

Atal Nagar, the 25th May 2021

### NOTIFICATION

No. F 10-4/2021/16.—The following draft rules, which the State Government proposes to make in exercise of the powers conferred under section 67 of the Code on Wages, 2019 read with section 24 of the general clauses act 1897(10 of 1897)

and in supersession of:-

1. The Minimum Wages (The Chhattisgarh) Rules, 1958;
2. The Chhattisgarh Payment of Wages Rules, 1962

made by the State Government in exercise of the powers conferred by the Minimum Wages Act, 1948(11 of 1948) and The Payment of Wages Act, 1936 (4 of 1936) as the case may be, which are repealed under section 69 of the said Code on Wages-2019, except in respect to things done or omitted to be done before such supersession,

are hereby notified, as required by sub-section (1) of said section 67, for information of all persons likely to be affected thereby and the notice is hereby given that the said draft notification will be taken into consideration after the expiry of a period of forty-five days from the date on which the copies of the Chhattisgarh Gazette in which this notification is published are made available to the public;

Objections and suggestions, if any, may be addressed to Deputy Secretary to the Government of Chhattisgarh, Department of Labour, Mantralaya Mahanadi Bhawan or Labour commissioner, Government of Chhattisgarh, Indrawati Bhawan, Nawa Raipur Atal Nagar, Raipur (C.G.) ; Or by email [cglc2012@gmail.com](mailto:cglc2012@gmail.com) Objections and suggestions, which may be received from any person with respect to the said draft notification before expiry of the period specified above, will be considered by the State Government.

### CHAPTER I – PRELIMINARY

#### 1. Short title, extent and commencement.-

- (1) These rules may be called the Code on Wages (Chhattisgarh) Rules, 2021.
- (2) They extend to the whole of Chhattisgarh state.
- (3) They shall come into force on the date of their final publication in the Official Gazette.

#### 2. Definitions.-

- (1) Unless the context otherwise requires, —
  - (a) “authority” means the authority appointed by the Chhattisgarh State Government under sub-section (1) of section 45;
  - (b) “appellate authority” means the appellate authority appointed by the Chhattisgarh State Government under sub-section (1) of section 49;
  - (c) “appeal” means an appeal preferred under sub-section (1) of section 49;
  - (d) “Board” means the Chhattisgarh State Advisory Board constituted by the state Government under sub-section (4) of section 42;
  - (e) “Chairperson” means the chairperson of the Board;
  - (f) “Code” means the Code on Wages, 2019 (29 of 2019);

- (g) “committee” means a committee appointed by the Chhattisgarh State Government under clause (a) of sub-section (1) of section 8;
- (h) “commission” means remuneration that is paid to an employee or worker only under extraordinary circumstances, over and above the remuneration payable in the ordinary circumstances of employment, when such employee or worker acts on his/her own accord outside employment, and such act has resulted in profit for the establishment.
- Explanation- It is further clarified that remuneration paid to platform workers, sales promotion employees, gig workers, home-based workers-is wage and not commission.
- (i) “day” means a period of 24 hours beginning at mid-night;
- (j) “employee” - for the purposes of the Code and the Rules made thereunder, any worker employed in an industry or establishment mentioned in the Schedule E is declared to be ‘employee’, irrespective of the manner in which remuneration is paid to such worker.
- (k) “family” includes all or any of the following relatives of an employee/worker namely:—
- (a) a spouse;
  - (b) a minor or adopted child dependent upon the employee ;
  - (c) a child who is wholly dependent on the earnings of the employee/worker, and who might be—
    - (i) receiving education, till he or she attains the age of twenty-one years; and
    - (ii) an unmarried daughter;
  - (d) a child who is differently-abled or has suffered an injury permanently/temporarily incapacitating, and is wholly dependent on the earnings of the employee, so long as the infirmity continues;
  - (e) dependent parents (including father-in-law and mother-in-law);
  - (f) provided that in case of any other person being dependent for livelihood on the employee/worker, evidence may be led in order to prove the dependency.  
 Provided that in case of differently-abled or special-needs person or person belonging to third gender, residing in the same household as the employee/worker, it shall be presumed unless proven to the contrary that the said person is dependent for livelihood on the employee/worker.
- (l) “Form” means a form appended to these rules;
- (m) “Government” means the Government of Chhattisgarh;
- (n) “Geographical Area” means, the areas notified as such by the State Government from time to time
- (o) “highly skilled occupation” means an occupation which calls in its performance a specific level of perfection and required competence acquired through intensive technical or professional training or practical occupational experience for a considerable period and also requires of an employee to assume full responsibility for his judgment or decision involved in the execution of such occupation;
- (p) “Inspector-cum-Facilitator” means a person appointed by the State Government, by notification under sub-section (1) of section 51;
- (q) “member” means a member of the Board and includes its Chairperson;
- (r) “population” means the population as ascertained at the last preceding census of which the relevant figures have been published;
- (s) “recruitment” means and includes condition of service subsequent to recruitment such as promotions, training or transfer.
- (t) “registered trade union” means a trade union registered under The Industrial Relation Code 2020;

- (u) “Schedule” means the schedule to these rules;
- (v) “section” means a section of the Code;
- (w) “semi-skilled occupation” means an occupation which in its performance requires the application of skill gained by the experience on job which is capable of being applied under the supervision or guidance of a skilled employee and includes supervision over the unskilled occupation;
- (x) “skilled occupation” means an occupation which involves skill and competence in its performance through experience on the job or through training as an apprentice in a technical or vocational institute and the performance of which calls for initiating and judgement;
- (y) “standard working class family” means and includes a spouse and two children.
- (z) “unskilled occupation” means an occupation which in its performance requires the application of simply the operating experience and involves no further skills;
- (2) words and expressions used herein in these rules and not defined shall have the meanings respectively assigned to them under the Wage Code 2019.

## **CHAPTER II - Minimum Wages**

### **3. Manner of calculating the minimum rate of wages. –**

(1) For the purposes of sub-section (5) of section 6, the minimum rate of wages shall be fixed on the day basis keeping in view the following criteria, namely (Explanation:- The definition of “standard working class family” may be modified by the state government via notification, for a particular area or whole of the State, upon taking into account the fertility rate, estimates regarding family sizes and other relevant criteria.):-

- (a) the standard working class family which includes a spouse and two children apart from the earning worker; an equivalent of three adult consumption units;
- (b) A net intake of 2700 calories per day per consumption unit;
- (c) 66 meters cloth per year per standard working class family;
- (d) Housing rent expenditure as per prevalent market rate for a low-income group flat with 60 sq.m. carpet area;
- (e) Expenditure needed to be incurred for maintaining menstrual hygiene;
- (f) Fuel, electricity and other miscellaneous items of expenditure to constitute 20 percent of minimum.
- (g) Expenditure for children education, medical requirement, recreation and expenditure on contingencies to constitute 25 percent of minimum wage.

(2) When the rate of wages for a day is fixed, then, such amount shall be divided by eight for fixing the rate of wages for an hour and multiplied by thirty for fixing the rate of wages for a month and in such division and multiplication the factors of one-half and more than one-half shall be rounded as next figure and the factors less than one-half shall be ignored.

(3) The retail prices at the nearest market in the said geographical area shall be taken into account in computing the cash value of wages paid in kind. This computation shall be made in accordance with such directions as may be issued by the State Government and the State Advisory Board, from time to time.

### **4. Norms for fixation of minimum rate of wages.-**

- (1) While fixing the minimum rates of wages under section 6, the State Government shall take into account the following:
- geographical area;
  - experience in the area of employment; and
  - level of skill required for working under the categories of unskilled, semi-skilled, skilled and highly skilled;
  - Industry and/or clusters thereof;
- (2) Where the establishment or industry employs its workers or employees on piece-rate basis, in order to fix the minimum wage rate for such establishment or industry, the State Government and the State Advisory Board shall, in addition to criteria set out in sub-rule (1), shall ensure that:
- A rational analysis is undertaken to assess the time taken to complete each 'piece' of such work along with adequate breaks and to assess the reasonable number of such 'piece' of works that can be executed/completed in a day comprising not more than eight hours of work;
  - The minimum piece rate so fixed should not result in wage rate lower than minimum wage rate fixed for comparable industry on time-basis.
- (3) The minimum wage so fixed shall be applicable uniformly for all employees or workers, regardless of their age or gender.
- (4) The State Government shall constitute a committee on tripartite basis for the purpose of advising the State Government in respect of skill categorization, arduousness of work, height, temperature or humidity normally difficult to bear, hazardous occupations or processes and underground work in unskilled, semiskilled, skilled and highly skilled categories and like other categorization
- (5) For the purposes of fixing minimum wage rates, the State Advisory Board constituted under sub-section (4) of section 42, shall take into account the norms and the criteria as has been prescribed for the same.
- (6) Technical Sub-Committee:- The committee formed under sub-rule (4) and the State Advisory Board constituted under sub-section (4) of section 42, may form 'technical sub-committees' for different industries and/or clusters thereof.
- (7) The members of sub-committees formed under sub-rule (6) shall be nominated by the State Government upon recommendations of committee formed under sub-rule (4) and of State Advisory Board, in accordance with principles of tripartite representation and shall be drawn from the said industry and/or cluster.
- (8) The Technical Sub-Committee under sub-rule (6) for fixing of minimum wage rate shall be constituted, within a period of five years from the date when the last notification for fixing of minimum wage rate for a particular industry and/or cluster had been issued.
- (9) The State Government shall, on the advice of the committee referred to in sub-rule (4), categorize the occupations of the employees into four categories that is to say unskilled, semiskilled, skilled and highly skilled by modifying, deleting or adding any entry in the categorization of such occupation specified in Schedule E by notification.
- (10) The committee referred in sub-rule (4) shall while advising the State Government take into account, to the possible extent, the national classification of occupation or national skills

qualification framework or other similar framework for the time being formulated to identify occupations.

#### **5. Interval for revision of dearness allowance.-**

The cost of living allowance and the cash value of the concession in respect of essential commodities at concession rate shall be computed once before 1<sup>st</sup> April and then before 1st October in every year to revise the variable dearness allowance payable to the employees on the minimum wages considering the Average Consumer Price Index Number for Industrial Workers published by the Labour Bureau, Ministry of Labour and Employment, Government of India.

#### **6. Number of Hours of work which shall constitute a normal working day.—**

(1) No employee or worker shall be required or allowed to work in an establishment for more than forty eight hours in a week.

(2) If an employee or worker works on daily basis in an establishment, the period of work of such employee or worker shall be so arranged that inclusive of his interval for rest shall not spread over for more than ten and half hours per day.

(3) If the employee or worker works in the establishment for six days in a week, the period of work of an employee or worker shall be so arranged that inclusive of his interval for rest shall not spread over for more than ten and half hours per day and the seventh day of the said week for the employee or worker, shall be a paid holiday.

(4) If the employee or worker works in the establishment for less than six days in a week arising due to provision of flexibility in working hours, the period of work of an employee or worker shall be so arranged that inclusive of his interval for rest shall not spread over for more than twelve hours per day and the remaining days of the said week for the employee shall be paid holidays.

Provided that the flexibility in working hours shall be permitted with the consent of negotiating union/negotiating council or with the consent of majority of employee and workers in the absence of negotiating union/negotiating council, and prior consent of authorized authority by the state government.

Provided that it shall be the responsibility of the principal employer that no employee or worker is 'doubly-employed' and the sub-rule (1) is strictly adhered to.

(5) No employee or worker shall be allowed to work for more than five hours continuously before he has had an interval for rest of at least half an hour.

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

(7) The provisions of sub-rules (1), (2), (3), (4) and (5) shall, in the case of an employee or worker employed in agricultural employment, be subject to such modifications as may, from time to time, be determined by the State Government.

#### **7. Weekly day of rest.—**

(1) Subject to the provisions of this rule, an employee or worker shall be allowed rest of one day or more than one day as the case may be, every week (hereinafter referred to as "the rest

days”) which in case of six day week shall ordinarily be Sunday and in case less of than six day week shall include Saturday and Sunday, but the employer may fix any other days of the week as the rest days for any employee or worker, or class of employees or workers.

Provided that in a six day working week or less than six day working week, as the case may be, the remaining days of the week shall be paid rest days for such employees or workers.

Provided that an employee or worker shall be entitled for the rest days under this sub-rule if he has worked under the same employer in case of six day week for a continuous period of not less than six days and in case of less than six day working week for a continuous period of the stipulated number of working days as the case may be.

Provided further that the employee or worker shall be informed of the day fixed as the rest day and of any subsequent change in the rest day before the change is effected, by display of a notice to that effect a conspicuous place in the place of employment.

**Explanation.-** For the purpose of computation of the continuous period of not less than six days or the stipulated number of working days in a week specified in the second proviso to this sub-rule, any day on which an employee or worker is required to attend for work but is given only an allowance for attendance and is not provided with work, any day on which an employee or worker is laid off on payment of compensation under the Industrial Relation code 2020 and any leave or holiday, with or without pay, granted by the employer to an employee or worker in the period of six days or during the stipulated number of working days of a week as the case may be, immediately preceding the rest days, shall be deemed to be days on which the employee has worked.

(2) Any such employee or worker shall not be required or allowed to work on the rest day unless he has or will have a substituted rest day for a whole day on one of the four days immediately before or after the rest day:

Provided that no substitution shall be made which will result in the employee or worker working for more than ten days consecutively without a rest day for a whole day.

(3) Where in accordance with the foregoing provisions of this rule, any employee or worker works on a rest day and has been given a substituted rest day on any one of the five days before or after the rest day, the rest day shall, for the purpose of calculating the weekly hours of work, be included in the week in which the substituted rest day occurs.

(4) An employee or worker shall be granted for rest day wages calculated at the rate applicable to the next preceding day; and where he works on the rest day and has been given a substituted rest day, then, 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-

(i) the minimum rate of wages of the employee or worker, as notified under the Code has been worked out by dividing the minimum monthly rate of wages by twenty- six; or

(ii) 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, then, no wages for the rest day shall be payable; and

(iii) the employee works on the rest day and has been given a substituted rest day, then, 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 wages for the substituted rest day at the rate applicable to the next preceding day;

and, if any dispute arises whether the daily rate of wages has been worked out in accordance with the provisions of this proviso, the Assistant Labour Commissioner or the Labour Officer 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 case of an employee or worker governed by a piece-rate system, the wages for the rest day, or the substituted rest day, as the case maybe, shall be such as the State Government may, from time to time determine having regard to the minimum rate of wages fixed under the Code, in respect of the employment.

**Explanation.-** In this sub-rule 'next preceding day' means the last day on which the employee or worker has worked, which precedes the rest day or the substituted rest day, as the case may be; and where the substituted rest day falls on a day immediately after the rest day, the next preceding day means the last day on which the employee has worked, which precedes the rest day.

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

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

**8.Night shifts.—** Where an employee or worker in an employment works on a shift which extends beyond midnight, then, -

(a) A rest day for the whole day for the purposes of rule 7 shall, in this case means a period of twenty-four consecutive hours beginning from the time when his shift ends; and 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 employee or worker was engaged in work shall be counted towards the previous day;

(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 employee or worker was engaged in work, shall be counted towards the previous day.

**9.The extent and conditions for the purposes of sub-section (2) of section 13.- In case of employees or workers-**

- a. engaged in any emergency which could not have been foreseen or prevented;
- b. engaged in work of the nature of preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working in the employment concerned;
- c. whose employment is essentially intermittent;

- d. engaged in any work which for technical reasons has to be completed before the duty is over; and
- e. engaged in a work which could not be carried on except at times dependent on the irregular action of natural forces;
- the provisions of rules 6, 7 and 8 shall apply subject to the condition that –
- (i) the spread over of the hours of work of the employee shall not exceed 12 hours in any day; and
  - (ii) the actual hours of work excluding the intervals of rest and the periods of inaction (during which the employee may be on duty but is not called upon to display either physical activity or sustained attendance) shall not exceed 9 hours in any day.

**10. Longer wage period.-** The longer wage period for the purposes of minimum rate of wages under section 14 shall be by the month.

**11. Overtime rate.-**(1) When an employee or 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, at double the normal wage rate for each such hour worked.

(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 work-spot 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) For the purposes of this Code, 'normal rate of wages' is defined to be equal to- minimum wage rate as ascertained under this Code or prevalent wage rate in the area for the said industry for the worker or employee of given skill-set and experience, whichever is higher.

## CHAPTER III

### Payment of Wages

**12. Circumstances under clause (ii) of the proviso to section 10.—**An employee shall not be entitled to receive wages for a full normal working day under section 10, if he is not entitled to receive such wage under any other labour law for the time being in force.

**13. Recovery under sub-section (4) of section 18.-** Where the total deductions authorized under sub-section (2) of section 18 exceed twenty five percent of the wages of an employee, the excess shall be carried forward and recovered from the wages of succeeding wage period or wage periods, as the case may be, in such instalments so that the recovery in any month shall not exceed the twenty five per cent of the wages of the employee in that month.

**14. The authority under sub-section (1) of section 19.-** The Labour Officer or Assistant Labour Commissioner having jurisdiction over the place of work the employee concerned shall be the authority for the purposes of sub-section (1) of section 19.



**15. Procedure for imposition of fines-** Under sub-section (3) of Section 19, sub-section (2) of Section 20, sub-section (2) of Section 21

(1) Before imposing any fine or deduction upon an employee or worker, the employer or the principal employer shall, provide copy of show cause notice in the language which is understood by the employee or worker, providing reasons in details for the same, and provide an opportunity to the employee or worker to respond.

Provided that in case of deduction under Section 21, the employer shall in the show cause notice, explain to the employee or worker in writing the value of damage or loss of goods expressly entrusted to the employee for custody or for loss of money for which he is required to account and how such damages or loss is directly attributable to the neglect or default of the employee or worker; and

(2) The employee or worker must be provided atleast fifteen days to respond to the show cause notice in sub-rule (1).

(3) In addition to sub-rule (2), the employer or principal employer shall ensure that the employee or worker is granted adequate opportunity for hearing and is granted adequate opportunity to rectify the erroneous act or omission.

(4) In case the employee or worker rectifies or undertakes steps to rectify the erroneous act or omission so committed, the employer shall not impose fine exceeding 50% of the amount which the employee or worker would have otherwise been liable for.

(5) No fine or deduction shall be imposed without providing the employee or worker a written order to the same effect, in the language understood by the employee or worker.

(6) In case the fine or deduction is sought to be imposed upon more than one employee or worker, the show cause notice, the written order and any other communication whatsoever, must be provided to each employee or worker, separately.

(7) The aggrieved party may file an appeal before Authority, authorised by the State Government.

(8) Where the fine sought to be imposed is for an act or omission- not exhibited in the notice under sub-section (2) of Section 19 or not enumerated in the provisions of the Code or the Rules made there under, the employer shall not pass the final order imposing the fine on employee/worker, without reasoned approval of inspector-cum-facilitator.

(9) For the purposes of sub-rule (8), the employer shall be required to provide full record to the inspector-cum-facilitator, including the show cause notice issued, response received from employee/worker and the draft of the order by which the employer intends to impose fine.

**16. Conditions regarding recovery of advance under section 23.-**The recovery of,-

- (i) advances of money given to an employee after the employment begins under clause (b) of section 23; or
- (ii) advances of wages to an employee not already earned under clause (c) of section 23,

as the case may be, shall be made by the employer from the wages of the concerned employee in instalments determined by the employer, so as any or all instalments in a wage period, shall not exceed twenty five per cent. of the wages of the employee subject to the ceiling specified in rule 13 in that wage period and the particulars of such recovery shall be recorded in the register maintained in Form-IV.

#### **17. Deduction under section 24.-**

Deductions for recovery of loans granted for house building or other purposes approved by the State Government and the interest due in respect thereof shall be as per extant instructions or guidelines of the State Government regulating the extent to which such loans may be granted and the rate of interest that shall be payable thereon.

### **CHAPTER IV Payment of Bonus**

**18. Calculation of set on or set off for the sixth accounting year.-** For the sixth accounting year, set on or set off, as the case maybe, shall be made under clause (i) of subsection(7) of section 26, in the manner illustrated in Schedule A, taking into account the excess or deficiency, if any, as the case maybe, of the allocable surplus set on or set off in respect of the fifth and sixth account years.

**19. Calculation of set on or set off for the seventh accounting year.-** For the seventh accounting year, set on or set off, as the case may be, shall be made under clause (ii) of subsection (7) of section 26, in the manner illustrated in Schedule A, taking into account the excess or deficiency, if any, as the case maybe, of the allocable surplus set on or set off in respect of the fifth, sixth and seventh account years.

**20. Computation of gross profits under clause (a) of section 32.-** The gross profits derived by an employer from an establishment in respect of the accounting year shall in the case of banking company, be calculated in the manner specified in Schedule B.

**21. Computation of gross profits under clause (b) of section 32.-** The gross profits derived by an employer from an establishment in respect of the accounting year in a case other than banking company, be calculated in the manner specified in Schedule C.

**22. Deduction of further sums under clause (c) of section 34.-** The further sums as are specified in respect of the employer in Schedule D shall be deducted from the gross profit as prior charges under clause (c) of section 34.

**23. Manner of carrying forward under sub-section (1) of section 36.-** Where for any accounting year, the allocable surplus exceeds the amount of maximum bonus payable to the employees in the establishment under section 26, then, the excess shall, subject to a limit of twenty per cent. of the total salary or wage of the employees employed in the establishment in that accounting year, be carried forward for being set on in the succeeding accounting year and so on up to and inclusive of the fourth accounting year to be utilised for the purpose of payment of bonus in such manner illustrated in Schedule A.

**24. Manner of carrying forward under sub-section (2) of section 36.-** Where for any accounting year, there is no available surplus or the allocable surplus in respect of that year falls short of the amount of minimum bonus payable to the employees in the establishment under section 26, and there is no amount or sufficient amount carried forward and set on under rule 23 which could be utilized for the purpose of payment of the minimum bonus, then, such minimum amount or the deficiency, as the case may be, shall be carried forward for being set off in the succeeding accounting year and so on up to and inclusive of the fourth accounting year in such manner illustrated in Schedule A.

## CHAPTER V State Advisory Board

### A. Procedure of State Advisory Board under sub-section (5) of section 42

**25. Constitution of the Board :**

(1) The Board shall consist of the persons to be nominated by the State Government representing employers and employees as specified in clauses (a) and (b) of sub-section (6) of section 42 and the independent persons and representatives of the State Governments as specified in clauses (c) of that sub-section. Which of One third of the member referred shall be women.

(2) The persons representing employers as referred to in clause (a) of sub-section (6) of section 42 shall be nine and the persons representing employees referred to in clause (b) of that sub-section shall also be nine.

(3) The independent persons specified in clause (c) of sub-section (1) of section 42 to be nominated by the State Government shall consist of the following, namely:-

1	A person nominated by the state government	the Chairperson
2	one Members of state legislative assembly	member
3	Additional secretary/ principal secretary labour department	member
4	Labour Commissioner	Member secretary
5	Additional Labour Commissioner	member
6	Additional secretary/ principal secretary Panchyat & Rural development department	member
7	Additional secretary/ principal secretary any works department	Member
8	Additional secretary/ principal secretary Finance department	Member
9	Presiding officer of an Industrial Tribunal	Member

**26.Quorum for meeting:**

Unless explicitly provided to the contrary in the Code-

- (1) No business shall be transacted at any meeting unless at least one-third of members are present.
- (2) If at any meeting, the quorum requirement is not met, the meeting may be adjourned by the Chairperson.
- (3) The notice, including the agenda, for meeting must be sent by the Chairperson to all members of the board, at least thirty days in advance.

**27.Requisition for meeting:**

The Chairperson may, subject to the provision of rule 26, call a meeting of the Board, at any time he thinks fit:

Unless explicitly provided to the contrary in the Code, upon receipt of requisition for meeting by not less than one-third members, the Chairperson shall be bound to call for meeting within 30 days of receipt of such request.

**28. proceeding of the meeting:**

- (1) The chairperson shall ensure that the notice, including agenda, for meeting of the board is published for general information (including on the departmental website) at the time of circulation of such notice.
- (2) The chairperson shall ensure that all records of proceedings, business so transacted and decisions taken by the board is published for general information (including on the departmental website), within thirty days.
- (3) All orders, circulars, executive directions, notifications, standard-operating procedures, notified or signed by any board constituted under the Code or for the purposes of the Code, is hereby deemed to be a public document and the chairperson of the body shall ensure that all the said public documents are made available (including on the departmental website), in accessible form.
- (4)The records under sub-rule (1) and sub-rule (2) shall not be hidden from the departmental website, under any circumstances.

**29.Special Provisions regarding State Advisory Board.-**

(1)In addition to the functions specified in sub-section (4) of section 42, the Board on reference by the State Government advise that Government on the issue relating to the fixation of minimum wages in respect of-

(i) Working journalists as defined in clause (zzm) of section 2 and Sales promotion employees as defined in clause (zze) of section 2 of the Occupational Safety, Health and Working Conditions Code, 2020.

(2) The Chairperson of the Board constituted under Section 42, may summon any person to appear as a witness if required in the course of the discharge of his duty and require any person to produce any document.

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

(3) The term of office of the chairperson or a member, as the case may be, shall be normally three years commencing from the date of his appointed or nomination under sub-section (1) of section 42:

Provided that such chairperson or a member shall, notwithstanding the expiry of the said period of three years, continue to hold office until his successor is appointed or nominated.

(4) The chairman and every member of the Board, shall be entitled to draw travelling and halting allowance 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 class I officer of the State Government.

(5) An outgoing member shall be eligible for re-nomination for the membership of the Board not more than total two terms.

(6) The State Government shall appoint, other officers and staff to the Board, as the Board may think is necessary for the function of the Board.

### **30.Procedure to be followed by bodies.-**

Unless explicitly provided to the contrary in the Code or Rules framed there under,

(1) Each board constituted hereunder shall be free to devise its own procedure for conducting proceedings and transacting business.

(2) The procedure so devised must provide for the following:-

- (a) Provisions with regards to the procedural powers to be extended to the Chairperson;
- (b) Provisions regarding issuing meeting notice, preparation of meeting agenda and recording of minutes and decisions taken;
- (c) Provisions regarding mode of communication and time of communication of notice, agenda and minutes;
- (d) Provisions regarding how to take decisions by voting;
- (e) Provisions as to when the Chairperson could cast a deciding vote;
- (f) Provisions regarding cessation of membership;

### **31.Tenure.-**

Unless provided to the contrary in the Code and Rules framed there under-

(1) body constituted under the Code or for the purposes of the Code, shall be constituted for a term of three years;

(2) The State Government shall not dissolve a body constituted under the Code or for the purposes of the Code, without probable reason.

(3) A member of the Board, other than the Chairperson, may, by giving notice in writing to the Chairperson, resign his membership and the Chairperson may resign by a letter addressed to the State Government.

The resignation shall take effect from the date of communication of its acceptance or on the expiry of 30 days from the date of notice sent under sub-rule (3), whichever is earlier.

(4) When a vacancy occurs or is likely to occur in the membership of the Board, the Chairperson shall submit a report to the State Government immediately and the State Government shall, then, take steps to fill the vacancy in accordance with the provisions of the Code.

(5) The State Government shall have the power to fill a casual vacancy that may arise, and the member so nominated shall hold the office for the remaining period of the term of office of the member in whose place he is nominated.

(6) A person shall be disqualified for being nominated as, and for being a member of the Board—

(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 Code, he has been convicted of a criminal offence involving moral turpitude.

If any question arises whether a disqualification has been incurred under sub-rule (6), the decision of the State Government thereon shall be final.

## **CHAPTER VI - PAYMENT OF DUES, CLAIMS, etc.**

### **32. Payment of undisbursed dues under section 44.-**

(1) Where any amount payable to an employee or worker under the Code is due after his death or on account of his whereabouts not being known, and the amount could not be paid to the nominee of the employee/worker until the expiry of three months from the date the amount had become payable, then, such amount shall be deposited by the employer with the Labour Officer or Assistant Labour Commissioner having jurisdiction, who shall disburse the amount by identifying whereabouts of the employee/worker or person nominated by the employee/worker after ascertaining his identity within two months of the date on which the amount was so deposited with him.

(2) Where any amount payable to an employee/worker under this Code remains undisbursed, because either no nomination had been made by such employee/worker, or for any other reason, such amount could not be paid to the nominee of employee/worker within the period specified in sub-rule (1), such amount shall be deposited by the employer with the authority nominated by the State Government under sub-section (b) of sub-section (1) of Section 44.

(3) The authority shall be nominated at each district level by the State Government under sub-section (b) of sub-section (1) of Section 44.

(4) The amount so referred in sub-rule (1) shall be deposited by the employer with the authority through transfer or through a crossed demand draft obtained from any scheduled bank in India drawn in favour of such authority.

(5) The amount so deposited under sub-rule (4) shall remain with such authority, who may invest the same as a fixed deposit in a nationalized bank.

(6) Upon receipt of the amount so deposited, the authority shall, within fifteen days issue a notice containing such particulars regarding the amount as the authority considers sufficient for information at least for fifteen days on the notice board and also publish such notice in any two newspapers being circulating in the language commonly understood in the area in which undisbursed wages were earned.

(7) A family member of such employee/worker may file an application for claiming such amount, before the authority nominated under sub-rule (3) specifying the relation with such employee/worker.

(8) Upon receipt of application under sub-rule (7), the authority shall satisfy itself with regards to contents of such application, and shall disburse the amount to the applicant within fifteen days of receipt of such application.

(9) If the amount remains unclaimed for a period of three years, the same shall be dealt with in the manner as directed by the State Government from administrative order time to time in this behalf.

### **33. Appointment of authority under Section 45 and appellate authority under Section 49:**

(1) For the purposes of sub-section (1) of Section 45, the State Government may be notification, appoint as many authorities as may be required, at each district level. which will be not below the rank of Labour Officer.

(2) For the purposes of sub-section (1) of Section 49, the State Government, may be notification, appoint as many appellate authorities as may be required. which will be not below the rank of Deputy Labour Commissioner.

### **34. Applications:**

(1) A single application under sub-section (5) of Section 45 may be presented on behalf 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, or same incident of discrimination, in the manner as specified in Form II.

(2) The Authority may deal with any number of separate pending applications presented under sub-rule (1), as a single application presented under sub-rule (2).

(3) The appeal under Section 49 may be made by or on behalf aggrieved person in triplicate, in the format as specified in Form 3.

(4) Prior to first date of appearance before the Authority or Appellate Authority, the applicant shall serve one such copy of application/appeal to the party(or parties) against whom the said claim is brought about, and shall notify the party (or parties) regarding the date, time and venue that has been fixed for the appearance.

- (5) If the party(or parties) against whom the claim is brought about, fails to appear on the first date of appearance, the authority or appellate authority shall serve upon the said party(or parties) copy of the application/appeal, via registered post and electronically as well.
- (6) Upon appearance of the party(or parties) against whom the claim is brought about, the Authority or Appellate Authority, may grant an opportunity to such party(or parties) to file its reply.
- (7) Upon completion of pleadings, the Authority may fix date for hearing evidence, and thereafter the Authority/Appellate Authority may proceed to hear arguments, and decide the claim/appeal so filed.
- (8) If the employer or his representative fails to appear on the specified date, the authority may hear and determine the application ex-parte.
- (9) If the applicant or his representative fails to appear on the specified date, the authority may dismiss the application.
- (10) An order passed under sub-rule (8) or sub-rule (9) 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 of the date fixed for rehearing.
- (11) The Authority and the Appellate Authority shall have the power to award costs and to award interest since the date of default taking place till the time when the amount so awarded is realised.

## CHAPTER VII

### FORMS, REGISTERS AND WAGE SLIP

- 35. Form of register, etc.-** (1) All fines and all realization thereof referred to in sub-section (8) of section 19 shall be recorded in a register to be kept by the employer in Form –IV appended to these rules, electronically or otherwise and the authority referred to in said sub-section (8) shall be the Asst. Labour Commissioner or Labour Officer having jurisdiction.
- (2) All deductions and all realization referred to in sub-section (3) of section 21 shall be recorded in a register to be kept by the employer in Form- IV appended to these rules, electronically or otherwise.
- (3) Every employer of an establishment to which the Code applies shall maintain a register regarding details of employees and workers under sub-section (1) of section 50 in Form I, electronically or otherwise.
- (4) Every employer will get filled nomination form-VII from each employee/worker.
- (5) Every employer shall maintain the register of attendance of employees and workers in the format -IX electronically and otherwise.



**36.Wage slip.-** Every employer shall issue wage slips, electronically or otherwise to the employees and workers in Form V under sub-section (3) of section 50 on or before payment of wages.

**37.Payment of Wages.-**

(1) Where the employees are employed in an establishment through contractor, then, the company or firm or association of any other person who is the proprietor of the establishment (i.e., the principal employer) shall pay to the contractor the amount payable to him or it, as the case may be, before the date of payment of wages so that payment of wages to the employees shall be made positively in accordance with the provisions of Section 17.

(2) The principal employer shall have the responsibility to ensure that all employees and workers, irrespective of the fact whether they are directly or indirectly employed through a contractor, are paid their dues, without discrimination, on the due date.

**Explanation.-** For the purpose of this rule, the expression “firm” shall have the meaning as assigned to it in the Indian Partnership Act, 1932 (9 of 1932).

**38.Responsibility for payment of minimum bonus.-** Where in an establishment, the employees or workers are employed through contractor and the contractor fails to pay minimum bonus to them under section 26, then, the principal employer, on the written information of such failure, given by the employees/workers or any registered trade union or unions of which the employees/workers are members and on confirming such failure, pay such minimum bonus to the employees/workers.

**39. Annual Return.-** The return under these rules shall be filed online by every employer of an establishment to which the Code applies, within a period and form prescribed by the state government from completion of financial year, with the Inspector-cum-Facilitator appointed in the said area,

## CHAPTER VIII – INSPECTION AND IMPLEMENTATION

**40. Power of Inspector-cum-Facilitators –**

In addition to the powers enumerated in Section 51(6), the Inspector-cum-Facilitator may-

(1) examine any person, including but not limited to- the employer, principal employer, employee, whether or not found at the premises of the establishment, at the time of inspection.

(2) require any employer or principal employer or their agent to produce any register, muster-roll or other documents relating to the employment, and examine such documents;

(3) make copies, or take extracts from, any register or other document maintained in relation to the establishment under this Code.

(4) enter any premises of an establishment in his/her assigned geographical area, regarding which complaint of violations has been received from the employee/worker or their representative.

(5) to prosecute, conduct or defend before a Court, any complaint or other proceeding arising under the Code or in a discharge of his/her duties as an Inspector-cum-Facilitator and secure such evidence as may be necessary for the purpose.

(6) the State Government may by notification, extend special powers as may be necessary for a specified period and purpose, to Inspector-cum-Facilitator(s).

(7) Upon complaint received from an employee or worker or a trade union, regardless of the fact whether an inspection scheme stands formulated as per sub-section (2) of Section 51, the Inspector-cum-Facilitator shall be required to undertake full inspection of establishment(s) and make as many visits to the establishment(s) as may be necessary.

#### **41. Pre-conditions for formulating inspection scheme for web-based inspections:**

The state government may formulate inspection scheme under sub-section (2) of Section 51, for web-based inspections for such industries, only where it has been ascertained with credible evidence that at least 90% of the establishments in the said industry have been regularly filing their returns online, accurately, for continuous periods of three years.

#### **42. Appointment of Inspector-cum-Facilitator:**

(1) The State Government shall appoint inspector-cum-facilitator.

#### **43. Manner of holding enquiry under sub-section (1) of section 53.-**

(1) When a complaint is filed before the officer appointed under sub-section (1) of section 53 (hereinafter in this rule referred to as the officer) in respect of the offences referred to in said sub-section either by an officer authorized for such purpose by the Central Government or by an employee aggrieved or a registered trade union registered under the Trade Unions Act, 1926 or an Inspector-cum-Facilitator, the officer, after considering such evidences as produced before him by the complainant, is of the opinion that an offence has been committed, shall issue summons to the offender on the address specified in the complaint fixing a date for his appearance .

(2) If the offender to whom the summons has been issued under sub rule (1) appears or is produced before the officer, he shall explain the offence complained against him and if the offender pleads guilty, the officer shall impose penalty on him in accordance with the provisions of the Code and when the offender does not plead guilty, the officer shall take evidence of the witnesses produced by the complainant on oath and provide opportunity of cross examination of the witnesses so produced . The officer shall record the statement of the witnesses on oath and in cross examination in writing and take the documentary evidence on record.

(3) The officer shall, after the complainant's evidence is complete, provide opportunity of defence to the accused person and the witnesses produced by the accused shall be cross examined after their statements on oath by the complainant and documentary evidence in defence shall be taken on record by the officer.

(4) The officer shall after hearing the parties and considering the evidences both oral and documentary decide the complaint in accordance with the provisions of the Code.

**44. The manner of imposing fine under sub-section (1) of section 56.-**

(1) An accused person desirous of making composition of offence under sub-section (1) of section 56 may make an application in Form VI electronically or other wise to the Gazetted Officer notified under said sub-section (1).

(2) The Gazetted Officer referred to in sub-rule (1), shall, on receipt of such application, satisfy himself as to whether the offence is compoundable or not under the Code and if the offence is compoundable and the accused person agrees for the composition, compromise the offence for a sum of fifty per cent of the maximum fine provided for such offence under the Code, to be paid by the accused within the time specified in the order of composition issued by such officer.

(3) Where the offence has been compromised under sub-rule (2) after the institution of the prosecution, then, the officer shall send a copy of such order made by him for intimation to the officer referred to in sub-section (1) of section 53 for needful action under sub-section (6) of section 56.

## **CHAPTER IX – DISPLAY NOTICES**

**45. Display Notices to be put up by employers and principal employers –**

(1) In terms of sub-section (2) of Section 50, all employers and principal employers shall ensure that the contents of display notices shall be displayed prominently at each entry and exit of each unit of the establishment.

(2) The display notices shall be put up in languages that are understood by majority of the workers working in the said unit of the establishment.

(3) The display notices shall be put up in such size to enable a person with normal eyesight to conveniently read the contents thereof, from a distance of 10 metres at least.

(4) The display notices shall be visible at all times and on all days.

**(5) SCHEDULE FOR DISPLAY NOTICES:**

- I. Minimum wage rate fixed by State Government for all categories of workers.
- II. Weekly day of rest. Paid rest day.
- III. Working hours
- IV. Overtime payment.
- V. Overall maximum hours of work in a week.
- VI. Scheduled breaks
- VII. Date and time of payment of wages.
- VIII. Details of inspector-cum-facilitator having jurisdiction
- IX. Details of authority appointed under Section 45.
- X. Wage period.

**46. Punishment for failing to put up Display Notices.**

- (1) The employer and principal employer shall both be liable for fine of at least Rs.5000/- per day for failing to put up all the display notices as provided in Rule 48.
- (2) Failure to provide accurate information or failure to update the contents of display notices regularly shall also be punishable under sub-rule (1) of Rule 49.

**FORM-I**

[See rule 33 (3)]

**EMPLOYEE REGISTER**

<b>EMPLOYEE REGISTER</b>		
Name of the Establishment		
Name of the Employer		
Name of the Owner		
PAN/TAN of the Employer		
Registration Number of the establishment (Labour Identification Number (LIN) shall be the Registration Number of the Establishment)		
1.	Employee Code	
2.	Name	
3.	Surname	
4.	Category (Gen/OBC/SC/ST)	
5.	Gender	

6.	Father's/Mother's/Spouse Name	
7.	Date of Birth	
8.	Place of Birth	
9.	Nationality	
10.	Education Level	
11.	Date of Joining	
12.	Designation	
13.	Skill Category (HS/S/SS/US)*	
14.	Type of Employment (P/T/FT/T/B)**	
15.	Details of Posting	
16.	Pay	
17.	Promotion	
18.	Mobile Number	
19.	Universal Account Number (UAN)	
20.	PAN	
21.	Nominee (To be filled on the basis of Nomination form)	
22.	Details of Family	
23.	EPS/NPS	
24.	ESIC IP No.	
25.	AADHAAR	
26.	Bank A/c Number	
27.	Bank	
28.	Branch (IFSC)	
29.	Present Address	
30.	Permanent Address	
31.	Service Book No.	
32.	Date of Exit	
33.	Reason for Exit	

34.	Mark of Identification	
35.	Photo	
36.	Specimen Signature/Thumb Impression	
37.	Remarks	

**\*(Highly Skilled/Skilled/Semi skilled/Unskilled)**

**\*\***(Permanent/Temporary/Fixed Term/Trainee/Badli)

**FORM-II**

[See rule 34(1)]

[SINGLE APPLICATION UNDER SUB-SECTION (5) OF SECTION 45]

BEFORE THE AUTHORITY APPOINTED UNDER SUB SECTION (1) OF SECTION 45 OF  
THE CODE ON WAGES, 2019 (29 OF 2019)

FOR..... AREA.....

Application No..... of 20.....

Between ABC and (State the number).....other..... Applicant

(Through employees concerned or registered trade union or Inspector- cum- Facilitator  
Address.....

And

XYZ.....

Address.....

The application states as follows

(1) The applicant(s) whose name(s) appear in the attached schedule was/were/has/have been  
employed from

.....to..... as.....(category)

in.....(establishment)

Shri/M/s.....engaged

in

.....(nature of work) which is/are covered by the Code on Wages, 2019.

(2) The opponent(s) is/are the employer(s) within the meaning of section 2(l) of the Code on Wages,  
2019.(3) (a) The applicant(s) has/ have been paid wages at less than the minimum rates of wages fixed for  
their category (categories) of employment(s) under the Code by Rs..... Per day for the  
period(s) from.....to.....(b) The applicant(s) has/ have not been paid wages at Rs..... Per day for the weekly  
days of rest from to...(c) The applicant(s) has/ have not been paid wages at overtime rate(s) for the period  
from.....to....

(d) The applicant(s) has/have not been paid wages for period from .....to.....

(e) Deductions have been made which are in contravention of the Code, from the wage(s) of the  
applicant(s) as per details specified in the annexure appended with this application.(f) The applicant(s) has/have not been paid minimum bonus for the accounting year  
.....

(4) The applicant(s) estimate(s) the value of relief sought by him/ them on each amount as under:

(a) Rs.....

(b) Rs.....

(c) Rs.....

Total Rs.....

(5) The applicant(s), therefore, pray(s) that a direction may be issued under section 45(2) of the Code  
on Wages, 2019 for;(a) payment of the difference between the wages payable under the Code and the wages actually  
paid,

(b) payment of remuneration for the days of rest

(c) payment of wages at the overtime rates,

(d) compensation amounting to Rs.....

(6) The applicant(s) do hereby solemnly declare(s) that the facts stated in this application are true to the best of his/their knowledge, belief and information.

Dated.....

Signature or thumb-impression of the employed person(s), or official of a registered trade union duly authorized or Inspector- cum- Facilitator.

**Note:** The applicant(s), if required, may append annexures containing details, with this application.



**FORM III**

(See rule 34(3))

Appeal under Section 49(1) of the Code on Wages, 2019 before The Appellate Authority under the  
Code on Wages, 2019

A.B.C

Address-----APPELLANT-----

Vs.

C.D.E.

Address-----RESPONDENT-----

**DETAILS OF APPEAL:**

1. Particulars of the order against which the appeal is made : Number and date :

The authority who has passed the impugned order:

Amount awarded:

Compensation awarded , if any :

2. Facts of the case :

(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly  
as possible a separate issue or fact).

3. Grounds for appeal :

4. Matters not previously filed or pending with any other Court or any Appellate Authority:

The appellant further declares that he had not previously filed any appeal, writ petition or suit  
regarding the matter in respect of which this appeal has been made, before any Court or any other  
Authority or Appellate Authority nor any such appeal, writ petition or suit is pending before any of  
them.

5. Reliefs sought :

In view of the facts mentioned above the appellant prays for the following relief(s) :— [Specify  
below the relief(s) sought]

6. List of enclosures:

1.

2.

3.

4.

-----

Date :

Place :

Signature of the appellant.

For office use

-----

Date of filing

or

Date of receipt by post

Registration No.

Authorized Signatory



Date of Payment	Receipt by employee/Bank transaction ID	Nature of acts and omissions for which fine imposed with date	Amount of fine imposed	Damage or loss caused to the employer by neglect or default of the employee	Signature of Employer/Employer Representative*
(28)	(29)	(30)	(31)	(32)	(33)

**\*\*Note:** Required in case register is maintained physically.

[illegible]



**FORM V**

[See rule 36]

**WAGE SLIP**

Date of issue:

Name of the Establishment.....

Address..... Period.....

1. Name of employee :
2. Father's /Mother's/Spouse name :
3. Designation :
4. UAN:
5. Bank Account No.:
6. Wage period:
7. Rate of wages payable: a.) Basic b.)D.A. c.)  
other allowances
8. Total attendance/unit of work done:
9. Overtime wages:
10. Gross wages payable :
11. Total deductions : a.) PF b.) ESI c.) Others
12. Net wages paid:

Employer / Pay-in-charge signature

**FORM VI**

[See rule 44 (1)]

**APPLICATION UNDER SUB-SECTION (4) OF SECTION 56 FOR COMPOSITION OF OFFENCE**

1. Name of applicant :
2. Father's / Spouse name :
3. Address of the applicant :
4. Particulars of the offence: .....  
.....  
.....  
.....  
.....
5. Section of the Code under which the offence is committed :  
:.....
6. Maximum fine provided for the offence under the Code  
:.....
7. Whether prosecution against the applicant is pending or not  
:.....
8. Whether the offence is first offence or the applicant had committed any other offence prior to the offence. If yes, then, full details of the prior offence.  
:.....  
:.....  
:.....  
:.....
9. Any other information which the applicant desires to provide  
:.....  
:.....  
:.....  
:.....

Dated:

Applicant  
(Name and signature)

**FORM-VII**  
(See rule 35(4))

**NOMINATION FORM**

1. Name of person making nomination:

(In block letters):

2. Father's/Spouse's Name:

3. Date of Birth:

4. Sex:

5. Marital Status:

6. Address:

Permanent:

Temporary:

I hereby nominate the person(s)/cancel the nomination made by me previously and nominate the person(s) mentioned below to receive any amount due to me from the employer in the event of my death:-

Name of nominee/nominees	Address	Nominee's relationship with the employee	Date of Birth	Total amount of share of accumulations in credit to be paid to each nominee	If the nominee is minor, name, relationship, and address of the guardian who may receive the amount during the minority of nominee
(1)	(2)	(3)	(4)	(5)	(6)

1. Certified that I have no family and if I acquire a family hereafter, the above nomination shall be deemed as cancelled.
2. Certified that my father/mother is/are dependent upon me.
3. Strike out whichever is not applicable.

Signature or the thumb impression of the employee

**CERTIFICATE BY EMPLOYER**

Certified that the above declaration and nomination has been signed/thumb impressed before me by Shri/Smt/Ku .....employed in my establishment after he/she has read the entry/entriesor have been read over to him/her by me and got confirmed by him/her in either of the cases.

Signature of the employer or other authorised officer of the establishment and Designation

Place:

Date:

Name and Address of the Factory/Establishment and rubber stamp thereof

**FORM VIII**

(See rule 37 (4))

**(A). FORM OF NOTICE TO THE RESPONDENT TO BE ISSUED BY THE AUTHORITY UNDER SUB-SECTION (5) OF SECTION 45**

(Title of the application)

To

Name

Address

Whereas (name of the applicant) has made the above said application to me under the Code on Wages, 2019, you are hereby summoned to appear before me in person or by a duly authorized representative, and required to answer all material questions relating to the application, or shall be, accompanied by some person duly authorized by you and able to answer such question the.....Day Of.....20....at.....AM/PM, to answer the claim in application 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 defense.

Take notice that in default of your appearance on the day mentioned here above, the application will be heard and disposed of in your absence.

Date.....

Signature of the authority  
with seal**(B). FORM OF NOTICE TO THE RESPONDENT TO BE ISSUED BY THE APPELLATE AUTHORITY UNDER SUB-SECTION (1) OF SECTION 49**

(Title of the appeal)

To

Name

Address

Take notice that an appeal(copy of which is enclosed)under section 49 of the Code on Wages, 2019 has been presented by\_\_\_\_\_(name of appellant) before this appellate authority, and that the \_\_\_\_\_ day of \_\_\_\_\_20\_\_\_\_ has been fixed by this appellate authority for the hearing of the appeal.

If no appearance is made by you in person or by a duly authorized representative to act for you in this appeal, it will be heard and decided in your absence.

Date.....

Signature of the Appellate authority with seal



## Form-IX

(See rule 35(5))

Form IX					
ATTENDANCE REGISTER CUM MUSTER ROLL					
Name of the Establishment					
Name of the Employer					
Name of the Owner					
Registration Number of the establishment (Labour Identification Number (LIN) shall be the Registration Number of the Establishment)					
For the Month of					
Sl. No.	Employee Code	Name	Designation	Shift	Place of work/Section/Department
1	2	3	4	5	6

[illegible]

Date	22		23		24		25		26		27		28		29		30		31	
Time	I	Ou	I	Ou	I	Ou	I	Ou	I	Ou	I	Ou	I	Ou	I	Ou	I	Ou	I	Ou
	n	t	n	t	n	t	n	t	n	t	n	t	n	t	n	t	n	t	n	t
Signature																				

Total number of days worked	Total number of overtime hours worked	Brief details of tour or assignment outside the work place, if any	Signature of Register keeper*
(8)	(9)	(10)	(11)

\*Note: Required in case register is maintained physically.

## Schedule A

**[See rules 18, 19, 23 and 24]**

In this Schedule, the total amount of bonus equal to 8.33 per cent of the annual salary or wage payable to all the employees is assumed to be Rs. 1,04,167. Accordingly, the maximum bonus to which all the employees are entitled to be paid (twenty per cent of the annual salary or wage of all the employees) would be Rs. 2,50,000.

Year	Amount equal to sixty per cent. or sixty-seven per cent., as the case may be, of available surplus allocable as bonus	Amount payable as bonus	Set on or Set off of the year carried forward	Total set on or set off carried forward	
(1)	(2)	(3)	(4)	(5)	(6)
	Rs.	Rs.	Rs.	Rs.	Of (year)
1.	1,04,167	1,04,167~	Nil	Nil	
2.	6,35,000	2,50,000~	Set on 2,50,000*	Set on 2,50,000*	(2)
3.	2,20,000	2,50,000* (inclusive of 30,000 from year-2)	Nil	Set on 2,20,000	(2)
4.	3,75,000	2,50,000*	Set on 1,25,000	Set on 2,20,000 1,25,000	(2) (4)
5.	1,40,000	2,50,000* (inclusive of 1,10,000 from year-2)	Nil	Set on 1,10,000 1,25,000	(2) (4)

6.	3,10,000	2,50,000*	Set on 60,000	Set on Nil + 1,25,000 60,000	(2) (4) (6)
7.	1,00,000	2,50,000* (inclusive of 1,25,000 from year-4 and 25,000 from year-6)	Nil	Set on 35,000	(6)
8.	Nil  (due to loss)	1,04,167** (inclusive of 35,000 from year-6)	Set off 69,167	Set off 69,167	(8)
9.	10,000	1,04,167**	Set off 94,167	Set off 69,167 94,167	(8) (9)
10.	2,15,000	1,04,167** (after setting off 69,167 from year-8 and 41,666 from year-9)	Nil	Set off 52,501	(9)

\* Maximum.

+ The balance of Rs. 1,10,000 set on from year-2 lapses.

\*\* Minimum

## Schedule B

### COMPUTATION OF GROSS PROFITS

[See rule 20]

Accounting year ending .....

Item No.	Particulars	Amount of sub-Items	Amount of main Items	Remarks
		Rs.	Rs.	
(1)	(2)	(3)	(4)	(5)
*1.	Net Profit as shown in the Profit and Loss Account after making usual and necessary provisions.			
2.	Add back provision for: (a) Bonus to employees (b) Depreciation (c) Development Rebate Reserve (d) Any other reserves Total of Item No.2.....	Rs.....		See foot-note(1)  See foot-note(1)

[illegible]

4.	<p>Add also income, profits or gains (if any ) credited directly to published or disclosed reserves, other than-</p> <p>(i) capital receipts and capital profits (including profits on the sale of capital assets on such depreciation has not been allowed for income-tax);</p> <p>(ii) profits of, and receipts relating to , any business situated outside India;</p> <p>(iii) income of foreign banking companies from investment outside India.</p> <p>Net total of Item No.4.....</p>	Rs.....		
5.	Total of Item Nos.1, 2, 3 and 4...	Rs.....		



6.	<p>Deduct :</p> <p>(a) Capital receipts and capital profits (other than profits on the sale of assets on which depreciation has been allowed for income-tax).</p> <p>(b) Profits of, and receipts relating to any business situated outside India.</p> <p>(c) Income of foreign banking companies from investments outside India .</p> <p>(d) Expenditure or losses (if any ) debited directly to published or disclosed reserves, other than –</p> <p>(i) capital expenditure and capital losses (other than losses on sale of capital assets on which depreciation has not been allowed for income-tax );</p> <p>(ii) losses of any business situated</p>			<p>See foot-note (2)</p> <p>See foot-note (2)</p> <p>See foot-note (2)</p> <p>See foot-note (3)</p>
	<p>outside India.</p> <p>(e) In the case of foreign banking companies proportionate administrative (overhead) expenses of head-office allocable to Indian business.</p> <p>(f) Refund of any excess direct tax paid for previous accounting years and excess provision if any of previous accounting years, relating to bonus, depreciation or development rebate, if written back.</p> <p>(g) Cash subsidy, if any, given by the government or by anybody corporate established by any law for the time being in force or by any other agency through budgetary grants, whether given directly or through any agency for specified purposes and the proceeds of which are reserved for</p>	Rs.....		<p>See foot-note (2)</p> <p>See foot-note (2)</p>

	such purposes .  Total of Item No. 6 .....			
7.	Gross profits for purposes of bonus (Item No. 5 minus Item No. 6)		Rs.....	

**Explanation.—** In sub-item (b) of Item 3, "approved gratuity fund" has the same meaning assigned to it in clause (5) of section 2 of the Income Tax Act, 1961.

\* Where the profit subject to taxation is shown in the Profit and Loss account and the provision made for taxes on income is shown, the actual provision for taxes on income shall be deducted from the profit.

Foot-note:-

- (1) If, and to the extent, charged to Profit and Loss Account.
- (2) If, and to the extent, credited to Profit and Loss Account.
- (3) In the proportion of Indian Gross Profit (Item No. 7) to Total World Gross Profit (as per consolidated profit and loss account adjusted as in Item No. 2 above only)]

## Schedule C

### COMPUTATION OF GROSS PROFITS

[(See rule 21]

Accounting year ending.....

Item No.	Particulars	Amount. Of sub-Items	Amount. Of main Items	Remarks
		Rs.	Rs.	
(1)	(2)	(3)	(4)	(5)
1.	Net profit as per profit and loss account			
2.	Add back provision for : (a) Bonus to employees (b) Depreciation. (c) Direct taxes, including the provision (if any), for previous accounting years (d) Development rebate / investment allowance / development allowance reserve. (e) Any other reserves Total of Item No.2.....	Rs.....		See foot-note (1)  See foot-note (1)

<p>3.</p>	<p>Add back also :</p> <p>(a) Bonus paid to employees in respect of previous accounting years.</p> <p>(aa) The amount debited in respect of gratuity paid or payable to employees in excess of the aggregate of-</p> <p>(i) the amount, if any, paid to, or provided for payment to, an approved gratuity fund; and</p> <p>(ii) the amount actually paid to employees on their retirement or on termination of their employment for any reason.</p> <p>(b) Donations in excess of the amount admissible for income-tax .</p> <p>(c) Any annuity due, or commuted value of any annuity paid, under the provisions of section 280D of the Income Tax Act during the accounting year.</p> <p>(d) Capital expenditure (other than capital expenditure on scientific research which is allowed as a deduction under any law for the time being in force relating to direct taxes) and capital losses (other than losses on sale of capital assets on which depreciation has been allowed for income tax or agricultural income-tax.).</p> <p>(e) Losses of , or expenditure relating to, any business situated outside India.</p> <p>Total of Item No.3.....</p>	<p>Rs.....</p>	<p>See foot-note (1)</p> <p>See foot-note (1)</p>
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4.	<p>Add also income, profits or gains (if any) credited directly to reserves, other than-</p> <p>(i) capital receipts and capital profits (including profits on the sale of capital assets on which depreciation has not been allowed for income-tax or agricultural income-tax);</p> <p>(ii) profits of, and receipts relating to, any business situated outside India;</p> <p>(iii) income of foreign concerns from investments outside India.</p> <p>Net total of Item No.4.....</p>	Rs.....		
5.	Total of Item Nos. 1,2,3 and 4...	Rs.....		

6.	<p>Deduct :</p> <p>(a) Capital receipts and capital profits (other than profits on the sale of assets on which depreciation has been allowed for income-tax or agricultural income-tax).</p> <p>(b) Profits of, and receipts relating to, any business situated outside India.</p> <p>(c) Income of foreign concerns from investment outside India.</p> <p>(d) Expenditure or losses (if any ) debited directly to reserves, other than-</p> <p>(i) capital expenditure and capital losses (other than losses on sale of capital assets on which depreciation has not been allowed for income-tax ; or agricultural income-tax;</p> <p>(ii) losses of any business situated outside India.</p> <p>(e) In the case of foreign concerns proportionate administrative (overhead) expenses of head office allocable to Indian business.</p> <p>(f) Refund of any direct tax paid for previous accounting years and excess provision, if any, of previous accounting years relating to bonus, depreciation, taxation or development rebate or development allowance, if written back.</p> <p>(g) Cash subsidy, if any, given by the government or by any body corporate established by any law for the time being in force or by any other agency through budgetary grants, whether given directly or through any agency for specified purposes and the proceeds of which are reserved for such purposes.</p> <p>Total of Item No.6</p>	Rs.....		<p>See foot-note (2)</p> <p>See foot-note (2)</p> <p>See foot-note (2)</p> <p>See foot-note (3)</p> <p>See-foot-note (2)</p>
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7.	Gross Profits for purposes of bonus (Item No.5 minus Item No.6 )	Rs.....		
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**Explanation.—** In sub-item (aa) of Item 3, "approved gratuity fund" has the same meaning assigned to it in clause (5) of section 2 of the Income Tax Act, 1961.

Foot-note:-

- (1) If, and to the extent, charged to Profit and Loss Account.
- (2) If, and to the extent, credited to Profit and Loss Account.
- (3) In the proportion of Indian Gross Profit (Item No. 7) to Total World Gross Profit (as per consolidated Profit and Loss Account, adjusted as in Item No. 2 above only).

**Schedule D****[See rule 22]**

Item No.	Category of employer	Further sums to be deducted
(1)	(2)	(3)
1.	Company, other than a banking company.	<p>(i) The dividends payable on its preference share capital for the accounting year calculated at the actual rate at which such dividends are payable;</p> <p>(ii) 8.5 percent of its paid up equity share capital as at the commencement of the accounting year;</p> <p>(iii) 6 percent of its reserves shown in its balance sheet as at the commencement of the accounting year, including any profits carried forward from the previous accounting year :</p> <p>Provided that where the employer is a foreign company within the meaning of section 2 (42) of the Companies Act ,2013 (18 of 2013) , the total amount to be deducted under this item shall be 8.5 percent on the aggregate of the value of the net fixed assets and the current assets of the company in India after deducting the amount of its current liabilities (other than any amount shown as payable by the company to its Head Office whether towards any advance made by the Head Office or otherwise or any interest paid by the company to its Head Office ) in India.</p>



2.	Banking company	<p>(i) The dividends payable on its preference share capital for the accounting year calculated at the rate at which such dividends are payable ;</p> <p>(ii) 7.5 per cent of its paid up equity share capital as at the commencement of the accounting year ;</p> <p>(iii) 5 percent of its reserves shown in its balance sheet as at the commencement of the accounting year, including any profits carried forward from the previous accounting year;</p> <p>(iv) any sum which, in respect of the accounting year, is transferred by it-</p> <p>(a) to a reserve fund under sub-section (1) of section 17 of the Banking Regulation Act, 1949 (10 of 1949 ); or</p> <p>(b) to any reserves in India in pursuance of any direction or advice given by the Reserve Bank of India,</p> <p>whichever is higher:</p> <p>Provided that where the banking company is a foreign company within the meaning of section 2 (42) of the Companies Act , 2013 (18 of 2013 ), the amount to be deducted under this item shall be the aggregate of-</p> <p>(i) the dividends payable to its preference shareholders for the accounting year at the rate at which such dividends are payable on such amount as bears the same proportion to its total preference share capital as its total working funds in India bear to its total world working funds;</p> <p>(ii) 7.5 per cent of such amount as bears the same proportion to its total paid up equity share capital as its total working funds in India bear to its total working funds.</p> <p>(iii) 5 per cent of such amount as bears the same proportion to its total disclosed reserves as its total working funds in India bear to its total world working funds;</p> <p>(iv) any sum which, in respect of the accounting year, is deposited by it with the Reserve Bank of India under sub-clause (ii) of clause (b) of sub-section (2) of section 11 of the Banking Regulation Act, 1949 (10 of 1949) , not exceeding the amount required under the aforesaid provision to be so deposited.]</p>
3.	Corporation	<p>(i) 8.5 per cent of its paid up capital as at the commencement of the accounting year;</p> <p>(ii) 6 per cent of its reserves, if any, shown in its balance sheet as at the commencement of the accounting year, including any profits carried forward from the previous accounting year.</p>
4.	Co-operative society	<p>(i) 8.5 per cent of the capital invested by such society in its establishment as evidenced from its books of accounts at the</p>

		commencement of the accounting year;
		(ii) such sums as has been carried forward in respect of the accounting year to a reserve fund under any law relating to co-operative societies for the time being in force.
5.	Any other employer not falling under any of the aforesaid categories	<p>8.5 per cent of the capital invested by him in his establishment as evidenced from his books of accounts at the commencement of the accounting year:</p> <p>Provided that where such employer is a person to whom Chapter XXII-A of the income Tax Act applies, the annuity deposit payable by him under the provisions of that Chapter during the accounting year shall also be deducted:</p> <p>Provided further that where such employer is a firm, an amount equal to 25 per cent of the gross profits derived by it from the establishment in respect of the accounting year after deducting depreciation in accordance with the provisions of clause (a) of section 34 by way of remuneration to all the partners taking part in the conduct of business of the establishment shall also be deducted, but where the partnership agreement, whether oral or written, provides for the payment of remuneration to any such partner, and –</p> <p>(i) the total remuneration payable to all such partners is less than the said 25 per cent the amount payable, subject to a maximum of five lakh rupees to each such partner; or</p> <p>(ii) the total remuneration payable to all such partners is higher than the said 25 per cent, such percentage, or a sum calculated at the rate of five lakh rupees to each such partner, whichever is less, shall be deducted under this proviso:</p> <p>Provided also that where such employer is an individual or a Hindu Undivided Family -</p> <p>(i) an amount equal to 25 per cent of the gross profits derived by such employer from the establishment in respect of the accounting year after deducting depreciation in accordance with the provisions of clause (a) of section 34; or</p> <p>(ii) five lakh rupees,</p> <p>whichever is less by way of remuneration to such employer, shall also be deducted.</p>

**Explanation.—** The expression "reserves" occurring in column (3) against Item Nos. 1(iii), 2(iii) and 3(ii) shall not include any amount set apart for the purpose of-

- (i) payment of any direct tax which, according to the balance-sheet, would be payable;
- (ii) meeting any depreciation admissible in accordance with the provisions of clause (a) of section 34;
- (iii) payment of dividends which have been declared, but shall include,-
  - (a) any amount, over and above the amount referred to in clause-(i) of this Explanation, set apart as specific reserve for the purpose of payment of any direct tax; and
  - (b) any amount set apart for meeting any depreciation in excess of the amount admissible in accordance with the provisions of clause (a) of section 34.

**Schedule - E**

[See Rule 4(9)]

S.N.	Highly Skilled
1	Artificial Class I
2	Blacksmith Class I
3	Carpenter Class I
4	Machine
5	Hand Class I
6	Mason Class I
7	Mechanic (Senior)
8	Painter (Grade I, Class I, Spray) Plasterer (Mason) Class I
9	Plumber Grade-I (Head, class I)
10	Mistry Grade I
11	Polisher (with spray Grade I)
12	Road Inspector Grade I
13	Sawyer Class I
14	Stone Cutter Class I
16	Stone Chiseler Class I
17	Stone Mason Class I
18	Sub-Overseer (Qualified)
19	Tiler Class I
20	Tinsmith Grade I and Class

21	Upholsterer Grade I
22	Varnisher Class I
23	Welder-Cum-Fitter and Air Conditioning Mechanic
24	Welder (Gas) Class I
25	White Washer Class I
26	Wireman Grade I, Class I
27	Wood Cutter Class I
28	Grinder (Tool) Operator Grade I
29	Operator (Batching Plant Grade I)
30	Leader Grade I
31	Pile Driving Grade I
32	Pump Grade
33	Screening Plant Grade I
34	Plumber Grade I
35	Scrapper Grade I
36	Screening Plant Grade I
37	Security Guards (with arms)
38	Armature Winder Grade I
39	Blacksmith Grade I and Class I
40	Boilerman Grade I
41	Foreman Grade I
42	Brick Layer class I

43	Cable Joiner Grade I
44	Carpenter grade I and Class I
45	Fitter (Grade I, Class I)
46	Pipe Class I (Head)
47	Foreman(Assistant) Line Man Grade I Mason (Skilled Grade I, Class I)
48	Mast Rig
49	Mechanic Class I and Class II
50	Mechanic (Diesel Grade I and Road Roller Grade I
51	Air-conditioning Grade I/Class I, Mistry Grade I
52	Mistry (Air-conditioning Grade I)
53	Overseer
54	Overseer (Senior and Junior)
55	Dragline Grade I
56	Drill Grade I
57	Dumper Grade I
58	Excavator Grade I
59	Fork Lift Grade I
60	Generator Grade I
61	Rigger Grade I

62	Rigger Grade II
63	Charper/Sletter Grade I
64	Shovel and Dragline Tractor Grade I
65	Tradesman Class I
66	Turner/Miller Grade I
67	Work (Assistant) Grade I
68	Compounder
69	Surveyor
70	Winding Engine Driver
71	Operator (Heavy Earth Moving Shovel and Bulldozer)
72	Head Mistry
73	Staff Nurse Grade 'A'
74	Drill Operator other than Jack Hammer
75	Electrical Supervisor with Competency Certificate
76	Underground Shift Boss
77	Head Mechanic
78	Qualified and Experienced Welder
79	Machine Tool Mechanic
80	Mechanical/Plant Foreman
81	Mining Supervisor

82	Vocational Training Instructor/Teacher
83	Accountant
84	Head Electrician
85	Steno with 7 years of service
86	Store Incharge
87	Shift Incharge
88	computer operator
89	stenographer
90	computer operator cum Stenotypist
91	Engineering Diploma Holder
92	Technical Diploma holder
93	Senior Bioler Operator
94	Senior Bioler Assitant (Class-I)
95	Foreman



96	Asst. Forman
97	Senior Operator
98	Senior Technician
99	Senior Electrician
100	Senior Chemist
101	Senior welder
102	Senior Fiter
103	Senior Pump House Operator
104	Senior Crane Operator
105	Electronic Drill Operator
106	Head Mistri
107	Desk Engineer
108	Safety Incharge

109	Bilet Crane Operator
110	Magnet Crane Operator
111	Hydra operator
112	Supervisor
113	Molder Operator
114	Shift Operator
115	C.S.F. Checker
116	Sales Inspector
117	Quality Inspector
118	Production Manager
119	Heavy Vehicle Driver
120	Security Officer
121	Field Officer

122	Security Supervisor
123	Security Inspector
124	Heavy Machine Operator
125	Crane Operator
126	Crusher Operator
127	Librarian
128	Administrative officer
129	Manger
130	Superintendent
131	Sales Executive
132	Marketing Executive
133	Sales Representative
134	Weaver

135	Sizer
136	Designer
137	Poultry Supervisor
138	Hechri Supervisor
139	Poltry Executive
140	veterinary
141	Inspector
142	Supervisor
143	Incharge of Watch and Ward
144	Security Guard (Armed)
145	Crane Grade I
146	Diesel Engine Grade I
147	Dozer Grade I
148	Clamp Shell Grade I
149	Compressor Grade I

150	Grader Grade I
151	Tractor Grade I
152	Vibrator Grade I
153	Screening Plant Grade I (already mentioned in no. 34)
154	Shovel Grade I
155	Shovel and Dragline
156	Tyre vulcaniser Grade I
157	Security Guard (with Arms) and other categories by whatever name called which are of Highly-skilled nature
158	Housekeeping Supervisor
159	Cash / ATM Custodian
160	Cash Van Armed Security Guard

S.N.	Semi Skilled
1	Assistant (Chowdhary)
2	Attendant (Bull-calving lines, Chowkidar, Chaff cutter, Hostel, Dry Stock, Grain crusher, Pump, Siekline)

3	Stables, Yard staff
4	Assistant-Plumber
5	Attendant
6	Bullman
7	Brander
8	Butterman
9	Coachman
10	Cobbler
11	Cultivator
12	Daftry
13	Deliveryman
14	Dhobi
15	Dresser
16	Fireman

17	Gowala
18	Hammerman
19	Helper (Mason, Carpenter, Blacksmith)
20	Helper
21	Jamadar (stand)
22	Jamadar
23	Khalasi
24	Mali Senior
25	Mate/Mistry
26	Mazdoor (literate) (trained mazdoor)
27	Nalband man/woman
28	Oilman
29	Ploughman
30	Vtackers
31	Supervisor

32	Thatcher
33	Valveman
34	Valveman (Senior)
35	Wireman fixing tin cables
36	Cook
37	Dandee
38	Farash
39	Hacksaw man
40	Helper (locco-Crane/Truck)
41	Manjhee (Boatman)
42	Belchawala
43	Muccadam (without competency certificate under Metalliferous Bulldozer Driver Mines Regulations, 1961)
44	Bhisti (with Mushk)



45	Boatman (head)
46	Breaker (Stone, Rock, Rock Stone, Stone Metal)
47	Canweaver
48	Chainman(Head)
49	Charpoy-Stringer
50	Checker
51	Cracker
52	Dollyman
53	Assistant
54	Driller
55	Excavator
56	Ferroman
57	Fireman (Brick Kiln, Steam Road Roller)
58	Gate Keeper
59	Classman

60	Grater
61	Greaser-cum-Fireman
62	Grinder
63	Hammerman
64	Helper (Artisan)
65	Helper (Sawyer)
66	Keyman
67	Khalasi (Head Survey, Rivertters-Moplah Gang, Supervisory)
68	Labourer (Rock-Cutting)
69	Lascar
70	Mali (Head)
71	Stockers and Boilerman
72	Thoombaman (Spade worker)

73	Tindals
74	Trollyman (Head Motor)
75	Fitter (Assistant Semi-Skilled)
76	Mate (Stone)
77	Kasab
78	Khalasi (Structural)
79	Miner
80	Untrained Mate/ Mining Mate/ Mate without Competency certificate Under Metalliferous Mines Regulations, 1961
81	Butler/Cook
82	Breaker (using mechanical appliances)
83	Crech Ayah/Ayah/Untrained Crech Attendant
84	Assistant Driller
85	Chowkidar/ Watchman
86	Topas

87	Topkar (Big Stone Breaker)
88	TrollyJamadar
89	Winchman
90	Fiderman
91	Attendance-keeper
92	Assistant Wireman
93	Mate
94	Mate (Blacksmith, Road, Carpenter)
95	Engine Driver and/or Feeder
96	Fitter
97	Gang
98	Mazdoor Mason
99	Permanent Way
100	Pump-Driver,Turner)

101	Majdoor Heavy
102	weight
103	Charge-man
104	Mistri (Head
105	Muccadam
106	Night-guard
107	Runner (Post dak)
108	Quarry man
109	Quarry Operator
110	Stoneman
111	Stocker
112	Thatcher (already mentiond in no. 24)
113	Bearer
114	Breakman

115	Crowlder Man
116	Laboratory Boy
117	Laboratory Assistant (lab Attendant)
118	PointsmanSencummy
119	Stone mines and other categories by whatever name called which are of semi-skilled nature
120	Dark Room Attendant
121	Animal Attendant
122	Sr. Ward Orderlies
123	Floor Cleaner with machine
124	Housekeeping janitor
125	Cylinder handler
126	Delivery boy
127	Lift and Escalator Operator
128	Waiter

129	Assistant Fitter
130	Assistant Turner
131	Assistant Molder
132	Assistant Welder
133	Assistant Mechanic
134	Assistant Machine Operator
135	Store Assistant
136	Junior Technician
137	Sales Assistant
138	Time kiper
139	Regar
140	Loder
141	Security Guard Arms

142	Assistant Safety Inspector
143	Torsprayar
144	Pump Attendant
145	Dresar
146	Wealbara
147	Ceriar
148	Inkar
149	Taile Turner
150	Assistant Supervisor
151	Assistant meson
152	Winch Driver
153	Assistant Black Smith
154	Mixture man
155	Assistant Electrician
156	Clean shop labour



157	Operator punch and Mecsular
158	kilan Labour
159	Asst. Shaperman
160	Fricshan
161	Press labour
162	Blazar Penmil
163	Punch Mixer
164	Castar Clean
165	Clean Unloaders
166	Asst. Barvendar
167	Asst. Cutter
168	Querryman
169	Tresar, Whiteing
170	Colouring

171	Mesary Driver
172	Grafter
173	Tax Collector
174	Lineman
175	Mohrir
176	Asst. Electricity Mistry
177	Water Works
178	Asst. Salesman
179	Asst. Carpenter
180	Asst. Security
181	Revinder
182	Booking Clerk
183	Barmen
184	Asst. Cook

185	Masalchi
186	Asst. Technician
187	Darkroom Assistant
188	Assistant X-ray
189	ECG Asst, Asst. Compounder
190	Liftman
191	Bed site Asst.
192	Asst. Pressman
193	Vacciner
194	Boxing Machinman
195	Asst. Platemaker
196	Asst. Transfer Printer
197	Asst. Polisher
198	Asst. Copy Paster

199	Asst. Rota Printing
200	Standing Farm Kiper
201	Folding Machinman
202	Junior reader
203	Box Puncher
204	Hand box or Envelope Maker
205	Distributer
206	Asst. Camera Operator
207	Asst. Acher
208	Later Press Fiter
209	Number or Pagingman
210	Checker
211	Proof colour
212	Geli Pressman

213	Type Pressure
214	Rolar Maker or Caster
215	Ink Granthar
216	Perforetar
217	Lamber Pungar
218	Roolling Feeder
219	Vimigmen
220	Foundry Asst.
221	Grinding Operator
222	Junior Compositer
223	Junior Bider
224	Junior Machinman
225	Linoborman
226	Retail Supplier

227	Fider Steria
228	Typer
229	Type Storekeeper
230	Asst.Mukaddam
231	Oilman
232	Expalerman
233	Tablet Machine Operator
234	Bottle Filler
235	Capsul Filler
236	Tulaiyya
237	Jute Sewing
238	Press Operator
239	Sending Operator

240	Cross Cutter Operator
241	Dumpinger
242	Machine folar
243	Stiper
244	Felar
245	headfolar
246	Kata Folar
247	Ganthwala
248	Assistant Jober
249	Dying Asst.
250	Designing And Sizing Asst.
251	Kosa Worker
252	Thread Stock Incharge

253	Hosiyari
254	Assistant Dealer
255	Assistant Grinder
256	Assistant Painter
258	Assistant Vulkniger

S.N.	Skilled
1	Artificer (Class-II, III, IV)
2	Blacksmith
3	Blacksmith(Selection Grade, Grade II, III, Class II and III)
4	Boilerman
5	Carpenter
6	Carpenter (Class II) Carpenter-cum- Blacksmith
7	Chowdhary
8	Driver/ Cash Van Driver
9	Driver (Engine Tractor, M.T.Motor)
10	Fitter
11	Mason
12	Mason (Selection Grade, Grade II, III and Class B Mistry)
13	Machine hand (Class II, III, IV)
14	Machineman
15	Mate Gr. I
16	Mechanic
17	Milk Writer
18	Mistry (Head)



19	Moulder
20	Muster Writer
21	Operator (Tube-well)
22	Painter
23	Plumber
24	Upholsterer
25	Wireman,
26	Chipper
27	Chipper-Cum-Grinder
28	Cook (Head)
29	Driller
30	Driller (Well Boring)
31	Driver(Loco/Truck)
32	Electrician (Assistant)
33	Mechanic (Tube-Well)
34	Mistry(Stell, Tube-Well, Telephone)
35	Meter Reader
36	Driller (Well Boring)
37	Meteorological Observer Navghani
38	Operaor(BatchingPlant,CinemaProject,ClampShelf,Compressor, Grane, Dorrick, Diesel Engine, Doser,Dragling Drill Dumber, Excavator,ForkLiftGenerator,Grader,JackHammerandPayment breakerLoader,Pump,PileDriving,Scraper,ScreeningPlant,Shoval,
39	Tractor,Vibrator,WeightBatcher,RailwayGuards,Repairer(Battery)
40	Sharper/Slotter
41	Sprayer (Ashalt) Station Master
42	Surveyor (Silt)
43	Trades-Man
44	Train Examiner
45	Turner/Miller
46	TyreVulcaniser
47	Sawyer
48	Sawyer (Selection Grade Class II) Serang

49	Serangpile
50	Driving Pantooms with Boiler
51	Shapesman
52	Shift-incharge
53	Sprayman
54	Sprayman (Roads)
55	Stone Cutter
56	Stone Cutter (Selection Grade, Grade II, Class II)
57	Stone Chisler
58	Stone Chisler (Class II)
59	Stone Blaster
60	Surveyors
61	Pump Driver
62	Pump Driver (Selection Grade, Grade II and III, Class II)
63	Pump Driver (Selection Grade, P.E., Driver)
64	Pumpman
65	Pumpman (Assistant)
66	Polisher (with spray) Grade II
67	Ratan Man
68	Rivet Cutter (Assistant)
69	Rivetter
70	Rivetter (Cutter)
71	Road Inspector Grade II
72	Railway Plate Layer
73	Rod Bender
74	Haulage Operator
75	Dispensary Attendant
76	Work Sakar
77	Mica Cutter Grade -I
78	Dresser Grade -I
79	Supervisory Fireman
80	Fireman only in Mines
81	Compressor Driver
82	Pump Man Driver

83	Surveyors (Assistant)
84	Tailor
85	Tailor(Upholstry)
86	Transprayer
87	Tar man
88	Line Man
89	Tiler Class II
90	Wall(Floor, Roof)
91	Tiler (Selection Grade)
92	Tin-Smith
93	Tin Smith(Selection Grade, Grade II and III, Class II) Tinker
94	Well Sinker
95	Assistant Mistry
96	Armature Winder Grade-II and III
97	Bhandari
98	Boilerman
99	Boilerman Grade II and III
100	Boiler Foreman Grade II
101	Work (Assistant)
102	Brick Layer
103	Bricklayer (Selection Grade, Class II)
104	Blaster
105	Chowkidar (Head)
106	Security Guard (without arms)
107	Carpenter (Selection Grade, Grade II and III, Class I and III Assistant)
108	B.I.M. Road
109	Cabinet Maker
110	Caneman
111	Celotex
112	Cutter Maker Chargeman, Class II and Class III, Carpenter Ordinary)
113	Checkder (Junior)
114	Chick Maker
115	Chickman (Junior) Concrete Mixure Mixer
116	Concrete Mixer Operator

117	Cobbler
118	Coremaker
119	Driver Motor Vehicle
120	Motor Vehicle Selection Grade
121	Motor Lorry
122	Motor-Lorry Grade II
123	Lorry Grade II
124	Diesel Engine
125	Diesel Engine Grade II
126	Mechanical Road Roller I.C. and Cement Mixer etc.
127	Road Roller Driver
128	Road Roller Driver Grade II
129	Driver (Engine Static Stone Crusher, Tractor/Bull Dozer, Steam Road Roller, Water Pump, Mechanical Assistant, Road Roller, Mechanical, Steam Crane, Tractor with Bull Dozer Mechanical, Transport, Engine Static and Road Roller Boiler Attendant
130	Engine Operator (Stone Cursher Mechanical)
131	Distemperer, Electrician, Electrician (Grade II, Class II and Class III)
132	Fitter (Selection Grade, Grade II and III) class II and III Assistant, Pipe class II, Pipe Line ending Bars for
133	reinforcement Cum-mechanic, Mechanic and Plumber)
134	Gharami (Head)
135	Glazier
136	Hole Drillar for Blasting
137	Joiner
138	Joiner (Cable, Cable Grade II)
139	Lineman (Grade II, III, High Tension/Low Tension)
140	Stone cutting
141	Brick-layer
142	Tile Flooring
143	B.I.M Muccadam (Head)
144	Stone cutting (Stone Class II, Brick Work, Stone work)
145	Brick-layer
146	Tile Flooring

147	B.I.M Muccadam (Head)
148	Stone cutting
149	Ordinary Mechanics
150	Mechanic (Class II, Air conditioning, Air conditioning Grade II
151	Diesel Grade II
152	Road Roller Grade II
153	Assistant, Radio)
154	Manson (Gharami)
155	Mistry
156	Mistry Grade II, Air conditioning Grade II, P. Way, Survey, Santras Works)
157	Mason Class A
158	Moulder (Brick, Tile)
159	Painter (Selection Grade, Grade II and III, Class II, Assistant Lotter and Polisher, Polisher, Rough)
160	Plasterer
161	Plasterer (Mason Grade II)
162	Plumber (already mentioned in No. 12)
163	Plumber (Selection Grade, Class II, Assistant Lotter and Polisher, Rough),
164	Plumber (Selection Grade, Class-II, Assistant Senior, Junior, Mistry Grade II)
165	Plumbing Mistry
166	Plumber-cum-Fitter
167	Polisher
168	Polisher (Floor)
169	Sirdhar Lathe Man
170	Geologist
171	Trailors
172	Turner
173	Upholsterer (already mentioned in No. 13)
174	Upholsterer (Grade II and III)
175	painter
176	Painter Spray (Class II)
177	Wood Cutter
178	Wood Cutter Section Grade
179	Wood Cutter Class II

180	Work Sircar
181	Welder
182	Airwineh Haulage Operator
183	Auto-electrician
184	Compressor Operator
185	Blaster/Shot-firer
186	Head cook
187	Chargeman
188	Concrete Mixer Operator
189	Compressor Attendant
190	Air Compressor Attendant
191	Tractor Driver
192	Vehicle Driver
193	Chemist and Assistant/ Chemist
194	Sub- overseer (unqualified)
195	Driller
196	Handhole Driller
197	Drill Mechanic
198	Driver Auto
199	Electrician
200	Wireless Operator Asstt. Foreman
201	Foreman
202	Ferry Driver
203	Issuer Loco
204	Super Foreman
205	Hoist Operator
206	IMCE Driver
207	Loco Driver
208	Loader Operator
209	lineman
210	Mechanic/ Machinist
211	Mid Wife
212	Tinsmith
213	Supervisory Mechanic

214	Pump Attendant only in Gypsum, Barytes and Rock Phosphates
215	Pump Operator/Driver
216	Mining Mate with competency certificate under Metalliferous Mines Regulations, 1961.
217	Skilled Mazdoor
218	Senior Mechanic
219	Pipe Fitter
220	Supervisor
221	Drafts Man
222	Wireman
223	Timber Man/Timber Mistry Elect.
224	Stone Crusher Operator
225	Crusher Operator
226	Welder
227	Operator
228	Work Mistry
229	Engine Driver
230	Mining Engine Driver Grade -II
231	Engineman
232	Valveman
233	Cutter
234	Winding Engine Driver Grade - II
235	Security Guard (Unarmed) /Head Chowkidar
236	Shovel Operator
237	Limco Loader Operator
238	Surface Supervisor
239	Dozer Operator
240	Compressor Driller
241	Dumper Tractor Operator
242	Dumper Tractor Operator
243	Machinery Attendant
244	Air-conditions Mechanic
245	Crech Attendant only in Magnesite, Manganese and Mica Mines
246	Power Shovel Operator
247	Power and Pump House Operator

248	Miner Grade - I
249	Tractor Operator 80. Tub Repairer 81. Lathe Mistry
250	Stationery Engine Attendant 83. Generator Operator 84. Loading Foreman
251	Diesel Mechanic
252	Ferro Printer cum-chairman
253	White Washing and Colour Washing Man
254	Operator Pneumatic Tools, Operator (Fitter)
255	Boreman
256	Borer
257	Wireman (Grade II and III, Mechanic, Electrical)
258	White Washer
259	White Washer (Selection Grade, Class II)
260	Welder (Class II, Bridge work)
261	Welder gas
262	Muccatam (with Compentency Certificate under MetalliferousMinesRegulations, 1961).
263	Security Guard (without arms)and other categories by whatever name called which are of skilled nature
264	Assistant (Farm)
265	Assistant (Cashier)
266	Librarian
267	Telex or Telephone Operator
268	Hindi Translator
269	Account Clerk
270	Clerks
271	Computer/Data Entry Operator
272	Telephone Operator, Typist
273	Store Attendant
274	M. C. Clerk
275	Munshi (Matriculate, Non-matriculate)
276	Store clerk (Matriculate Non-matriculate)
277	Store Keeper
278	Store Keeper Grade I, Grade II, (Matriculate)
279	Time Keeper
280	Time Keeper (Matriculate Non-Matriculate)



281	Book Keeper
282	Work Munshi
283	Work Munshi (Subordinate)
284	Magazine Clerk
285	Teller Clerk
286	Store clerk
287	Tally Clerk
288	Store Issuer
289	Tool Keeper
290	Computer/Data Entry Operator
291	Record Keeper
292	Tracer
293	Clerk/File Clerk
294	Register Keeper
295	Asst. Supervisor
296	Munshi
297	E.T.P. Operator
298	Moulder
299	Fiter
300	Machenic
301	Machin Operator
302	Packing Operator
303	Lab Assistant
304	Turner
305	Welder
306	Electrician
307	Fireman
308	Purchase INC
309	Light Whicle Driver
310	Cook
311	Pump Operator
312	Mason
313	Carpenter
314	Gas cutter

315	Motor Rewinder
316	Technician
317	Driver cum Pump Operator
318	Chemist
319	Gunman
320	Biolar Asst. (Class II)
321	Turbine Operator (I-T-I)
322	Iron Mistri
323	Tiles Mistri
324	Centring Mistri
325	Record keeper
326	Melter
327	Shift Incharge
328	Loader
329	Accountant
330	Cashier
331	Head clerk
332	Receptionist
333	Telephone Operator
334	Drilling Operator
335	Supervisor
336	Bench Fitter
337	Structural Fitter
338	Granite chiper
339	Cabinet maker
340	Wood Polisher
341	Borer
342	Barvender
343	Penter
344	Pathera
345	Koylara
346	Blacksmith
347	Line Packers
348	Pressureman

349	Daiman
350	Liverman
351	Seramist
352	Pipemil Operator
353	Polisher
354	Tools Incharge (Mate Filin)
355	Mate (Production)
356	shaperman
357	Driver (kover)
358	Leth Machinist
359	Shates Cleaner
360	Head Guard
361	Sub Inspector
362	Asst. Security Officer
363	Asst. Security Supervisor
364	Bouncer
365	shawal
366	Diclean Dozer
367	Scaper
368	Wireman
369	Drapsman
370	Bellsikar
371	Litrade Mali
372	Nursery Assistant
373	Aayurvedic Vaidh
374	Water Works Operator
375	Electricity Operator
376	Head Cook
377	Captan
378	Stuword
379	Tandurchi
380	Tea-Coffee Master
381	Order Master
382	Artisan

383	Dessert Maker
384	Security Supervisor
385	Salesman
386	Armed Security Guard
387	Trainer
388	Asst. Librarian
389	Asst. Supretendent
390	Asst. Administrative Officer
391	Asst. Manager
392	Warden
393	Housekipper
394	Laundry Attandent
395	Compunder
396	O.T. Machenic
397	Sales Supervisor
398	Photolithographer
399	Lithoartist
400	Nagetive Sticher
401	Litho Offset
402	Platemaker
403	Lithopresman
404	Litho Offset Copy Paster
405	Litho Offset Printer
406	Leth Blade Printer
407	Litho Offset Transfer Printer
408	Camera Operator
409	Commercial Artist
410	Draftsman
411	Oftiancher
412	Dryclature
413	Lino Operator
414	Lino Machenic
415	Machenic Mono type Key-Board Operator
416	Mono type Machenic Operator

417	Rotary Presman
418	Section Holder
419	Senior Reader
420	Compositer
421	Type Caster
422	Transfer Printer
423	Cylender Presman
424	Glider Carpenter
425	Trader Presmenacher
426	Gilating Operator
427	Revider Sticher Machineman
428	Cutter
429	Binder
430	Sewing Machineman
431	Ruling Machinman wire Sticher
432	Bailor Attandent
433	Serviceman
434	vender
435	Expelar Master
436	Time kiper
437	Labourtary Technician
438	Wethmixer
439	Plant Attandent
440	Mukaddam
441	Loding Unloding mazdoor/Hamal
442	Thresarman
443	Motorman
444	Bhattwala
445	Poha Banane wala
446	Bekar
447	Head Mistri
448	Dying Man
449	Spinnig Wheel Operator
450	Master (Artican)

451	Jecard bunkar
452	Frem loom mastar
453	Warper Master
454	Printing Assistant
455	Production Assistant
456	katai incharge
457	Machinman
458	Boncursher
459	Ranglepak
460	Shaper
461	Grinder
462	Dealer
463	Framemaker
464	Tinker Upholstar
465	Penter
466	Typist and other categories by whatever name called which are of clerical nature
467	Nursing sister
468	Staff Nurse Grade 'B'
469	Medical Social Worker
470	Dietician
471	Physiotherapist / Therapist
472	Technical Asstt. / Scientific Asst.
473	Pharmacist
474	Radiographer
475	ECG Technician
476	Lab. Technician
477	AC Operator
478	Data Entry Supervisor
479	DG Operator
480	Pest control
481	Housekeeping Machine operator
482	Executive House Keeper (Railway Coach)
483	Ticket Vendor (Metro)
484	Persons working at Airlines counter (Airport)

485	Battery caroperator (Airport)
486	Head Waiter

S.N.	Unskilled
1	Beldar
2	Calf boy
3	Cattleman
4	Cleaner (Motor shed, Tractor, Cattle, Yard, M.T)
5	Collecting loose fodder
6	Dairy coolie
7	Mazdoor (Airport, Currier Compost, Dairy's Haystake, Irrigation, Manure, Stacking, Milk-room, Ration room Store, Anti-Malaria, M.R.)
8	Driver (Mule, Bullock, Camel, Donkey)
9	Dresser
10	Grazler
11	Dairyman
12	(Store-Mazdoor)
13	Carrier (Stone),
14	Breaker (using manual appliances)
15	Helper
16	Messenger (Office)
17	Syce
18	Tying and Carrying loose hay
19	Sweeper
20	Weighing and Carrying bales
21	Weighman (Bales, pally)
22	Waterman
23	Stable man
24	Trolley man
25	Valveman
26	Watchman
27	White Washer

28	Wooderman/Woman
29	Borryman
30	Coalman,
31	Condenser Attendant,
32	Vehicle Attendant
33	Grass Cutter
34	Untrained mali
35	Condenser Attendant
36	Shunters
37	Turner
38	Bajri Spreader
39	Beater Women
40	Chain Man
41	Bell Women
42	Boat Man
43	Bucket Man
44	Labourer (Boiler, Cattle Yard, Cultivation, General Loading and Unloading, Bunding, Carting-Fertilizers, Harvesting, Miscellaneous Seeding, Sowing, Thatching, Transplanting, WeedingGarden)
45	Cleaner (Crane, Truck, Cinder for ash Pit)
46	Cartman,
47	Caretaker (Bridge),
48	Carrier (Water),
49	Chowkidar,
50	Concrete (Hand Mixer)
51	Daffadar
52	Flag Man,
53	Flagman (Blast Train)
54	Khalasi not attending to machines
55	Gangmen
56	Gatingman (Permanent Way),
57	Handle Man, Jumper Man,
58	Kamin (Female Work)
59	Marine
60	Steam Road



61	Roller Survey
62	Labour Garden
63	Hole Cutter
64	Lorry Trainees (conductor)
65	Petrolman
66	Searcher
67	Signal man
68	Strikers
69	Vaks Controller
70	Cleaner
71	Dresser / Dressing Mazdoor
72	Loader
73	Trammer
74	Caretaker(except in Copper, Chromite and Graphite mines where it
75	is semiskilled)
76	Office Peon /Peon
77	Carrier
78	Number Taker
79	Trolley Triper
80	Water Carrier
81	Earth Cutter
82	Survey Khalasi
83	Gate Man
84	Concrete (Hand Mixer)
85	Dismantling stocks
86	Lampman
87	Coolie
88	Cook-helper
89	Office Boy
90	Quarry Worker
91	Jelly Maker
92	Over burden Remover
93	Waste removing mazdoor
94	Unloader

95	Excavating Labour
96	Digger
97	Butcher
98	Attender
99	Lorry Helper
100	Surface loader
101	Surface Mukar
102	Under Ground Mukar
103	Excavating Labour
104	Tall Boy,
105	Person employed in loading and unloading
106	Person employed in sweeping and cleaning and other categories by whatever name called which are of unskilled nature
107	Stretcher Bearer
108	Nursing Orderlies
109	Trolley Retriever (Airport)
110	Securit Guard
111	Attendant
112	Nurse maid/ aaya
113	Gate kiper
114	Labour (cleaner)
115	Sentars (cleaner)
116	Labour (Production)
117	Bhisti
118	Asst.Kanji House Helper
119	Licence wender
120	Waiter
121	Service Man
122	PosterMan
123	Wender
124	Laundryman
125	Ward boy
126	Rotary Biller

127	Hand Folder
128	Asst. Carpenter
129	Biolar
130	Binding boy
131	Oxiglary
132	Geli Proof Press man
133	Isyouchecker
134	Metar Caster
135	Paper Hocker
136	Casting Boy
137	Rolar Caster
138	Tier Airman
139	Bottle Cleaner
140	Mazdoor (kosa work)
141	Carding
142	Lefa
143	Haddbin
144	vhicle Cleaner
145	vhicle Atendant
146	Feederman
147	Mixerman/woman
148	Asst. Driller

By order and in the name of the Governor of Chhattisgarh,  
RENUKA SRIVASTAV, Deputy Secretary.

**Chhattisgarh Wage Rules, 2021 Profarma for the objections and suggestions**

Name and address of the person	Specifying the rule or sub-rule which is proposed to be modified	Specifying the revised rule or sub-rule proposed to be submitted	Reasons
(1)	(2)	(3)	(4)