exceed fifty for any one quarter.

Explanation.— 'Quarter' means a period of three consecutive months beginning on the 1st of January, the 1st of April, the 1st of July or the 1st of October.

28. *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 times 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 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 overtime payments shall be kept in Form V *[by every employer in any scheduled employment other than the Employment in agriculture]. Overtime work shall be entered up in the register before the expiry of 24 hours from the commencement of such work;

*[Added by Notn. dated 8-12-1959]

*[x x x]

*[Omitted by SRO No. 299/65 dated 17-9-1964]

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

29. Form of registers and records.— *[(1) A Register of wages in Form XI shall be maintained by every employer and kept at the workspot:

Provided that the Register of wages to be maintained by the employer in the case of employment in agriculture shall be in Form XII:

**[Provided further that this Register need not be maintained by the employer who is required to maintain, and who actually maintains, the Register in Form 8 prescribed by Sub-rule (1) of Rule 23 of the Kerala Agricultural Workers Rules, 1975].

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

*[Substituted by Notn. dated 29-6-1970]

**[Added by SRO No. 1336/79 dated 19-11-1979]

(3) Every employer shall get the signature or the thumb impression of every person employed in the *[register of wages] and wage slips at the time of payment of wages.

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

*[Substituted by Notn. dated 17-7-1965]

(5) A Muster Roll shall be maintained by every employer *[in the scheduled employments other than the employment in agriculture] and kept in form VI.

*[Inserted by Notn. dated 8-12-1959]

*[x x x]

*[Omitted by SRO No. 299/64 dated 17-9-1964]

*[(6) A Muster Roll, register of fines, register of deductions for damage or loss and register of overtime shall be maintained by every employer at the workspot in the form prescribed].

*[Added by SRO. No. 225/64 dated 11-7-1964]

*[(7) In any register or record which an employer is required to maintain under these rules, the entries relating to any day shall be made on such day; and

(8) Every employer shall maintain a visit book in which an inspector visiting the establishment may record his remarks regarding any defects that may come to his notice at the time of his inspection and shall produce it whenever required to do so by any Inspector having jurisdiction].

*[Added by Notn. No. 1624/E1/73/LBR dated 22-8-1973]

*[29A. *Preservation of registers.*— Each register required to be maintained under Rule 21(4), 28(2), 29(1) and the muster roll required to be maintained under Rule 29 (5) shall be preserved for a period of three years after the date of last entry made therein].

*[Inserted by Notn. dated 22-5-1961]

*[29B. *Use of alternative form in certain cases.*— 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 provisions 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 Labour Commissioner] **[or any other officer authorised by the Labour Commissioner in writing in this behalf].

*[Inserted by SRO. No. 299/64 dated 17-9-1964]

**[Inserted by SRO. No. 341/99 dated 13-4-1999]

30. *[*Production of Registers and other records.*— The registers, records and notices maintained as exhibited under the provisions of these rules shall always be available at or as near as practicable, to the site of employment and shall be produced or caused to be produced for inspection, at all reasonable hours by any Inspector having jurisdiction over the establishment.

*[Inserted by Notn. dated 22-5-1961]

*[Provided that the Inspector may, if he considers necessary, demand the production of the registers and records of any establishment, including those

which have been closed, in his office or such other public place as may be nearer to the employer].

*[Added by Notn. dated 22-5-1961]

*[30A. *Infringement of the Act and Rules.*— Any infringement of the provisions of the Act or of 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.]

*[Inserted by Notn. dated 22-8-1970]

CHAPTER V

CLAIMS UNDER THE ACT

*[31. *Applications.*— (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 person shall be made in duplicate in Form VII, VIIA or VIII as the case may be, one copy of which shall bear the prescribed court fee.

(2) A single application under Section 20 read with Sub-section (1) of Section 21 may be presented on behalf or in respect of a group of employed persons, if they are borne on the same establishment and their claims relate to the same wage period or periods].

*[Substituted by Notn. dated 17-5-1961]

32. *Authorisation.*— The authorisation to act on behalf of an employed person or persons under Sub-section (2) of Section 20 or Sub-section (1) of Section 21 shall be given in form IX by an instrument which shall be presented to the Authority hearing the application and shall form part of the record.

33. *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 X 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 application shall then be reheard after service of notice on the opposite party on the date fixed for rehearing in the manner specified in Sub-rule (1).

CHAPTER VI

SCALE OF COSTS IN PROCEEDINGS UNDER THE ACT

34. *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 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.

35. *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-one rupee];

- **[(iii) for every application made on behalf, or in respect of a number of employees one rupee per employee subject to an maximum of twenty rupees];

*[Substituted by Notn. dated 29-6-1964]

**[Inserted by Notn. dated 17-5-1961]

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 persons employed in Agriculture; or

(b) in respect of an application made by an Inspector.

36. *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 State Government, make equally satisfactory provisions for the matters dealt with by these rules and such opinion shall be final.

37. *Repeal.*— The Travancore-Cochin Minimum Wages Rules, 1951 and the Minimum Wages (Madras) Rules, 1953 as in force in the Malabar District referred to in Sub-section (2) of Section 5 of the S.R. Act, 1956 (37 of 1956) are hereby repealed:

Provided that any order made or action taken under the Rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

[Rule 21 (4)]

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 realised	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 EMPLOYERS BY THE NEGLECT OR DEFAULT OF THE EMPLOYED PERSON

..... Employer

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

FORM III
[See Rule 21 (4)]
ANNUAL RETURN

Return for the year ending with the 31st December

1. (a) Name of the establishment and Postal Address
- (b) Name & 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
3. *Number of man-days worked during the year
 - (1) Adults
 - (2) Children

Total
4. * *Average daily number of persons employed during the year
 - (1) Adults
 - (2) Children

Total
5. Total wages paid in cash (Rs Ps.)
6. ***Total cash value of the wages paid in kind (Rs. Ps.)
7. Deductions made during the year

No. of cases	Total	Amount Rs. Ps.
(a) Fines.		
(b) Deductions for damage or loss.		
(c) Deductions for breach of contract.		
	Total	
8. Balance of Fines Fund at the beginning of the year Rs. Ps.
9. Disbursement from the Fines Fund during the year

Purpose	Amount Rs. Ps.
(a)	
(b)	
(c)	
(d)	
	Total

10. Balance of Fines Fund in hand at the end of the year

Rs. Ps.

Dated :

Signature:

Designation:

To the Assistants Labour Officer

or Inspector of Plantations

(Here enter the address of the Officer concerned)

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

** *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 days.*

*** *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 employees for supplies of essential commodities given at concessional rates.*

FORM IIIA

[See Rule 21 (4) (iii)]

ANNUAL RETURN

Payment of Wages

Return for the year ending with the 31st December

1. Name of the employer and Postal Address :
2. Industry or employment
3. Average daily number of persons employed during the year
 - (i) Adults
 - (ii) Children
 - (iii) Total
4. Number of days worked during the year
- **5. Number of man-days worked during the year
 - (i) Adults
 - (ii) Children
 - (iii) Total
6. Total wages paid in cash
- ***7. Total Cash value of the wages paid in kind
8. Balance of Fines Fund at the beginning of the year
9. Disbursement from the Fines Fund during the year

Rs. Ps.

Rs. Ps.

Rs. Ps.

	Purpose	Amount Rs. Ps.
(a)		
(b)		
(c)		
(d)		
Total		_____
10. Balance of Fines Fund in hand at the end of the year		Rs. Ps.
Place:	Signature:	
Date:	Designation:	
To		
The Assistants Labour Officer or Inspector of Plantations (Here enter address of the Officer concerned)		
* <i>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</i>		
** <i>This is the aggregate number of attendance during the year.</i>		
*** <i>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 employees for supplies of essential commodities given at the concessional rates.</i>		

FORM IV
[See Rule 22]

**ABSTRACT OF THE MINIMUM WAGES ACT, 1948 AND THE
 RULES MADE THEREUNDER**

NOTICES

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 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 excluded by general or special order of the 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 concessions, like supplies, of essential commodities at concession rates;

(iii) an all-inclusive rate comprising of basic rate, cost of living allowance and cash value of concession, if any.

(3) The minimum wages payable to employees of scheduled employments, notified under Sec. 5 read with Sec. 3 or as revised from time to time under Section 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 groups.

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 wages fixed for that class of employee.

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

Wage periods shall be fixed for the payment of wages at intervals not exceeding one month 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 wage of a person discharged shall be paid not later than the second working day after this 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 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 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, four and half 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 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 any week, he shall in respect to overtime worked be entitled to wages in scheduled employment other than agriculture a 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. It shall be subject to such limits as may be specified in this behalf by the Government. It shall be utilised in accordance with the directions of the Government;
- (ii) deductions for absence from duty;

(iii) deductions for damage to or loss of goods entrusted to the employee of 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 in the presence of another persons. The amount of the said deduction shall also be intimated to him. It shall be subject to such limits as may be specified in this behalf by the Government;

(iv) deductions for house accommodation supplied by the employer or by the Government or any authority constituted by a Government for providing housing accommodation;

(v) deductions for such amenities and services supplied by the employer as the Government may by general or special order authorise. 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;

(x) deductions for payment to Co-operative societies of deductions for recovery of loans advanced by an employer form out of a fund maintained for the purpose by the employer and approved in this behalf by the Government or deductions made with the written authorisation of the persons 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 (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 authorised by the Government in this behalf obtained in writing before making the deductions, unless the employee gives his consent in writing to such deductions;

(xii) deductions made with the written authorisation 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 scheme 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.

(xiii) deductions made with the authorisation of

(a) the employed person; or

(b) the President or Secretary of the registered trade union of which the employed person is a member on such conditions as may be prescribed for contribution to the National defence Fund or to any Defence Scheme approved by the State Government.

VI. Maintenance of Registers and Records

Every employer 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;

(b) 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-slips 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-books and wage-slips.

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

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

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

(a) Minimum rate of wages;

(b) Abstracts of the Act and the Rules made thereunder;

(c) name and address of the Inspector.

Register 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 for carrying out the purposes of the Act.

VIII. Claims of 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 in 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 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.

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.

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 an 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 Government or an officer authorised by it in this behalf has sanctioned the making of the complaint.

A complaint under Section 22 (b) or 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 of returns, etc. can be made to the Court by or with the sanction of an Inspector. The time-limit for making such complaints 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 offences 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 a 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.

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 rules in respect of normal working day, weekly holiday shall be punishable with the imprisonment of either description of 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 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 for the conduct of the business of the company as well as the company shall be deemed to be guilty of the offence 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 officers of the company with whose consent or connivance an offence has been committed is liable to be proceeded against and punished under the Act.

Note.— (a) "Company" means any body corporate and includes a firm or other association of individuals.

(b) "Director" in relation to a firm means a partner in the firm.

XI Minimum Rates of wages Fixed

Name of undertaking

Serial No.	Category of employees	Minimum Wages
*[XII. Wage period and date of payment of wages]		
Wage period	Date of payment of wages]	
*[XIII]. Name and Address of the Inspector (s)		
Name	Address	

Item XII was re-numbered as item XIII and before the item so re-numbered item XII inserted by SRO. No. 162/76 dated 10-1-1976 in Kerala Gazette No. 6 dated 10-2-1976

FORM V
OVER-TIME REGISTER FOR WORKERS
[Rule 28 (2)]

Month ending200

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

Name of Establishment Place

[illegible]

FORM VII

[Rule 31]

FORM OF APPLICATION BY AN EMPLOYEE UNDER SECTION 20(2)

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

Application No 200.....

(1) Applicant (through.....

..... a legal practitioner/an official of

..... which is registered Trade Union)

Address

VERSUS

(1)

(2) Opponent(s)

(3)

Address

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 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 rate of wages fixed for his category of employment under the Act by Rs per day for period from to

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

..... *(c) The applicant has not been paid wages at the overtime rate for the period from to

(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;

* (b) Payment of remuneration for the days of rest;

* (c) Payment of wages at the overtime rate.

(6) The applicant begs leave to amend or add to or make alternations in the 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.

Date

signature of thumb impression of the
employed person, or legal practitioner
or official of a registered Trade Union
duly authorised

*[Delete the portions not required]

FORM VII A

[Rule 31]

FORM OF GROUP APPLICATION UNDER SECTION 21(1)

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

Application No of 200.....

Between A.B.C. and (State the number) others
.....

Applicants:

(through a legal practitioner/an official of
..... which is a registered Trade Union)

Address

and X, Y, Z

Opposite Party

Address

The applicants state as follows:-

(1) The Applicant whose names appear in the attached schedule were / have been employed from to as (categories) in (establishment) of Shri/Messrs engaged in (nature of work) which is/ are scheduled employments 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 (categories) of employment under the Act by Rs per day for the period(s) from to

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

..... *(c) The applicants has not been paid wages at the 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, 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;

..... *(b) Payment of remuneration for the days of rest;

..... *(c) Payment of wages at the overtime rate(s).

(6) The applicants begs leave to amend or add to or make alternations in the application, if and when necessary, with the permission of the Authority.

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

Date:

signature of thumb impression of the
employed person, or legal practitioner
or official of a registered Trade Union
duly authorised

*[Delete the Portions not required]

FORM VIII

[Rule 32]

FORM OF APPLICATION BY AN INSPECTOR OR PERSON ACTING WITH THE PERMISSION OF THE AUTHORITY UNDER SECTION 20(2)

In the Court of the Authority appointed under the Minimum Wages Act, 1948
for area Application No 200.....

(1) Applicant Address.....

VERSUS

(1) Opponent(s) Address

The applicant above named states as follows:-

(1) The opponent (s) has/have

* (a) paid wages at less than the minimum rates of wages fixed for their category (categories) of employment(s) under the Act by Rs per day for the period(s) from to

* (b) not paid wages at Rs per day for the weekly days of rest from to

* (c) not paid wages at the overtime rate (s) for the period from to to the following employees.

(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;

* (b) Payment of remuneration for the days of rest;

* (c) Payment of wages at the overtime rate(s)

(4) The applicant begs leave to amend or add to or make alternative 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.

Date:

Signature

*[Delete the portions not required]

FORM IX

[Rule 32]

FORM OF AUTHORITY IN FAVOUR OF A LEGAL PRACTITIONER OR ANY OFFICIAL OF A REGISTERED TRADE UNION REFERRED TO SECTION 20(2)

In the Court of the Authority appointed under the Minimum Wages Act, 1948 (Central Act XI of 1948) for area

Application No 200.....

(1)

(2) Applicant(s)

(3)

VERSUS

(1)

(2) Opponent(s)

(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 appearing and acting.

Date :

Signature or Thumb
impression of the employee

FORM X

[Rule 33]

**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 (Central Act XI of 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 question, on the day of 200..... 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 the day, all the witness upon whose evidence and all 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

Signature of the Authority.

FORM XI
REGISTER OF WAGES
[See Rule 29(1)]

Wage period from

to

Name of Establishment:
Place:

Serial No.	Name of the employee	Father's / Husband's name	Designation	Minimum rates of wages payable		Rates of wages actually paid		Total Attendance units of work done	Overtime worked
				Basic	D.A	Basic	D.A		
1	2	3	4	5	6	7	8	9	10

Deductions

Gross Wages Payable	Employees contribution to P.F.	H.R.	Other deductions	Total deductions	Wages paid	Date of payment	Signature/Thumb impression of employee
11	12	13	14	15	16	17	18

FORM XII
REGISTER OF EMPLOYMENT - CUM - WAGES FOR EMPLOYMENT IN AGRICULTURE
[See proviso to Rule 29(1)]

Name and address of the Land Owner					Volume of work done (quantity of paddy harvested and threshed/No. of Coconut trees climbed/hours employed etc.)	Minimum rates of wages payable		Wages paid		Signature of employee	Signature of land owner
Sl. No.	Date	Name and address of the employee	Sex	Nature of work done		In Kind	In Cash	In Kind	In Cash		
1	2	3	4	5		6	7	8	9		

Substituted by Notn. S.R.O. No. 1706/85 in Kerala Gazetted No. 1072 dated 18-12-1985

FORM XIII
WAGES SLIP

[See Rule 29(2)]

Name of the Establishment
Place :

1. Name of the employee with
Father's/Husband's name:
2. Designation
3. Wage period
4. Rate of wage payable
 - (a) Basic wage
 - (b) D.A.
5. Total attendane/Units of
work done
6. Over-time wages
7. Gross Wages payable
8. Total deductions
9. Net wages paid

Pay-in-charge

(Employee's Signaure/
Thump Impression)