

# The Payment of Wages (Air Transport Services) Rules, 1968

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# The Payment of Wages (Air Transport Services) Rules, 1968<sup>1</sup>

**1. Short title, application and extent.**—(1) These rules may be called the Payment of Wages (Air Transport Services) Rules, 1968.

(2) They shall apply in respect of payment of wages to persons employed in an air transport service either directly by the owner or through a contractor engaged by such owner.

(3) They shall extend to the whole of India.

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

- (a) “Act” means the Payment of Wages Act, 1936 (4 of 1936);
- (b) “authority” means an authority appointed under sub-section (1) of Section 15;
- (c) “<sup>2</sup>[Deputy Chief Labour Commissioner (Central)]” means an officer appointed as such by the Central Government;
- (d) “contractor” means a person engaged under a contract, by the owner of an air transport service, to perform certain functions in relation to the air transport service, and includes a sub-contractor;
- (e) “court” means the court mentioned in sub-section (1) of Section 17;
- (f) “deduction for breach of contract” means a deduction made in accordance with the proviso to sub-section (2) of Section 9;
- (g) “deduction for damage or loss” means a deduction made in accordance with clause (c) of sub-section (2) of Section 7;
- (h) “employed person” means a person employed in an air transport service to whom the Act applies;
- (i) “employer” means the owner of an air transport service and includes a contractor, agent, manager or any other person responsible under Section 3 for the payment of wages;
- (j) “Form” means a form appended to these rules;
- (k) “Inspector” means an Inspector appointed under Section 14;
- (l) “Regional Labour Commissioner” means an officer appointed as such by the Central Government;
- (m) “section” means a section of the Act;
- (n) words and expressions used in these rules and not defined herein shall have the same meanings respectively assigned to them in the Act.

**3. Notice of opening, abandonment, discontinuance, resumption and change in the ownership, addresses, etc.**—(1) When an air transport service has

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1. *Vide* S.O. 3036/PWA/Air Services Rules 68, dt. 5-8-1968, published in Gaz. of India, Pt. II, S. 3(ii), dt. 7-9-1968, pp. 4013-033.

2. *Subs.* by G.S.R. 91(E), dt. 8-2-1983.



been opened, the employer shall forthwith communicate the actual date of opening to the Regional Labour Commissioner (Central) concerned notice in Form I.

(2) Where it is intended to abandon an air transport service or to discontinue it for a period exceeding 60 days, the employer shall, not less than 40 days before such abandonment or discontinuance give to the Regional Labour Commissioner (Central) concerned, a notice in Form I stating the reasons for the proposed abandonment or discontinuance and the number of persons likely to be affected thereby:

Provided that when an air transport service is abandoned or discontinued before the said notice was given, or when the discontinuance exceeds 60 days due to unforeseen circumstances, the notice shall be given forthwith.

(3) When an air transport service has been abandoned or discontinued for a period exceeding 60 days, the employer shall, forthwith communicate the actual date of abandonment or discontinuance, to the Regional Labour Commissioner (Central) concerned.

(4) Where it is intended to resume an air transport service after abandonment or after discontinuance for a period exceeding 60 days, the employer shall, not less than 30 days before the resumption of transport operations, give to the Regional Labour Commissioner (Central) concerned, notice in Form I.

(5) Where an air transport service has been resumed the employer of the air transport service shall forthwith communicate the actual date of resumption to the Regional Labour Commissioner (Central) concerned.

(6) When a change occurs in the name or ownership of an air transport service or in the address of the owner, the employer shall, within seven days from the date of such change, give to the Regional Labour Commissioner (Central) concerned, a notice in Form I:

Provided that where the owner of an air transport service is a firm or other association of individuals, a change—

- (i) of any partner, in the case of a firm;
- (ii) of any member, in the case of an association;
- (iii) of any director, in the case of a public company; or
- (iv) of any shareholder in the case of a private company;

shall also be intimated to the Regional Labour Commissioner (Central) concerned within seven days from the date of such change.

**4. Register of fines.**—(1) Every employer who desires to impose fine on the employed persons shall obtain the approval of the Regional Labour Commissioner (Central) concerned to a list of acts and omissions in respect of which fines may be imposed. The Regional Labour Commissioner (Central) concerned shall be the authority competent to approve, under sub-section (8) of Section 8, the purposes for which the amount of fines realised may be expended.



(2) Every employer who has obtained approval to the list of acts and omissions under sub-rule (1) shall maintain a register of fines <sup>3</sup>[in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017].

(3) The list of acts and omissions in respect of which fines may be imposed, shall be entered in the register of fines at the beginning.

(4) At the beginning of the register of fines, there shall also be entered, serially numbered, the approved purpose or purposes on which the amount of fines realised is to be expended.

(5) At the end of every month, the amounts realised as fines shall be totalled and carried forward after deduction of disbursement, if any, as per <sup>4</sup>[Register referred to in sub-rule (2)].

(6) When any disbursements are made from the amounts of the fines realised, a deduct entry of the amount so expended shall be made in the register of fines and a voucher or receipt in respect of the amount shall be affixed to the register. If more than one purpose has been approved, the entry of the disbursement shall also indicate the purpose for which it is made.

(7) The register of fines shall be maintained up-to-date. Where no fine has been imposed on any employee in a 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.

**5. Register of deductions for damage or loss.**—A register of deductions for damage or loss <sup>5</sup>[in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017] shall be maintained up-to-date. Where no deduction has been made from the wages of any employed persons in a 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.

**6. Muster roll and register of wages.**—Every employer shall maintain a muster-roll and a register of wages <sup>6</sup>[in Form D and Form B, respectively, specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017] or a muster roll-cum-register of wages in Form VI. These records shall be maintained up-to-date. The attendance of an employed person shall be marked not later than one hour after the employed person commences work for the day.

**7. Combined form of register.**—Notwithstanding anything contained in these rules, where mechanised payrolls are introduced for better administration or a combined (alternative) form is sought to be used by an employer to avoid duplication of work for compliance with the provisions of any other Act or rules

3. Subs. for "in Form II" by G.S.R. 154(E), dt. 21-2-2017 (w.e.f. 21-2-2017).

4. Subs. for "Part II of Form II" by G.S.R. 154(E), dt. 21-2-2017 (w.e.f. 21-2-2017).

5. Subs. for "in Form III" by G.S.R. 154(E), dt. 21-2-2017 (w.e.f. 21-2-2017).

6. Subs. for "in Form IV and V respectively" by G.S.R. 154(E), dt. 21-2-2017 (w.e.f. 21-2-2017).



framed thereunder, an alternative suitable form may be used in lieu of any of the forms prescribed under these rules, with the prior approval of the Deputy Chief Labour Commissioner (Central). [R. 8 of the Deputy Chief

**8. Preservation and maintenance of register.**—<sup>7</sup>[(1) Every register maintained under the Act or these rules shall be maintained up-to-date, kept and preserved for a period of three years after the date of last entry made therein in the establishment:

Provided that the employer may with prior approval of the Regional Labour Commissioner (Central) preserve and keep the register at a place other than the establishment specified by him.]

(2) The registers maintained under the Act or these rules shall be maintained in English or in Hindi, but where a register is maintained in Hindi, a true translation thereof in English shall also be maintained.

**9. Production of registers and records.**—All registers and records required to be maintained under these rules, shall be produced by the employer on demand before the Inspector:

Provided that where an establishment has been closed, the Inspector may demand the production of registers and records in his office or such other public place as may be nearer to the employer.

**10. Places for displaying notices.**—The Inspector shall specify such place or places in the establishment as he thinks fit (hereinafter referred to as the specified place or places) for the display of notices and lists under Rules 11 and 12.

**11. Notice of dates of payment.**—(1) The employer shall display at a conspicuous place outside his office and at the specified place or places, notices in English or Hindi and in the language, if that be not Hindi, of the majority of the persons employed at such place or places showing—

<sup>8</sup>[(i) the wage-period for which wages are payable.]

(ii) for not less than two weeks in advance, the days on which wages are to be paid;

(iii) the rates of wages and scales of allowances payable to persons employed in Form VII.

<sup>9</sup>[(iv) the day or date on which unpaid wages are to be paid indicating the relevant wage-period to which the unpaid wages pertain. The employer may however disburse such unpaid wages on any day in addition to the prescribed day or date.]

Copies of all such notices and alterations therein shall be sent to the Inspector.

(2) The employer shall display outside his office and at the specified place or places, a notice showing the name and complete address of the Inspector having jurisdiction over the establishment.

7. Subs. by G.S.R. 91(E), dt. 8-2-1983.

8. Ins. by G.S.R. 91(E), dt. 8-2-1983.

9. Ins. by G.S.R. 91(E), dt. 8-2-1983.



<sup>10</sup>[**11-A. Supervision of payment.**—Whenever an Inspector so desires, the employer or his representative of the establishment shall pay wages to the employed persons on the notified date of payment in his presence.]

**12. Lists of acts and omissions.**—The employer shall display outside his office and at the specified place or places, a copy in English, or Hindi or in the language, if that be not Hindi, of the majority of persons employed, the list of acts and omissions approved under Rule 4.

**13. Persons authorised to impose fines.**—(1) No fine shall be imposed by any person other than the employer or a member of his staff authorised by him in writing in this behalf. A copy of such authorisation shall be duly sent to the Inspector concerned.

(2) In the case of persons employed by a contractor, no fine shall be imposed by any person other than the contractor:

Provided that a contractor who runs more than one establishment in two or more localities, and who employs not less than fifty persons in one locality, may, with the approval of the Regional Labour Commissioner (Central) delegate his powers to impose fine to his representative in that locality.

**14. Procedure in imposing fines and deductions.**—(1) No fine shall be imposed, except in accordance with the procedure laid down in any rules, regulations or certified Standing Orders in force in the establishment and until the employed person has been given an opportunity in writing to show cause against such imposition and it has also been established that he was guilty of the act of omission or commission alleged against him.

(2) No deduction for damage or loss shall be made from the wages of an employed person except in accordance with the rules or regulations of the establishment or certified Standing Orders in force in the establishment and until he has been given an opportunity to show cause against such deduction and it has also been established that the damage or loss sustained by the employer is directly attributable to the neglect or default of the employed person.

(3) No fine shall be imposed on, and no deduction for damage or loss shall be made from the wages of a person employed by a contractor until the person competent to impose the fine or to make deduction has explained personally to the said person, the act or omission or the damage or loss, in respect of which the fine or deduction is imposed or made and the amount of fine or deduction which it is proposed to impose or make and the employed person has been given a reasonable opportunity of being heard in the presence of at least one more person.

**15. Deduction under the proviso to sub-section (2) of Section 9.**—(1) No deduction under the proviso to sub-section (2) of Section 9 shall be made from the wages of an employed person who is under the age of fifteen years or is a woman.



(2) No such deduction shall exceed the wages of the employed person for the period by which the notice of termination of service given falls short of the period of such notice required by the contract of employment or certified Standing Orders.

(3) No such deduction shall be made from the wages of any employed person unless this rule has been displayed in English or Hindi and in the language, if that be not Hindi, of the majority of the employed persons, outside the office of the establishment and at the specified place or places concerned, and has been so displayed for not less than one month before the commencement of the absence in respect of which the deduction is made.

(4) No such deduction shall be made from the wages of any employed person unless a notice has been displayed outside the office of the establishment and at the specified place or places, at least one week before such deduction is made, giving the names of the persons from whom the deduction is proposed to be made, the number of day's wages to be deducted and the conditions, if any, on which the deduction will be remitted:

Provided that where the deduction is proposed to be made from all the persons employed in any department or section of the establishment, it shall be sufficient, in lieu of giving the names of such persons in the department or section, to specify the department or section affected.

(5) If any conditions have been specified in the notice displayed under sub-rule (4), no such deduction shall be made from any person who has complied with such conditions.

<sup>11</sup>[**16. Annual Returns.**—Every employer shall, on or before the 1st day of February in each year, upload unified annual return in Form VIII on the web portal of the Central Government in the Ministry of Labour and Employment giving information as to the particulars specified in respect of the preceding year:

Provided that during inspection, the inspector may require the production of accounts, books, registers and other documents maintained in electronic form or otherwise.

*Explanation.*—For the purposes of this rule, the expression “electronic form” shall have the same meaning as assigned to it in clause (r) of Section 2 of the Information Technology Act, 2000 (21 of 2000).]

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11. *Subs.* by G.S.R. 55(E), dt. 29-1-2019 (w.e.f. 29-1-2019). Prior to substitution it read as:

“**16. Annual Returns.**—(1) Every employer shall on or before the 1st day of February in each year upload annual returns in the Form VIII on the web portal of the Ministry of Labour and Employment giving information as to the particulars specified in respect of the preceding year.

(2) Every employer on or before the 1st day of February in each year may file annual returns in the Form VIII to the Regional Labour Commissioner (Central) and Inspector giving information as to the particulars specified in respect of the preceding year:

Provided that during inspection, the inspector shall require the production of the accounts, books, register and other documents if the same are maintained in manual form or in electronic form, as the case may be.

*Explanation.*—For the purposes of this sub-rule, the expression “electronic form” shall have the same meaning as assigned to it in clause (r) of Section 2 of the Information Technology Act, 2000 (21 of 2000).”



**17. Advances to employed persons.**—(1) An advance of any nature (including advances for travelling allowance or conveyance allowance) shall not ordinarily exceed two calendar months' wages of the employed person. In exceptional circumstances, the amount of such advance, may with the previous sanction of the Regional Labour Commissioner (Central) concerned be made to the extent of ten calendar months' wages.

(2) The advance may be recovered in instalments by deduction from wages of the employed person spread over not more than twelve months in the case of an ordinary advance and sixty months in the case of an advance granted in exceptional circumstances. In no case shall the amount of an instalment exceed one-fourth of the wages earned in a wage-period.

(3) The amount of all advances sanctioned and repayments thereof shall be entered in a register <sup>12</sup>[in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017] which shall be maintained up-to-date and kept at the establishment or as near to it as possible.

**18. Loans for house building and other purposes.**—(1) A loan may be granted by the employer to an employed person for the purpose of—

- (a) building a house or for effecting repairs in and extension of, an existing house; or
- (b) purchase of a built house or of a plot for building a house; or
- (c) the marriage of the employed person, his son or daughter; or
- (d) treatment of prolonged illness of the employed person or of a member of his family.

(2)(i) A loan for the purposes specified in clause (a) of sub-rule (1), other than for the purposes of effecting repairs in an existing house and for the purposes of clauses (b) and (c) of the said sub-rule shall not exceed an amount equal to thirty-six calendar months' wages of the employed person or ten thousand rupees whichever is less.

(ii) For the purpose of effecting repairs to an existing house, the amount of loan shall not exceed three thousand rupees.

(iii) The amount of loan for the purposes specified in clause (d) of sub-rule (1) shall not exceed a sum equivalent to four calendar months' wages of the employed person or one thousand rupees whichever is less.

(iv) Interest on all such loans shall not exceed 6 per cent per annum.

(3) The amount of loans sanctioned under sub-rule (1) and repayments thereof together with interest thereon shall be entered in a register <sup>13</sup>[in Form C specified in the Schedule to the Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017] which shall be maintained up-to-date and kept at the establishment or as near to it as possible.

12. Subs. for "in Form IX" by G.S.R. 154(E), dt. 21-2-2017 (w.e.f. 21-2-2017).

13. Subs. for "in Form X" by G.S.R. 154(E), dt. 21-2-2017 (w.e.f. 21-2-2017).



**19. Procedure, costs and court-fees.**—The procedure to be followed by the authority and the court, the scales of costs which may be allowed in, and the amount of court-fees payable in respect of the proceedings before such authority or court shall be such as may from time to time be determined by rules as made by the State Government under the Act in respect of the authority or the court concerned.

**20. Abstracts.**—The abstracts of the Act and the rules to be displayed under Section 25 shall be as specified in Form XI and shall be in Hindi and in the language—if that be not Hindi—of the majority of the employed persons.

**21. Penalties.**—(1) Whoever being required under these rules to maintain any register or record or to furnish any information or return, fails to do so, or makes a false entry therein shall, for each such offence, be punishable with fine which may extend to five hundred rupees: provided that an employer who maintains such registers and records, or furnishes the required return without making the necessary entries therein, shall be punishable with fine which may extend to two hundred rupees.

(2) Whoever contravenes the provisions of Rules 11 and 12 shall be punishable with fine which may extend to two hundred rupees.

### FORMS

**Editorial Note:** Drastic amendments to the Forms under this Rule have been made by **Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017**, Rule 1 and 2 of which provide as follows:

**“1. Short title and commencement.**—(1) These rules may be called the **Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017**.

(2) They shall come into force on the date of their publication in the Official Gazette.

[These Rules came into force on 21-2-2017, *vide* G.S.R. No. 154(E), dated 21-2-2017]

**2. Maintenance of registers under certain labour related laws.**—(1) Notwithstanding anything contained in any rules made under the,—

- (i) Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996);
- (ii) Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970);
- (iii) Equal Remuneration Act, 1976 (25 of 1976);
- (iv) Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979);
- (v) Mines Act, 1952 (35 of 1952);
- (vi) Minimum Wages Act, 1948 (11 of 1948);
- (vii) Payment of Wages Act, 1936 (4 of 1936);
- (viii) Sales Promotion Employees (Conditions of Service) Act, 1976 (11 of 1976); and
- (ix) Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955);

the combined registers in the Forms specified in the Schedule\* to these rules shall be maintained either electronically or otherwise and used for the purposes, of the aforesaid enactments and the rules made thereunder, as specified therein.

(2) If the combined register referred to in sub-rule (1) is required for inspection by the concerned Inspector appointed under any of the enactments referred to in the said sub-rule.

\* *Vide* G.S.R. 154(E), dated 21-2-2017, published in the Gazette of India, Extra., Part II, Section 3(i), dated 21-2-2017, No. 126.

the concerned persons shall make available the combined registers or provide the necessary particulars for the purposes of accessing the information, as the case may be.

(3) Where any register referred to in sub-rule (1) is maintained in electronic form, then, layout and presentation of the register may be adjusted without changing the integrity, serial number and contents of the columns of the register, but not otherwise."

Full text of the **Schedule of Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017** containing Forms A to Forms E is printed at page 144.

## FORM I

[See Rule 3]

***Notice of Opening, Abandonment, Discontinuance,  
Resumption and Change in the Ownership, Addresses, etc.***

From

.....  
.....

To

The Regional Labour Commissioner (Central)

.....

Sir,

I have to furnish the following particulars in respect of\*..... at.....  
establishment of..... (owner).

1. In the case of change of name of establishment old name of establishment.....date  
of change.....

\* Mention the matter to which the notice refers.

2. (a) Situation of the establishment: Village ..... Police Station

..... Sub-Division (Taluk)

..... District ..... State.....

(b) In the case of new establishment, particulars of situation of establishment: Post  
Office ..... Telegraph Office ..... Railway Station .....  
Rest-House ..... (Give distance therefrom) means of travelling

3. (a) Name and Postal address of Present/Previous†

(i) Owner.....

(ii) Managing Agent, if any.....

(iii) Agent, if any.....

(iv) Manager.....

(v) In case of change, date of change.....

4. Date on which it is intended to open/resume/abandon/discontinue‡ the establishment

5. Actual date of opening/reopening/abandonment/discontinuance‡ of the establishment

6. No. of persons likely to be affected .....

Yours faithfully,

Signature.....

Designation: Owner/Agent/Manager

Date.....



## INSTRUCTIONS

† To be filled in only when the notice refers to a change and only against the item in respect of which notice is given.

‡ Delete whatever is not applicable.

## FORM II

<sup>14</sup>[\* \* \*]

## FORM III

<sup>15</sup>[\* \* \*]

## FORM IV

<sup>16</sup>[\* \* \*]

## FORM V

<sup>17</sup>[\* \* \*]

## FORM VI

(See Rule 6)

**Muster-Roll-cum-Register of Wages**

Name of Establishment .....

Name and address of employer  
.....

Location .....

Post Office .....

Wage-period from ..... to  
.....

Serial No.	Name of employed persons	Designation	Father's/ Husband's name	Daily attendance/ No. of units worked						
				1	2	3	4	5	6	7
1	2	3	4	5						
Total attendance/Units worked				Rate of wages						
				Basic	D.A.		Other allowances			
6				7	8		9			
Wages earned										
Basic		D.A.		Overtime		Other allowances		Total		
10		11		12		13		14		
Deduction from wages on account of										

14. Form II omitted by G.S.R. 154(E), dt. 21-2-2017 (w.e.f. 21-2-2017).  
 15. Form III omitted by G.S.R. 154(E), dt. 21-2-2017 (w.e.f. 21-2-2017).  
 16. Form IV omitted by G.S.R. 154(E), dt. 21-2-2017 (w.e.f. 21-2-2017).  
 17. Form V omitted by G.S.R. 154(E), dt. 21-2-2017 (w.e.f. 21-2-2017).

Fines	Damage or loss	Loss caused to the employer by neglect or default of employed person	Amenities/ Services/ House Rent	Provident Fund/Income Tax/Postal Insurance/ Cooperative Societies	Deductions from wages on account of other deduction
15	16	17	18	19	20
Total deductions		Net amount payable	Acquittance with date		Remarks
21		22	23		24

## FORM VII

[See Rule 11(1)(iii)]

*Notice of Rates of Wages and Scales of Allowances payable to Employed Persons*

Name of Establishment.....

Date from which wage rates will be or are enforced.....

Serial No.	Class of employees or description of work	Particulars of wage-period	Rate of wages		Rate of allowances, if any	Remarks
			Rs	P		
1	2	3	4	5	6	

<sup>18</sup>[FORM VIII

[See Rule 16]

*Unified Annual Return*

## A. General Part:

## Particulars:

(a) Name of the establishment Address of the establishment. House No./Flat No.  Street/Plot No. Town  District  State  Pin Code (b) Name of the employer Address of the employer. House No./Flat No.  Street/Plot No. Town  District  State  Pin Code



E-mail ID  Telephone Number  Mobile Number

(c) Name of the manager or person responsible for supervision and control of establishment

Address House No./Flat No.  Street/Plot No.

Town  District  State  Pin Code

E-mail ID  Telephone Number  Mobile Number

B. Employer's Registration/License number under the Act mentioned in column (2) of the table below:

Sl. No.	Name	Registration		If yes (Registration No.)
(1)	(2)	(3)		(4)
1.	The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996			
2.	The Contract Labour (Regulation and Abolition) Act, 1970			
3.	The Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979			
4.	The Employees' Provident Funds and Miscellaneous Provisions Act, 1952			
5.	The Employees' State Insurance Act, 1948			
6.	The Mines Act, 1952 Notice of opening under Regulation 3 of Coal Mines Regulation, 1957 or Regulation 3 of Metalliferous Mines Regulation, 1961			
7.	The Factories Act, 1948			
8.	The Motor Transport Workers Act, 1961			
9.	The Shops and Establishments Act (State Act)			
10.	Any other Law for the time being in force			

C. Details of Principal Employer, Contractor and Contract Labour:

1.	Name of the principal employer in the case of a contractor's establishment	
2.	Date of commencement of the establishment	



3.	Number of Contractors engaged in the establishment during the year	
4.	Total Number of days during the year on which Contract Labour was employed	
5.	Total number of man-days worked by Contract Labour during the year	
6.	Name of the Manager or Agent (in case of mines)	
7.	Address House No./Flat No. <input type="text"/> Street/Plot No. <input type="text"/> Town <input type="text"/> District <input type="text"/> State <input type="text"/> Pin Code <input type="text"/> E-mail ID <input type="text"/> Telephone Number <input type="text"/> Mobile No. <input type="text"/>	

D. Working hours and weekly rest day:

1.	Number of working days worked during the year
2.	Number of man-days worked during the year
3.	Daily hours of work
4.	Day of weekly holiday

E. Maximum number of persons employed in any day during the year:

Sl. No.	Males	Females	Adolescents (between the age of 14 to 18 years)	Children (below 14 years of age.)	Total

**F. Wage rates (Category Wise):**

F. Wage rates (Category wise).									
Category	Rates of Wages	No. of workers							
		Regular				Contract			
		Male	Female	Children	Adole- scent	Male	Female	Children	Adole- scent
Highly Skilled									
Skilled									
Semi-skilled									
Un-skilled									



## G. (a) Details of Payments:

Gross wages paid		Deductions			Net wages paid	
In cash	In kind	Fines	Deductions for damage or loss	Others	In cash	In kind

(b) Number of workers who were granted leave with wages during the year:

Sl. No.	During the year	Number of workers	Granted leave with wages

H. Details of various welfare amenities provided under the statutory schemes:

Sl. No.	Nature of various welfare amenities provided	Statutory (specify the statute)

## DECLARATION

It is to certify that the above information is true and correct and also I certify that I have complied with the all provisions of Labour Laws applicable to my establishment.

Place Date Sign here 

## FORM IX

19[\*\*\*]

## FORM X

20[\*\*\*]

## FORM XI

(See Rule 20)

*Abstract of the Payment of Wages Act, 1936 and the rules made thereunder*

1. The Act applies to the payment of wages to persons employed in air transport services receiving less than Rs 400 a month.

2. No employed person can give up by contract or agreement his rights under the Act.

*Definition of wages*

3. 'Wages' means all remuneration whether salary, allowances or otherwise payable to a person employed in respect of his employment or of work done in such employment.

It includes—

- any remuneration payable under any award or settlement between the parties or order of a court;
- any remuneration to which the person employed is entitled in respect of overtime work or holidays or any leave period;

19. Form IX omitted by G.S.R. 154(E), dt. 21-2-2017 (w.e.f. 21-2-2017).

20. Form X omitted by G.S.R. 154(E), dt. 21-2-2017 (w.e.f. 21-2-2017).



- (c) any additional remuneration payable under the terms of employment;
- (d) any sum which by reason of the termination of employment of the person employed is payable under any law, contract or instrument which provides for the payment of such sum, whether with or without deductions, but does not provide for the time within which the payment is to be made;
- (e) any sum of which the person employed is entitled under any scheme framed under any law for the time being in force.

It excludes—

- (1) any bonus which does not form part of the remuneration payable under the terms of employment or which is not payable under any award or settlement between the parties or order of a court;
- (2) the value of any house-accommodation, or of the supply of light, water, medical attendance or other amenity or of any service excluded from the computation of wages by an order of the Central Government;
- (3) any contribution paid by the employer to any pension or provident fund, and the interest which may have accrued thereon;
- (4) any travelling allowance or the value of any travelling concession;
- (5) any sum paid to the employed person to defray special expenses entailed on him by the nature of his employment; or
- (6) any gratuity payable on the termination of employment in cases other than those specified in sub-clause (d) [Section 2(vi) of the Act].

*Responsibility for and method of payment*

4. The employer is responsible for the payment under the Act of wages to persons employed under him, and any contractor employing persons is responsible for payment to the persons he employs.

5. Wage-periods shall be fixed for the payment of wages at intervals not exceeding one month.

6. Wages shall be paid on a working day within 7 days of the end of the wage-period (or within 10 days if 1000 or more persons are employed).

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

7. Payment in kind is prohibited.

*Fines and deductions*

8. No deductions shall be made from wages except those authorised under the Act (see Paragraphs 9-18 below).

9. (1) Fines can be imposed only for such acts and omissions as the employer may, with the previous approval of the Regional Labour Commissioner, specify by a notice displayed at or near the entrance of the workplace or places at the establishment and after giving the employed person an opportunity for explanation.

(2) Fines—

- (a) shall not exceed three paise in the rupee.
- (b) shall not be recovered by instalments or later than sixty days of the date of imposition,
- (c) shall be recorded in a register and applied to such purposes beneficial to the employed persons as are approved by the Inspector.
- (d) shall not be imposed on an employed person who is under the age of fifteen years.

10. (a) Deduction for absence from duty can be made only on account of the absence of the employed person at times when he should be working and such deductions must not exceed an amount which is in the same proportion to his wages for the wage-period as the time he was absent in that period is to the total time he should have been at work.



(b) If ten or more employed persons, acting in concert, absent themselves without reasonable cause and without due notice, the deduction for absence can include wages for eight days in lieu of notice, but—

- (i) no deduction for breaking contract can be made from a person under 15 or a woman;
- (ii) there must be a provision in writing which forms part of the contract of employment or the certified Standing Orders, requiring that a specific period of notice of intention to cease work not exceeding 15 days or the period of notice which the employer has to give to discharge a worker, must be given the employer and that wages may be deducted in lieu of such notice;
- (iii) the above provision must be displayed at or near the entrance of the workplace or places at the establishment or workplace;
- (iv) no deduction of this nature can be made until a week's notice that this deduction is to be made has been posted at or near the main entrance of the workplace or places at the establishment or workplace or places at the establishment or workplace;
- (v) no deduction must exceed the wages of the employed persons for the period by which the notice he gives of leaving employment, is less than the notice he should have given under his contract.

11. Deductions can be made for damage to or loss of goods expressly entrusted to an employed person or for loss of money for which he is required to account, where such damage or loss is due to his neglect or default.

Such deduction cannot exceed the amount of the damage or loss caused and can be made only after giving the employed persons an opportunity for explanation.

12. Deductions can be made, equivalent to the value thereof, for house-accommodation supplied by the employer or by Government or any housing board set up under any law for the time being in force (whether the Government or the board is the employer or not) or any other authority engaged in the business of subsidising house-accommodation which may be specified in this behalf by the Central Government amenities and services (other than tools and raw material) supplied by the employer: provided these are accepted by the employed person as a part of the terms of his employment and have in the case of amenities and services been authorised by order of the Central Government.

13. (a) Deductions can be made for the recovery of advance or for adjustment of over-payment of wages.

(b) Advances made before the employment began can only be recovered from the first payment of wages for a complete wage-period.

(c) Advances of whatever nature can be made at the employer's discretion during the employment.

14. Deductions can be made for subscription to and for repayment of advances from any recognised provident fund.

15. Deductions can be made for payment to cooperative societies approved by the Central Government or to the postal insurance, subject to any conditions imposed by the Central Government.

16. Deductions can be made for repayment of loans granted to the employed persons from funds constituted for welfare of labour.

17. Deductions can also be made for repayment of loan granted for house building and other purposes.

18. Deductions can be made with the written authorisation of the person employed for payment of any premium on his life insurance policy to the Life Insurance Corporation of India or for the purchase of securities of the Government of India or of any State Government or for being deposited in any Post Office Savings Bank in furtherance of any saving scheme of any such Government.



19. Any loss of wages resulting from withholding of increment or promotion, reduction to a lower post or time-scale or to a lower stage in a time-scale or suspension does not constitute deduction from wages within the meaning of the Act. For this purpose the rules framed by an employer in the establishment for the purpose of any of the aforesaid penalties shall provide that—

- (i) any such penalty as aforesaid, except the penalty of suspension, shall not be imposed unless the person concerned—
  - (a) has been informed for the charges in respect of which it is proposed to impose the penalty;
  - (b) has been given a reasonable opportunity of showing cause why the proposed penalty should not be imposed;
- (ii) the person concerned is given a right of appeal against any order imposing the penalty.

#### *Inspections*

20. An Inspector can enter on any premises and can exercise the powers of inspection (including examination of documents and taking of evidence) as he may deem necessary for carrying out the purposes of the Act.

#### *Complaints of deductions or delays*

21. (a) Where irregular deductions are made from wages, or delays in payment take place, an employed person can make an application in the prescribed form within 12 months to the Authority appointed by the Central Government for the purpose. An application delayed beyond this period may be rejected unless sufficient cause for delay is shown.

(b) Any legal practitioner, official of a registered trade union, Inspector under the Act or other person acting with the authority can make the complaint on behalf of an employed person.

(c) A single application may be presented by, or on behalf of any number of persons belonging to the same establishment, the payment of whose wages has been delayed.

#### *Action by the Authority*

22. The Authority may award compensation to the employed person in addition to ordering the payment of delayed wages or the refund of illegal deductions.

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

In a case in which compensation is directed to be paid under Section 15(3) the Authority may direct that a penalty not exceeding fifty rupees be paid to the State Government by the employer or any other person responsible for the payment of wages.

#### *Appeal against the Authority*

23. An appeal against an order dismissing either wholly or in part an application or against a direction may be preferred within 30 days in Calcutta to the Chief Judge, Court of Small Causes and elsewhere to the District Court—

- (a) by the employer if the total amount directed to be paid exceeds Rs 300;
- (b) by an employed person or any legal practitioner or any official of a registered trade union authorised in writing to act on his behalf, or any Inspector under the Act or any other person permitted by the Authority to make an application, if the total amount of wages withheld from him exceeds Rs 20 from unpaid group to which he belongs or belonged exceeds fifty rupees;
- (c) by a person directed to pay a penalty for a malicious or vexatious application.

#### *Punishments for breaches of the Act*

24. Anyone tried for delaying the payment of wages beyond the due day, or making any unauthorised deduction from wages is liable to a fine up to Rs 500 but only if prosecuted with the sanction of the Authority or the appellate Court.

25. The employer who—

- (1) does not fix a wage-period, or
  - (2) makes payment in kind, or
  - (3) fails to display at or near the main entrance of the workplace or places at the establishment or workplace this abstract in English and in the language of the majority of the employed persons, or
  - (4) breaks certain rules made under the Act, is liable to fine not exceeding Rs 200.
- A complaint to this effect can be made only by the Inspector or with his sanction.

### Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017

Ministry of Labour and Employment, Noti. No. G.S.R. 154(E), dated February 21, 2017, published in the Gazette of India, Extra., Part II, Section 3(i), dated 21st February, 2017, pp. 17-29, No. 126

#### SCHEDULE

[See Rule 2(1)]

#### FORM A

#### FORMAT OF EMPLOYEE REGISTER

[PART A: For All Establishments]

Name of the Establishment..... Name of Owner ..... LIN .....

Sl. No.	Employee Code	Name	Surname	Gender	Father's/ Spouse Name	Date of Birth#	Nationality	Education Level	Date of Joining	Designation
1	2	3	4	5	6	7	8	9	10	11

Category Address *(HS/ S/ SS/ US)	Type of Employment	Mobile	UAN	PAN	ESIC IP	LWFA	AADHAAR	Bank A/c Number	Bank	Branch (IFSC)	Present Address	Permanent
12	13	14	15	16	17	18	19	20	21	22	23	24

Service Book No.	Date of Exit	Reason for Exit	Mark of Identification	Photo	Specimen Signature/ Thumb Impression	Remarks
25	26	27	28	29	30	31

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

#Note: In case the age is between 14 to 18 years, mention the nature of work, daily hours of work and Intervals of rest in the remarks column.

[PART B: For the Mines Act, 1952 (35 of 1952) only]



Sl. Number in Employee Register	Name	Token Number Issued	Date of First Appointment with present Owner	Certificate of age/fitness taken (for 14 to 18 Years)	Place of Employment (Underground/Open cast/Surface)	Certificate of Vocational Training	
						Number	Date
1	2	3	4	5	6	7	8

Nominee		Adult Person to be contacted in case of Emergency			Remarks	*Signature of Mines Manager
Name	Address	Name and Relationship	Address	Mobile		
9	10	11	12	13	14	15

\* Not necessary in case digital form

## FORM B

## FORMAT FOR WAGE REGISTER

Rate of Minimum Wages and since the date .....				
	Highly Skilled	Skilled	Semi-skilled	Unskilled
Minimum Basic				
DA				
Overtime				

Name of the Establishment ..... Name of Owner .....

LIN.....

Wage period From To (Monthly/Fortnightly/Weekly/Daily/Piece Rated)

Sl. No. in Employee register	Name	Rate of Wage	No. of Days worked	Overtime hours worked	Basic	Special Basic	DA	Payments Overtime	HRA	*Others	Total
1	2	3	4	5	6	7	8	9	10	11	12

Deduction								Net Payment	Employer Share PF Welfare Fund
PF	ESIC	Society	Income Tax	Insurance	Others	Recoveries	Total		
13	14	15	16	17	18	19	20	21	22

Receipt by Employee/ Bank Transaction ID		Date of Payment	Remarks
23		24	25

\* In case of Mines Act any leave wages paid should be shown in the others column and specifically mentioned in the remarks column also.

## FORM C

## FORMAT OF REGISTER OF LOAN/RECOVERIES

Name of the Establishment..... LIN .....

Sl. Number in Employee register	Name	Recovery Type (Damage/ loss/fine/ advance/loans)	Particulars	Date of damage/ Loss*	Amount
1	2	3	4	5	6

  

Whether show cause issued*	Explanation heard in presence of*	Number of Instalments	First Month/ Year	Last Month/ Year	Date of Complete Recovery	Remarks
7	8	9	10	11	12	13

\*Applicable only in case of damage/loss/fine

## FORM D

## FORMAT OF ATTENDANCE REGISTER

Name of the Establishment..... Name of Owner ..... LIN .....

For the Period From To

Sl. Number in Employee register	Name	Relay# or set work	Place of work* 1 2 3 4.....31 IN OUT	Date	Summary No. of Days	Remarks No. of hours	**Signature of Register Keeper
1	2	3	4 5	6 7	8	9	10

#Relay and \*Place of Work in case of Mines only (Underground/Opencast/Surface)

In case an employee is not present the following to be entered: (R for Rest/L for Paid Leave/A for absent/O for Weekly Off/C for Establishment Closed)

\*\* Not necessary in case of E Form maintenance.

## FORM E

## FORMAT OF REGISTER OF REST/LEAVE/LEAVE WAGES UNDER

*The Mines Act, 1952, the Sales Promotion Employees (Conditions of Service) Act, 1976 and the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1957*

Name of the Establishment ..... Name of Owner ..... LIN .....

For the Year



Sl. Number in Employees Register	Name	No. of days worked in the Year	Details of Compensatory Rest				
			Opening Balance	Added	Rest Not Allowed	Rest Availed	Closing Balance
1	2	3	4	5	6	7	8

Details of Earned Leave				Details of Medical Leave			
Opening Balance	Added	Leave Availed	Closing Balance	Opening Balance	Added	Leave Availed	Closing Balance
9	10	11	12	13	14	15	16

Details of Other Leave				Remarks
Opening Balance	Added	Leave Availed	Closing Balance	
17	18	19	20	21

*Note:* The Register for the month of January for the year will show the Leave Opening Balance for the year also and for the month December will show the Closing Balance for the year.”.