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Started in January, 1949, the *Industrial Court Reporter*, issued monthly, contains important orders and awards of the Industrial Courts and Tribunals in Maharashtra State, as well as the selected decisions of the High Court and the Supreme Court of India. The *Reporter* serves employees, employees trade unions and lawyers in finding at one place the case law on industrial and labour matters.

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LABOUR GAZETTE

The "Labour Gazette" is a journal for the use of all interested in prompt and accurate information on matters specially affecting and concerning labour.

Vol. LXV

FEBRUARY 1986

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The Month in Brief

Price Index Numbers for Working Class

The Bombay Solapur and Nagpur Consumer Price Index Numbers for working class for the month of December 1985 with average price for the year ended December 1985 equal to 100 were 658, 663 and 640 respectively. The Pune, Mumbai, Nanded and Aurangabad Consumer Price Index Numbers for working class for the month of December 1985 with the average prices for the year ended December 1985 equal to 100 were 612, 631, 671 and 690 respectively.

All India Average Consumer Price Index Numbers for Industrial Workers

All India Average Consumer Price Index Numbers for Industrial Workers (General base 1960-100 for Dec. 1985) was 630 as compared to 630 in Nov. 1985. On base 1989=100 derived from 1960 based Index worked out to be 766 for Nov. 1985.

Industrial Disputes in Maharashtra State

During the month of November 1985, there were 43 disputes involving 9733 workmen and time loss of 1,94,106 mandays as compared to 38 disputes in October 1985 involving 10,303 workmen and time loss of 1,86,744 mandays.

Further particulars of Industrial Disputes are given at pages 379 to 381 of this issue.

Benefits under the Employees State Insurance Scheme.

During the month of December 1985 46979 workers were paid Rs. 45,58,250.60 on account of sickness and Rs. 3,72,184.75 were paid for the long term disability e.g. T. B., Cancer, Hemiplegia, Paraplegia, Psuchosis, etc. 20214 workers were paid Rs. 43,27,027.12 on account of accidents as employment injury which included 7790 cases for the permanent disablement and 2749 for pension to the dependents/families due to death of the workers in the accidents.

Current Notes

It is to protect privacy from electronic spying.

There is "bureaucratic" spying going on with those technological wonders which produce, require security or help minimise manual work. The computerised data is collected and stored in a central computer, which can be accessed by anyone who knows the right key.

Thus, some businesses have introduced "keyboards" in place of floor readers. To leave their workplace, employees must insert ID badges into electronic gates. The stated purpose is protection of the company's processes or assets.

"You have a feeling the Big Brother is watching you" — a union official complained. "The computer even knows when you go to the toilet."

A number of electronic looms in offices where word processors can, besides speeding up the work and improving working conditions, produce daily statistics of the number of operations performed, the time worked, the number of errors committed and even graphs indicating operator capability on which to set performance standards.

Electronic spying on workers is bad, but it can be identified and remedied; exist on the collective bargaining shelf. Invasion of worker's privacy is a more serious and a more complex matter. It is difficult to prove and effective antidotes are in a laboratory stage.

Today details of a whole life can be squeezed on a few centimeters of tape. Hence, the temptation and the risk to record personal information that is wholly irrelevant to employer-employee relationship. Some data may be subjective, based on dubious sources or secretly recorded by an unauthorised person. However, once they find their way into computer memory, they are later treated as objective facts.

The realisation of the danger is growing. A recent international opinion poll showed that 75 per cent of people interviewed in the United Kingdom feared that computerised information could invade personal privacy. In France, the figure was 71 per cent; in Norway, 56 per cent; in the Federal Republic of Germany, 51 per cent; in Japan, 50 per cent; and in Italy, 37 per cent.

A British Data Privacy Act imposes obligation on employers to protect workers against misuse of data held in computers. It also gives "data subjects" the right to apply to the courts for compensation in the case of incorrect use of personal computerised information.

Another common feature of the existing legislation in this field are restrictions imposed on access to and collection of data on race, religion, political affiliation to trade unions, co-operatives, cultural associations or any other legally recognised organisation.

Questions of workers' privacy are increasingly discussed at the bargaining table. A pace-setting collective agreement was signed in 1984 at a General Motors subsidiary in Austria, stipulating the conditions under which the firm can deal with personal information on workers. It contains several restrictions on disseminating employee data, some of which cannot be relaxed without prior agreement of the trade union, the ILO survey reports.

At the 1985 International Labour Conference several trade union leaders expressed the view that national measures against possible misuse of computerised personal data needed to be bolstered by international action on a tripartite basis. They suggested that the ILO could be instrumental in preparation of model rules and guidelines on personal data inviolability at the enterprise level.

Earlier this year, the ILO Advisory Committee on Salaried Employees and Professional Workers passed a resolution inviting the OIL to carry out studies with a view to establishing a compendium of principles for safeguarding people's privacy.

The ILO governing body will decide on the effect to be given to this proposal (Indian Workers dated 6th January 1986.)

Labour Legislation

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THE INTER-STATE MIGRANT WORKMEN (Regulation of Employment and Conditions of Service) Act, 1979

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THE INTER-STATE MIGRANT WORKMEN (REGULATION OF
EMPLOYMENT AND CONDITIONS OF SERVICE) ACT, 1979.

(Act No. 30 of 1979)

Received the assent of the President on 11th June 1979)

An Act to regulate the employment of inter-State migrant Workmen and to provide for their conditions of service and for matters connected therewith.

Be it enacted by Parliament in the Thirtieth Year of the Republic of India as follows :—

CHAPTER I
PRELIMINARY

1. *Short title, extent, commencement and application.*—(1) This Act may be called the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.

2. It extends to the whole of India.

3. It shall come into force on such date as the Central Government may, by notifications in the Official Gazette, appoint :

Provided that if the Central Government considers it necessary or expedient so to do in the public interest, it may postpone or relax, to such extent as may be specified in such notification, the operation of all or any of the provisions of this Act in any State or State for such period not extending beyond one year from the date on which this Act comes into force.

4. *It applies.*—(a) to every establishment in which five or more inter-State migrant workmen (Whether or not in addition to other workmen) are employed or who were employed on any day of the preceding twelve months ;

(b) to every contractor who employs or who employed five or more inter-State migrant workmen (Whether or not in additions to other workmen) on any day of the preceding twelve months.

2. *Definitions.*—(1) In this Act, unless the context otherwise requires —

(a) “appropriate Government” means —

(i) in relation to—(1) any establishment pertaining to any industry carried on by or under the authority of the Central Government or pertaining to any such controlled industry as may be specified in this behalf by the Central Government ; or

(2) any establishment of any railway, Cantonment Board, Major port, mine or oil-field ; or

(3) any establishment of a banking or insurance company the Central Government ;

(ii) in relation to any other establishment, the Government of the State in which that other establishment is situated ;

(b) “Contractor” in relation to an establishment, means a person who under takes (whether as an independent contractor, agent, employee or otherwise) to produce a given result for the establishment, other than a mere supply of goods or articles of manufacture to such establishment, by the employment of workmen or to supply workmen to the establishment, and includes a sub-contractor, Khatadar, Sardar, agent or any other person, by whatever name called, who recruits or employ workmen ;

(c) “Controlled industry” means any industry the control of which by the union has been declared by any Central Act to be expedient in the public interest ;

(d) “establishment” means —

(i) any office or department of the Government or a local authority ; or

(ii) any place where any industry, trade, business, manufacture or occupation is carried on ;

(e) “inter-State migrant workmen” means any person who is recruited by or through a contractor in one State under an agreement or other arrangement for employment in an establishment in another State whether with or without the knowledge or the principal employer in relation to such establishment ;

(f) " " means prescribed by rules made under this Act :

(g) " principal employer " means

(i) in relation to any office or department of the Government or local authority, the head of that office, department or authority or such other office as the Government or the local authority, as the case may be, specifies in this behalf ;

(ii) in relation to a factory, the owner or occupier of the factory and where a person has been named as the manager of the factory under the Factories Act, 1948 (63 of 1948), the person so named ;

(iii) in relation to a mine, the owner or agent of the mine and where a person has been named as the manager of the mine, the person so named ;

(iv) in relation to any other establishment, the person responsible for the supervision and control of the establishment.

Explanation.—For the purposes of sub-clauses (iii) of this clause, the expressions " mine " " owner " and " agent " shall have the meanings respectively assigned to them in clause (j), clause (l) and clause (e) of section (1) of section 2 of the Mines Act, 1952 (35 of 1952) :

(h) " recruitment " includes entering into any agreement or other arrangement for recruitment and all its grammatical variations and other expressions shall be construed accordingly :

(i) " wages " shall have the meaning assigned to it in clause (w) of section 1 of the Payment of Wages Act, 1936 (4 of 1936) ;

(j) " workman " means any person employed in or in connection with the work of any establishment to do any skilled, semi-skilled or unskilled, manual, supervisory, technical or clerical work for hire or reward, whether the terms of employment be express or implied, but does not include any such person

(i) who is employed mainly in a managerial or administrative capacity or

(ii) who being employed in a supervisory capacity, draws wages exceeding five hundred rupees per mensem, or exercises either by the nature of the duties attached to the office or by reason of the powers vested in him, functions mainly of managerial nature.

(2) Any reference in this Act to any law which is not in force in any area shall, in relation to that area, be construed as a reference to the corresponding law, if any, in force in that area.

CHAPTER II

REGISTRATION OF ESTABLISHMENT EMPLOYING INTER-STATE MIGRANT WORKMEN

3. *Appointment of registering officers.*—The appropriate Government may, by order notified in the *Official Gazette*,—

(a) appoint such persons, being officers of Government, as it thinks fit to be registering officers for the purposes of this Chapter; and

(b) define the limits, within which a registering officer shall exercise the powers conferred on him by or under this Act.

4. *Registration of certain establishments.*—(1) Every principal employer of an establishment to which this Act applies shall, within such period as the appropriate Government may, by notification in the *Official Gazette*, fix in this behalf with respect to establishments generally or with respect to any class of them, make an application to the registering officer, in such form and manner and on payment of such fees as may be prescribed, for the registration of the establishment :

Provided that the registering officer may entertain any such application for registration after the expiry of the period fixed in that behalf, if the registering officer is satisfied that the applicant was prevented by sufficient cause from making the application in time.

(2) Within one month after the receipt of an application for registration under sub-section (1), the registering officer shall,—

(a) if the application is complete in all respects, register the establishment and issue to the principal employer of the establishment a certificate of registration in the prescribed form; and

(b) if the application is not so complete, return the application to the principal employer of the establishment.

(3) Where within a period of one month after the receipt of an application for registration of an establishment under sub-section (1), the registering officer does not grant under clause (a) of sub-section (2) the certificate of registration applied for and does not return the application under clause (b) of that sub-section, the registering officer shall, within fifteen days of the receipt of an application in this behalf, from the principal employer, register the establishment and issue to the principal employer a certificate of registration in the prescribed form.

5. *Revocation of registration in certain cases.*—If the registering officer is satisfied, either on a reference made to him in this behalf or otherwise, that the registration of any establishment has been obtained by misrepresentation or suppression of any material fact or that for any other reason, the registration has become useless or ineffective and, therefore, requires to be revoked, the registering officer may, after giving an opportunity to the principal employer of the establishment to be heard and with the previous approval of the appropriate Government, revoke by order in writing the registration and communicate the order to the principal employer :

Provided that where the registering officer, considers it necessary so to do for any special reasons, he may, pending such revocation, by order suspend the operation of the certificate of registration for such period as may be specified in the order and serve, by registered post, such order along with a statement of the reasons on the principal employer and such order shall take effect on the date on which such service is effected.

6. *Prohibition against employment of inter-state migrant workmen without registration.*—No principal employer of an establishment to which this Act applies shall employ inter-state migrant workmen in the establishment unless a certificate of registration in respect of such establishment issued under this Act is in force :

Provided that nothing in this section shall apply to any establishment in respect of which an application for registration made within the period fixed, whether originally or on extension under sub-section (1) of section 4 is pending before a registering officer and for the purpose of this proviso; an application to which the provisions of sub-section (3) of section 4 apply be deemed to be pending before the registering officer concerned till the certificate of registration is issued in accordance with the provisions of that sub-section.

CHAPTER III

LICENSING OF CONTRACTORS

7. *Appointment of licensing officer.*—The appropriate Government may, by order notified in the *Official Gazette* :—

(a) appoint such persons, being officers of Government, as it thinks fit to be licensing officer for the purpose of this Chapter; and

(b) define the limits, within which a licensing officer shall exercise the jurisdiction and powers conferred on licensing officers by or under this Act.

8. *Licensing of Contractors.*—(1) With effect from such date as the appropriate Government may, by notification in the *Official Gazette*, appoint, no contractor to whom this Act applies shall,—

(a) recruit any person in a State for the purpose of employing him in any establishment situated in another State, except under and in accordance with a licence issued in that behalf,—

(i) if such establishment is an establishment referred to in sub-clause (i) of clause (a) of sub-section (1) of section 2 by the licensing officer appointed by the Central Government who has jurisdiction in relation to the area where in the recruitment is made;

(ii) if such establishment is an establishment referred to in sub-clause (ii) of clause (a) of sub-section (1) of section 2, by the licensing officer appointed by the State Government who has jurisdiction in relation to the area where in the recruitment is made;

(b) employ as workmen for the execution of any work in any establishment in any State, persons from another State (Whether or not in addition

to other workmen) except under and in accordance with a licence issued in that behalf,—

(i) if such establishment is an establishment referred to in sub-clause (i) of clause (a) of sub-section (1) of section 2, by the licensing officer appointed by the Central Government who has jurisdiction in relation to the area wherein the establishment is situated;

(ii) if such establishment is an establishment referred to in sub-clause (ii) of clause (a) of sub-section 1 of section 2 by the licensing officer appointed by the State Government who has jurisdiction in relation to the area wherein the establishment is situated.

(2) Subject to the provisions of this Act, a licence under sub-section (1) may contain such conditions including, in particular, the terms and conditions of the agreement or other arrangement under which the workmen will be recruited, the remuneration payable, hours of work, fixation of wages and other essential amenities in respect of the inter-State migrant workmen, as the appropriate Government may deem fit to impose in accordance with the rules, if any, made under section 35 and shall be issued on payment of such fees as may be prescribed:

Provided that if for any special reasons, the licensing officer is satisfied that it is necessary to require any person who has applied for, or who has been issued, a licence to furnish any security for the due performance of the conditions of the licence, he may after communicating such reasons to such person and giving him an opportunity to represent his case determine in accordance with the rules made in this behalf the security which shall be furnished by such person for obtaining or, as the case may be, for continuing to hold the licence.

(3) The security which may be required to be furnished under the proviso to sub-section (2) shall be reasonable and the rules for the purposes of the said proviso shall, on the basis of the number of workmen employed, the wages payable to them, the facilities which shall be afforded to them and other relevant factors provide for the norms with reference to which such security may be determined.

9. *Grant of licences.*—(1) Every application for the grant of a licence under sub-section (1) of section 8 shall be made in the prescribed form and shall contain the particular regarding the location of the establishment, the nature of process, operation or work for which inter-State migrant workmen are to be employed and such other particulars as may be prescribed.

(2) The licensing officer may make such investigation in respect of the application received under sub-section (1) and in making any such investigation, the licensing officer shall follow such procedure as may be prescribed.

(3) A licence granted under section 8, shall be valid for the period specified there in and may be renewed from time to time for such period and on payment of such fees and on such conditions as may be prescribed.

10. *Revocation, suspension and amendment of licences.*—(1) If the licensing officer is satisfied, either on a reference made to him in this behalf or otherwise that,—

(a) a licence granted under section 8 has been obtained by misrepresentation or suppression of any material fact, or

(b) the holder of a licence has, without reasonable cause, failed to comply with the conditions subject to which the licence has been granted or has contravened any of the provisions of his Act or the rules made thereunder,

then, without prejudice to any other penalty to which the holder of the licence may be liable under this Act, the licensing officer may, after giving the holder of the licence an opportunity to be heard, by order in writing, revoke the licence or forfeit the security furnished by him under the proviso to sub-section (2) of section 8 or any part thereof and communicate the order to the holder of the licence :

Provided that where the licensing officer considers it necessary so to do for any special reasons, he may, pending such revocation or forfeiture, by order, suspend the operation of the licence for such period as may be specified in the order and serve, by registered post, such order along with a statement of the reasons on the holder of the licence and such order, shall take effect on the date on which such service is effected.

(2) Subject to any rules that may be made in this behalf, the licensing officer may vary or amend a licence granted under section 8.

11. *Appeal.*—(1) Any person aggrieved by an order made under section 4, section 5, section 8 or section 10 may, within thirty days from the date on which the order is communicated to him, prefer an appeal to an appellate officer who shall be a person nominated in this behalf by the appropriate Government :

Provided that the appellate officer may entertain the appeal after the expiry of the said period of thirty days, if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) On receipt of an appeal under sub-section (1) the appellate officer, shall, after giving the appellant an opportunity of being heard, dispose of the appeal as expeditiously as possible.

CHAPTER IV

DUTIES AND OBLIGATIONS OF CONTRACTORS

12. *Duties of contractors.*—(1) It shall be the duty of every contractor

(a) to furnish such particulars and in such form as may be prescribed, to specified authority in the State from which an inter-State migrant workman is recruited and in the State in which such Workmen is employed within fifteen days from the date of recruitment or as the case may be the date of employment, and where any change occurs in any of the particulars so furnished, such change shall be notified to the specified authorities of both the State.

(b) to issue to every inter-State migrant workman a pass book affixed with a passport size photograph of the workman and indicating in Hindi and English languages, and where the language of the workman is not Hindi or English, also in the Language of the workman,—

(i) The name and place of the establishment wherein the Workman is employed;

(ii) the period of employment;

(iii) the proposed rates and modes of payment of wages;

(iv) the displacement allowance payable;

(v) the return fare payable to the workman on the expiry of the period of his employment and in such contingencies as may be prescribed and in such other contingencies as may be specified in the contract of employment;

(vi) deductions made; and

(vii) such other particulars as may be prescribed;

(c) to furnish in respect of every inter-State migrant workman who ceases to be employed a return in such form and in such manner as may be prescribed, to the specified authority in the State from which he is recruited and in the State in which he is employed, which shall include a declaration that all the wages and other dues payable to the workman and the fare for the return journey back to his State have been paid.

(2) The contractor shall maintain the pass-book referred to in sub-section (1) up-to-date and cause it to be retained with the inter-State migrant workman concerned.

Explanation.—For the purposes of this section and section 16 “specified authority” means such authority as may be specified by the appropriate Government in this behalf.

CHAPTER V

WAGES, WELFARE AND OTHER FACILITIES TO BE PROVIDED TO INTER-STATE MIGRANT WORKMEN

13. *Wage rates and other conditions of service of inter-State migrant workmen.*—(1) The wage rates, holidays, hours of work and other conditions of service of an inter-State migrant workman shall be:—

(a) in a case where such workman performs in any establishment, the same or similar kind of work as is being performed by any other workman that establishment, be the same as those applicable to such other workman ; and

(b) in any other case, be such as may be prescribed by the appropriate Government :

Provided that an inter-State migrant workman shall in no case be paid less than the wages fixed under the Minimum Wages Act, 1948 (11 of 1948).

(2) Notwithstanding anything contained in any other law for the time being in force, wages payable to an inter-State migrant workman under this section shall be paid in cash.

14. *Displacement allowance.*—(1) There shall be paid by the contractor to every inter-State migrant workman at the time of recruitment, a displacement allowance equal to fifty percent of the monthly wages payable to him or seventy-five rupees, whichever is higher.

(2) The amount paid to a workman as displacement allowance under sub-section (1) shall not be refundable and shall be in addition to the wages or other amounts payable to him.

15. *Journey allowance, etc.*—A journey allowance of a sum not less than the fare from the place of residence of the inter-state, migrant workmen in his State to the place of work in the other State shall be payable by the contractor to the workman both for the outward and return journeys and such workman shall be entitled to payment of wages during the period of such journeys as if he were on duty.

16. *Other facilities.*—It shall be the duty of every contractor employing inter-State migrant workman in connection with the work of an establishment to which this Act applies,—

- (a) to ensure regular payment wages to such workmen ;
- (b) to ensure equal pay for equal work irrespective of sex; having regard to the fact that they are required to work in a State different from their own State ;
- (c) to ensure suitable conditions of work to such workmen ;
- (d) to provide and maintain suitable residential accommodation to such workmen during the period of their employment ;
- (e) to provide the prescribed medical facilities to the workmen, free of charge ;
- (f) to provide such protective clothing to the workmen as may be prescribed ; and
- (g) in case of fatal accident or serious bodily injury to any such workman, to report to the specified authorities of both the States and also the next of the kin of Workman.

17. *Responsibility for payment of wages.*—(1) A contractor shall be responsible for payment of wages to each inter-State migrant workman employed by him and such wages shall be paid before the expiry of such period as may be prescribed.

(2) Every principal employer shall nominate a representative duly authorised by him to be present at the time of disbursement of wages by the contractor and it shall be the duty of such representative to certify the amounts paid as wages in such manner as may be prescribed.

(3) It shall be the duty of the contractor to ensure the disbursement of wages in the presence of the authorised representative of the principal employer.

(4) In case the contractor fails to make payment of wages within the prescribed period or makes short payment, then the principal employer shall be liable to make payment of the wages in full or the unpaid balance due, as the case

may be, to the inter-State migrant workman employed by the contractor and recover the amount so paid from the contractor either by deduction from any amount payable to the contractor under any contract or as a debt payable by the contractor.

18. *Liability of principal employer in certain cases.*—(1) If any allowance required to be paid under section 14 or section 15 to an inter-State migrant workman employed in an establishment to which this Act applies is not paid by the contractor or if any facility specified in section 16 is not provided for the benefit of such workman, such allowance shall be paid, or as the case may be, the facility shall be provided, by the principal employer within such time as may be prescribed.

(2) All the allowances paid by the principal employer or all the expenses incurred by him in providing the facility referred to in sub-section (1) may be recovered by him from the contractor either by deduction from any amount payable to the contractor under any contract or as a debt payable by the contractor.

19. *Past liabilities.*—It shall be the duty of every contractor and every principal employer to ensure that any loan given by such contractor or principal employer to any inter-State migrant workman does not remain out standing after the completion of the period of employment of such workman under the said contractor or as the case may be, in the establishment of such principal employer and accordingly every obligation of an inter-State migrant workman to re-pay any debt obtained by him during the period of his employment from the contractor or the principal employer and remaining unsatisfied before the completion of such period shall, on such completion be deemed to have been extinguished and no suit or other proceeding shall lie in any court or before any authority for the recovery of such debt or any part thereof.

CHAPTER VI INSPECTING STAFF

20. *Inspectors.*—(1) The appropriate Government may, by notification in the official Gazette, appoint such persons as it thinks fit to be inspectors for the purposes of this Act, and define the local limits within which they shall exercise their powers under this Act.

(2) Subject to any rules made in this behalf, within the local limits for which he is appointed, an inspector may—

(a) if he has reason to believe that any inter-State migrant workman are employed in any premises or place, enter, at all reasonable hours, with such assistants (if any), being persons in the service of the Government or any local or other public authority as he thinks fit, such premises or place for the purpose of—

(i) satisfying himself whether the provisions of this Act in relation to the payment of wages, conditions of service, or facilities to be provided to such workman are being complied with ;

(ii) examining any register or record or notices required to be kept or exhibited by the provisions of this Act or the rules made thereunder, and requiring the production thereof for inspection ;

(b) examine any person found in any such premises or place for the purpose of determining whether such person is an inter-State migrant workman ;

(c) require any person giving out work to any workman, to give any information which is in his power to give, with respect to the names and addresses of the persons to, for and from whom the work is given out or received and with respect to the payment to be made for the work ;

(d) seize or take copies of such register, record of wages or notices or portions thereof as he may consider relevant in respect of an offence under this Act which he has reason to believe has been committed by a principal employer or contractor ; and

(e) exercise such other powers as may be prescribed.

(3) Notwithstanding anything contained in sub-section (1) and (2) if a State Government considers it necessary for the purpose of satisfying itself that the provisions of this Act are being complied with in respect of any workman belonging to that State and employed in an establishment situated in another State, it may by order in writing, appoint such persons, being persons in the service of that Government, for the exercise of such of the powers mentioned in sub-section (2), as may be specified in that order :

Provided that no such order shall be issued without the concurrence of the Government of the State in which such workmen are employed or where the establishment is an establishment referred to in sub-clause (i) of clause (a) of sub-section (1) of section 2, without the concurrence of the Central Government.

(4) Any person required to produce any document or thing, or to give any information required, by an inspector under sub-section (2), or by a person appointed under sub-section (3), shall be deemed to be legally bound to do so within the meaning of section 175 and section 176 of the Indian Penal Code (45 of 1860).

(5) The provisions of the Code of Criminal Procedure, 1973 (2 of 1974) shall so far as may be, apply to any search or seizure under this section as they apply to any search or seizure made under the authority of a warrant issued under section 94 of the said Code.

CHAPTER VII MISCELLANEOUS

21. *Inter-State migrant workman to be deemed to be in employment from date of recruitment for the purposes of certain enactments.*—For the purposes of the enactments specified in the schedule, an inter-State migrant workman shall, on and from the date of his recruitment, be deemed to be employed and actually worked in the establishment or, as the case may be, the first establishment in connection with the work of which he is employed.

22. *Provisions regarding industrial disputes in relation to inter-State migrant workman.*—(1) Notwithstanding anything contained in the Industrial Disputes Act, 1947 (14 of 1947), any dispute or difference in connection with the employment or non-employment or the terms of employment or the conditions of labour of an inter-State migrant workman (hereafter in this section referred to as the industrial dispute), may,—

(a) if the industrial dispute is relatable to an establishment referred to in sub-clause (i) of clause (a) of sub-section (1) of section 2, be referred under the provisions of the said Act, by the Central Government to any of the authorities referred to in Chapter II of that Act (hereafter in this section referred to as the said authorities),—

(i) in the State wherein the establishment is situated ;

(ii) in the State wherein the recruitment of such workman was made if he makes an application in that behalf to that Government on the ground that he has returned to that State after the completion of his employment ;

(b) if the industrial dispute is relatable to an establishment referred to in sub-clause (ii) of clause (a) of sub-section (1) of section 2,—

(i) be referred under the provisions of the said Act, by the Government of the State wherein the establishment is situated, to any of the said authorities in that State ; or

(ii) be referred under the provisions of the said Act, by the Government of the State wherein the recruitment of such workmen was made to any of the said authorities in that State, if he makes an application in that behalf to that Government on the ground that he has returned to that State after the completion of his employment :

Provided that—

(a) no application referred to in sub-clause (ii) of clause (a) or sub-clause (ii) of clause (b) shall be entertained after the expiry of a period of six months from the date of his return to the State wherein the recruitment was made after the completion of his employment, unless the Government concerned is satisfied that the applicant was prevented by sufficient cause from making the application within that period ;

(b) no reference under the said sub-clause (ii) of clause (b) shall be made except after obtaining the concurrence of the Government of the State wherein the establishment concerned is situated.

(2) Without prejudice to the provisions of section 33 B of the Industrial Disputes Act, 1947 (14 of 1947) where during the pendency of any proceeding in respect of an industrial dispute under that Act before any of the said authorities in the State wherein the establishment is situated, an application is made to that authority by an inter-State migrant workman for the transfer of such proceeding to a corresponding authority in the State wherein his recruitment was made on the ground that he has returned to that State after the completion of his employment, that authority shall forward the

application to the Central Government, or, as the case may be, to the Government of proceeding in the prescribed manner to such authority as may be specified in this behalf by the Government :

Provided that in a case where no authority has been specified by the Government concerned within the prescribed period, the authority before which the proceeding is pending shall, on a request being made by the inter-State migrant workman and after obtaining the previous approval of the Government which referred the dispute to that authority, forward such proceeding to the Government concerned for reference of such dispute to an authority in the State wherein the recruitment was made.

(3) Without prejudice to the provisions of sub-section (2), if the Central Government is satisfied that it is expedient in the interests of justice so to do, it may, by order in writing and for reasons to be stated therein withdraw any proceeding in respect of any industrial dispute relating to an inter-State migrant workman pending before an authority in the State in which the establishment concerned is situated and transfer the same to such authority in the state wherein the recruitment of such workman was made as may be specified in the order.

(4) The authority to which any proceeding is transferred under this section may proceed either de novo or from the Stage at which it was transferred.

23. *Registers and other records to be maintained.*—(1) Every principal employer and every contractor shall maintain such registers and records giving such particulars of the inter-State migrant workmen employed, the nature of work performed by such workmen, the rates of wages paid to the workmen and such other particulars in such form as may be prescribed.

(2) Every principal employer and every contractor shall keep exhibited in such manner as may be prescribed within the premises of the establishment where the inter-State migrant workmen are employed, notices in the prescribed form containing particulars about the hours of work, nature of duty and such other information as may be prescribed.

24. *Obstructions.*—(1) Whoever obstructs an inspector or a person appointed under sub-section (3) of section 20 (hereinafter referred to as the authorised person) in the discharge of his duties under this Act or refuses or wilfully neglects to afford the inspector or authorised person any reasonable facility for making any inspection, examination, inquiry or investigation authorised by or under this Act in relation to an establishment to which, is a contractor to whom, this Act applies, shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both.

(2) Whoever wilfully refuses to produce on the demand of any inspector or authorised person any register or other document kept in pursuance of this Act or prevents or attempts to prevent or does anything which he has reason to believe is likely to prevent any person from appearing before or being examined by any inspector or authorised person acting in pursuance

of his duties under this Act. Shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both.

25. *Contravention of provisions regarding employment of inter-State migrant workmen.*—Whoever contravenes any provisions of this Act or of any rules made thereunder regulating the employment of inter-State migrant workmen, or contravenes any condition of a licence granted under this Act, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees or with both, and in the case of a continuing contravention with an additional fine which may extend to one hundred rupees for every day during which such contravention continues after conviction for the first such contravention.

26. *Other offences.*—If any person contravenes any of the provisions of this Act or of any rules made thereunder for which no other penalty is elsewhere provided, he shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both.

27. *Offences by companies.*—(1) Where an offence under this Act has been committed by a company every person who, at the time the offence was committed, was in charge of and was responsible the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where any offence under this Act has been committed by a company and it is proved that the offence was committed with the consent or connivance of or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be liable to be proceeded against and punished accordingly, deemed to be guilty of that offence and shall be

Explanation.—For the purposes of this section,—

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

(b) “ director ”, in relation to a firm, means a partner in the firm.

28. *Cognizance of offences.*—No court shall take cognizance of any offence under this Act except on a complaint made by, or with the previous sanction in writing of an inspector or authorised person and no court inferior

to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.

29. *Limitation of prosecutions.*—No court shall take cognizance of an offence punishable under this Act unless the complaint thereof is made within three months from the date on which the alleged commission of the offence came to the knowledge of the inspector or authorised person concerned:

Provided that where the offence consists of disobeying a written order made by an inspector or authorised person, complaint there of may be made within six months of the date on which the offence is alleged to have been committed.

30. *Effect of laws and agreements inconsistent with the Act.*—(1) The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law or in the terms of any agreement or contract of service, or in any standing orders applicable to the establishment whether made before or after the commencement of this Act:

Provided that where under any such law, agreement, contract of service or standing orders, the inter-State migrant workmen employed in the establishment are entitled to benefits in respect of any matter which are more favourable to them than those to which they would be entitled under this Act, the inter-State migrant workmen shall continue to be entitled to the more favourable benefits in respect of that matter, notwithstanding that they receive benefits in respects of other matters under this Act.

(2) Nothing contained in this Act shall be construed as precluding any inter-State migrant workmen from entering into an agreement with the principal employer or the contractor, as the case may be, for granting them rights or privileges in respect of any matter which are more favourable to them than those to which they would be entitled under this Act.

31. *Power to exempt in special cases.*—The appropriate Government may, by notification in the official Gazette and subject to such conditions and restrictions, if any and for such period or periods as may be specified in the notification, direct that all or any of the provisions of this Act or the rules made thereunder shall not apply to or in relation to any establishment or class of establishment or any contractor or class of contractors or any inter-State migrant workmen in such establishment or class of such workmen if that Government is satisfied that it is just and proper so to do having regard to the methods of recruitment and the conditions of employment in such establishment or class of establishments and all other relevant circumstances.

32. *Protection of action taken under Act.*—(1) No suit, prosecution or other legal proceedings shall lie against any registering officer, licensing officer or any other employee of the Government of anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

(2) No suit or other legal proceedings shall lie against the Government for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or any rule or notification or order made or issued thereunder.

33. *Power to give directions.*—The Central Government may give directions to the Government of any State as to the carrying into execution in the State of the provisions contained in this Act.

34. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date on which this Act comes into force.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

35. *Power to make rules.*—(1) The appropriate Government may, subject to the condition of previous publication, make rule for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the form and manner in which an application for the registration of an establishment may be made under section 4, the fees payable thereon and the form of a certificate or registration issued under that section.

(b) the form in which an application for the grant or renewal of licence may be made under section 9 and the particulars it may contain;

(c) the manner in which an investigation is to be made in respect of an application for the grant of licence and the matters to be taken into account in granting or refusing a licence;

(d) the form of a licence which may be granted or renewed under this Act, the conditions subject to which the licence may be granted or renewed, the fees payable for the grant or renewal of a licence and the security, if any, required to be furnished for the due performance of the conditions of the licence;

(e) the circumstances under which licences may be varied or amended under section 10;

(f) the form and the manner in which appeals may be filed under section 11 and the procedure to be followed by appellate officers in disposing of the appeals;

(g) the wage rates, holidays, hours of work and other conditions of service which an inter-State migrant workman is entitled under section 13;

(h) the period within which wages payable to inter-State migrant workmen should be paid by the contractor under sub-section (1) of section 17 and the manner of certification of such payment under sub-section (2) thereof;

(i) the time within which allowances or facilities required by this Act to be provided and maintained may be so provided by the contractor and in case of default on the part of the contractor, by the principal employer under section 18 ;

(j) the powers that may be exercised by inspector under section 20 ;

(k) the form of registers and records to be maintained, and the particulars and information to be contained in notices to be exhibited, by the principal employers and contractor under section 23 ;

(l) the manner of submission of returns, and the forms in which, and the authorities to which, such returns may be submitted ;

(m) legal aid to inter-State migrant workmen ;

(n) any other matter which is required to be, or may be, prescribed under this Act.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be ; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

36. *Repeals and saving.*—(1) The Orissa Dadan Labour (Control and regulation) Act, 1975 (Orissa Act 42 of 1975 and any law corresponding to this Act, in force in any State, shall stand repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the Act or law so repealed shall, in so far as such thing or action is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the provisions of this Act as if the said provisions were in force when such thing was done or such action was taken and shall continue to be in force accordingly until superseded by anything done or any action taken under this Act.

THE SCHEDULE

(See Section 21)

1. The Workmen's Compensation Act, 1923 (8 of 1923).
2. The Payment of Wages Act, 1936 (4 of 1936).
3. The Industrial Disputes Act, 1947 (14 of 1947).
4. The Employees' State Insurance Act, 1948 (34 of 1948).
5. The Employees' Provident Funds and Miscellaneous Provision Act, 1952 (19 of 1952).
6. The Maternity Benefit Act, 1961 (53 of 1961).

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Mantralaya, Bombay 400 032, dated the 13th September 1985

THE INTER-STATE MIGRANT WORKMEN (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) ACT, 1979.

No. ISM. 1083/468/Lab-1.—In exercise of the powers conferred by sub-sections (1) and (2) of section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979) and of all other powers enabling it in that behalf the Government of Maharashtra hereby makes the following rules, the same having been previously published as required by sub-section (1) of the said section 35, namely :—

CHAPTER I

PRELIMINARY

1. *Short title and commencement.*—(1) These rules may be called the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) (Maharashtra) Rules, 1985.

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

2. *Definitions.*—(1) In these rules, unless the context otherwise requires,—

(a) 'Act' means the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 ;

(b) 'appellate officer' means an appellate officer nominated by the State Government under section 11 of the Act ;

(c) 'Form' means a form appended to these rules ;

(d) 'Inspector' means an Inspector appointed by the State Government under section 20 of the Act ;

(e) 'licensing officer' means the licensing officer appointed by the State Government under section 7 of the Act ;

(f) 'registering officer' means the registering officer appointed by the State Government under section 3 of the Act ;

(g) 'section' means a section of the Act.

(2) All other words and expressions used in these rules but not defined therein shall have the meanings respectively assigned to them in the Act.

CHAPTER II

REGISTRATION OF ESTABLISHMENTS

3. *Manner of making application for registration of establishments.*—(1) The application for registration of an establishment shall be made in triplicate, in Form I, to the registering officer of the area in which the establishment sought to be registered is located.

(2) The application shall be accompanied by a treasury challan showing payment of the fees under the head of account specified under rule 20 for the registration of the establishment.

(3) The application shall be either personally delivered to the registering officer or sent to him by registered post acknowledgement due.

(4) On receipt of the application, the registering officer shall, after noting thereon the date of receipt by him of the application, give an acknowledgement to the applicant.

4. *Issue of certificate of registration.*—(1) Where the registering officer registers the establishment, he shall issue to the principal employer, a certificate of registration in Form II.

(2) The registering officer shall maintain a register in Form III, showing the particulars of the establishments in relation to which certificates of registration are issued by him.

(3) The concerned registering officer of the State wherein the establishment is located shall, while issuing the certificate of registration to the principal employer of the establishment, send a copy of the relevant application made to him in Form I and an *original copy* of the said certificate of registration along with his recommendation, to the concerned registering officer of the State from where the migrant workers are proposed to be recruited. On receipt of the same, the registering officer of the latter State shall record all particulars in this respect as contained in Form I and the certificate of registration, in a register.

(4) If, in relation to an establishment, there is any change in the particulars specified in the certificate of registration, the principal employer of the establishment shall intimate to the registering officer within thirty days from the date when such change takes place the particulars of and the reasons for, such change, under intimation to the concerned licensing officer of the State from which migrant workers are to be recruited.

5. *Circumstances in which application for registration may be rejected.*—

(1) If any application for registration is not complete in all respects, the registering officer shall require the principal employer to amend the application so as to make it complete in all respects.

(2) If the principal employer, on being required by the registering officer to amend his application for registration, omits or fails to do so, the registering officer shall reject the application for registration.

(3) If, in the opinion of the registering officer, a principal employer from whom an application for registration has been received, on enquiry by a competent officer, has been found to have been involved in activities which are injurious to social harmony or interest or does not have any honourable means of livelihood, or that the interest of migrant workmen would not be safe in the hands of such a person, he may reject the application for registration.

6. *Amendment of Certificate of registration.*—(1) Where, on receipt of the intimation referred to in sub-rule (4) of rule 4, the registering officer is satisfied that an amount higher than the amount, which has been paid by the principal employer as fees for the registration of the establishment is payable, he shall require such principal employer to deposit a sum which, together with the amount already paid by such principal employer, would be equal to such higher amount of fees payable for the registration of the establishment and to produce treasury challan showing such deposit.

(2) where, on receipt of the intimation referred to in sub-rule (4) of rule 4, the registering officer is satisfied that there has occurred a change in the particulars of the establishment, as entered in the register in Form III, he shall amend the said register and record therein the change thus occurred :

Provided that, no such amendment shall affect anything done or any action taken or any right obligation or liability acquired or incurred before such amendment :

Provided further that, the registering officer shall not carry out any amendment in the register in Form III, unless the appropriate fees have been deposited by the principal employer and treasury challan showing such deposit produced.

7. *Application for a licence.*—(1) Every application by a contractor for the grant of a licence for recruiting a person under clause (a) of sub-section (1) of section 8 shall be made, in *triplicate*, in Form IV, to the licensing officer having jurisdiction in relation to the area wherein recruitment is to be made.

(2) Every application by a contractor for employing a migrant workman under clause (b) of sub-section (1) of section 8 shall be made, in Form V, to the licensing officer having jurisdiction in relation to the area wherein the establishment is situated.

(3) Every application for the grant of a licence under sub-rule (1) or sub-rule (2), shall be accompanied by a certificate of the principal employer in Form VI to the effect that he undertakes to be bound by all the provisions of the Act and the rules made thereunder so far as they are applicable to him in respect of the recruitment or employment of the migrant workmen, in respect of which the contractor is making the application along with a certified copy of the registration certificate of the principal employer.

(4) Every such application shall be either personally delivered to the licensing officer concerned or sent to him by registered post acknowledgement due.

(5) On receipt of the application referred to in sub-rule (1) or sub-rule (2), the licensing officer concerned shall, after noting thereon the date of receipt of the application, give an acknowledgement to the applicant.

(6) Every application referred to in sub-rule (1) shall also be accompanied by a treasury challan as required under rule 20.

8. *Matters to be taken into account in granting or refusing a licence.*—(1) In granting or refusing to grant a licence, the licensing officer shall take the following matters into account, namely :—

- (a) whether the applicant—
 - (i) is a minor ; or
 - (ii) is of unsound mind and stands so declared by a competent Court ; or
 - (iii) is an undischarged insolvent ; or
 - (iv) has been convicted at any time, during the period of five years immediately preceding the date of application, of an offence which, in the opinion of the State Government involves moral turpitude ;
- (b) whether any order has been made in respect of the applicant under sub-section (1) of section 10 and, if so, whether a period of three years has lapsed from the date of that order ;
- (c) whether the fees for the application has been deposited at the rates specified in rule 13 and
- (d) whether security amount, wherever necessary, has been deposited by the applicant at the rates specified in sub-rule (1) of rule 11.

9. *Production of licence.*—(1) A contractor executing works on contract in any establishment in a particular State by engagement of migrant workmen from another State shall produce the licence obtained by him to this effect from the concerned licensing officer of State from which the migrant workmen would be recruited for engagement in the aforesaid establishment.

(2) The local agents, who supply migrant workmen to the contractors of the outside State, and work either as sub-contractors or commission agents of such contractors, shall have also to obtain a licence from the concerned licensing officer of the State from which migrant workmen are recruited and drafted to outside State, on making an application in Form IV-A to the concerned licensing officer of the State from which migrant workmen are recruited. The fees payable by the agent for the purpose shall be equivalent as provided under sub-rule (2) of rule 13.

10. *Refusal to issue licence.*—(1) On receipt of the application from the contractor, and as soon as possible thereafter, the licensing officer shall investigate or cause investigation to be made to satisfy himself about the correctness of the facts and particulars furnished in such application and eligibility of the applicant for a licence.

(2) (i) Where the licensing officer is of the opinion that the licence should not be issued, after affording reasonable opportunity to the applicant to be heard, he may make an order rejecting the application.

(ii) The Order shall record the reasons for the refusal and shall be communicated to the applicant.

11. *Security.*—(1) Where the licensing officer is satisfied in accordance with the procedure laid down in the proviso to sub-section (2) of section 8 that any person who has applied for or who has been issued a licence, should furnish security for the due performance of the conditions of the licence, he shall prepare an estimate of the amount needed to provide for recruitment or employment of migrant workmen on the basis of the factors specified in sub-section (3) of the said section and after considering the solvency of such person, determine the amount of the security to be furnished by such person, when shall not exceed forty per cent of the amount estimated by him.

(2) Where the applicant for the licence was holding a licence in regard to another work and that licence had expired, the licensing officer, if he is of the view that any amount out of the security, if any, deposited in respect of that licence is to be refunded to the applicant under rule 17, he may on an application made for that purpose, in Form VII, by the applicant, adjust the amount so to be refunded towards the security, if any, required to be deposited in respect of the application for the new licence and the applicant shall deposit, in such case, only the balance amount, if any, after making such adjustment.

12. *Form and terms and conditions of licence.*—(1) Every licence issued under sub-section (1) of section 8 shall be in Form VIII.

(2) Every licence granted or renewed under sub-rule (1) or rule 15, as the case may be, shall be subject to the following conditions, namely :—

- (i) the licence shall be non-transferable ;
- (ii) the terms and conditions of the agreement of arrangement under which the migrant workman is recruited or employed will be observed, subject to the provisions of the other sub-rules of this rule ;
- (iii) the number of migrant workmen recruited or employed shall be specified ;
- (iv) the number of workmen recruited or employed as migrant workmen in the establishment shall not, on any day, exceed the maximum number specified in condition (iii) ;
- (v) the rates of wages payable to the migrant workmen by the contractor shall not be less than the rates prescribed under the Minimum Wages Act, 1948 for such employment and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed ;
- (vi) save as provided in these rules, the fees paid for the issue or, as the case may be, for renewal of licences shall be non-refundable ;

(vii) (a) in cases where the migrant workmen recruited or employed by the contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the migrant workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same or similar kind of work :

Provided that, in the case of any disagreement with regard to the type of work, the same shall be decided by the Deputy Commissioner of Labour of the area in the State concerned or such other Officer or Officers who may be nominated by him for the purpose, whose decision thereon shall be final ;

(b) in other cases, the wage rates, holidays hours of work and conditions of service of the migrant workmen recruited or employed by the contractor shall be such as be prescribed by the State Government by a notification published in the *Official Gazette*.

(viii) every migrant workmen shall be entitled to allowances, benefits, facilities, etc. as prescribed in the Act and in these rules ;

(ix) no female migrant workman shall be employed by any contractor before 6-00 a.m. or after 7-00 p.m.

Provided that, this clause shall not apply to the employment of female migrant workman in pit head baths, creches and canteens and, Midwives and Nurses in hospitals and dispensaries ;

(x) the contractor shall notify any change in the number of migrant workmen or the conditions of work to the licensing officer ;

(xi) the contractor shall comply with all the provisions of the Act and these rules ;

(xii) a copy of the licence shall be displayed prominently at the premises where the migrant workmen are employed ; and

(xiii) the period for which the licence shall be valid.

13. *Fees*—(1) The fees to be paid for the grant of certificate of registration of an establishment under section 4 shall be as specified below :—

If the number of migrant workmen proposed to be employed in the establishment on any day—

	Rs.
(a) is 5 but does not exceed 20	30.00
(b) exceeds 20 but does not exceed 50	75.00
(c) exceed 50 but does not exceed 100	150.00
(d) exceeds 100 but does not exceed 200	300.00
(e) exceeds 200 but does not exceed 400	600.00
(f) exceeds 400 but does not exceed 800	900.00
(g) exceeds 800 but does not exceed 1,000	1,000.00
(h) exceeds 1,000	1,500.00

(2) The fees to be paid for the grant of licence under section 7 shall be as specified below :—

If the number of migrant workmen recruited or employed by the contractor on any day—

	Rs.
(a) is 5 but does not exceed 20	10.00
(b) exceeds 20 but does not exceed 50	20.00
(c) exceeds 50 but does not exceed 100	40.00
(d) exceeds 100 but does not exceed 200	80.00
(e) exceeds 200 but does not exceed 400	160.00
(f) exceeds 400 but does not exceed 750	200.00
(g) exceeds 750 but does not exceed 1,000	250.00
(h) exceeds 1,000 but does not exceed 2,000	350.00
(i) exceeds 2,000	500.00

(3) Fees shall be deposited under the head of account as provided in rule 20.

14. *Amendment of the licence*.—(1) A licence issued under rule 12 or renewed under rule 15 may, for good and sufficient reasons, be amended by the licensing officer.

(2) A contractor, who desires to have his licence amended shall submit to the licensing officer an application stating the nature of amendment and reasons therefor, within thirty days from the date when occasion for such amendment arises.

(3) If the licensing officer allows the application, he shall require the applicant to furnish a treasury challan for the amount, if any, by which the fees that would have been payable if the licence had been originally issued in the amended form exceeds the fee originally paid for the licence.

(4) On the applicant furnishing the requisite receipt, the licence shall be amended according to the orders of the licensing officer.

(5) Where the application for amendment is refused, the licensing officer shall record the reason for such refusal and communicate the same to the applicant.

15. *Renewal of licence*.—(1) Every contractor may apply to the licensing officer for renewal of the licence.

(2) The application for renewal of the licence shall be in Form IX, in triplicate, and shall be made not less than thirty days before the date on which the licence expires, and if the application is so made, the licence shall be deemed to have been renewed until such date when the renewed licence is issued.

(3) The fees chargeable for renewal of the licence shall be same as for the grant thereof :

Provided that if the application for renewal is not received within the time specified in sub-rule (2), a fee of twenty-five per cent, for every quarter in excess of the fee ordinarily payable for the licence shall be payable for such renewal :

Provided further that, in case where the licensing officer is satisfied that the delay in submission of the application is due to unavoidable circumstances beyond the control of the contractor, he may reduce or remit, as he deems fit, the payment of such excess fee.

16. *Period of renewal of licence.*—Every license renewed under rule 15 shall remain in force for a further period of twelve months from the date of the expiry of earlier licence.

17. *Refund of Security.*—(1) On expiry of the period of licence, the contractor may, if he does not intend to have his licence renewed and get the security amount adjusted in respect of his fresh application for licence in terms of sub-rule (2) of rule 11, make an application to the licensing officer for the refund of the security, if any, deposited by him under rule 11.

(2) If the licensing officer is satisfied that there is no breach of the conditions of licence or there is no order under section 10 for the forfeiture of security or any portion thereof he shall direct the refund of the security to the applicant.

(3) If there is any order directing the forfeiture of the whole or any part of the security, the amount to be forfeited shall be deducted from the security deposit and balance, if any shall be refunded to the applicant.

(4) The application for refund shall, as far as possible, be disposed of within sixty days of the receipt of the application.

18. *Appeals and procedure.*—(1) Every appeal under section 11 shall be preferred in the form of a memorandum signed by the appellant or his authorised agent and presented to the appellate officer in person or sent to him by registered post acknowledgement due.

(2) The memorandum shall be accompanied by a certified copy of the order and a treasury challan showing payment of twenty-five-rupee

(3) memorandum shall set forth precisely and under distinct heads the grounds of appeal to the order appealed from.

(4) Where the memorandum of appeal does not comply with the provisions of sub-rule (2), it may be rejected or return to the appellant for the purpose of being amended, within the time to be fixed by the appellate officer.

(5) Where the appellate officer rejects the memorandum of appeal under sub-rule (4) he shall record the reasons for such rejection and communicate the same to the appellant.

(6) Where the memorandum of appeal is in order, the appellate officer shall admit the appeal endorse thereon the date of presentation and shall register the appeal in the register of appeals kept for the purpose.

When the appeal has been admitted, the appellate officer shall send a copy to the registering or the licensing officer, as the case may be, from whose order the appeal has been preferred. The registering officer or, as the case may be the licensing officer shall thereupon send the record of the case to appellate

(8) On receipt of the record under sub-rule (7), the appellate officer shall send a notice to the appellant to appear before him on such date, time and place, as may be specified in the notice, for the hearing of the appeal.

(9) If on the date so fixed for the hearing, the appellant does not appear, the appellate officer may dismiss the appeal for default of appearance of the appellant.

(10) Where an appeal has been dismissed under sub-rule (9), the appellant may apply to the appellate officer for the re-admission of the appeal and where it is proved that he was prevented by any sufficient cause from appearing when the appeal was called out for hearing, the appellate officer shall restore the appeal to its original number.

(11) An application under sub-rule (10), shall, unless the appellate officer extends the time for sufficient reason, be made within thirty days from the date of dismissal.

(12) If the appellant is present, when the appeal is called on for hearing the appellate officer shall proceed to hear the appellant or his authorised agent, and any other person summoned by him for the purpose, and pronounce judgement on the appeal either confirming, reversing or modifying the order appealed from.

(13) The Judgement of the appellate officer under sub-rule (12) shall state the points for determination, the decisions thereon and the reasons for their decisions.

(14) The order on the appeal shall be communicated to the appellant and a copy thereof shall be sent to the registering officer or the licensing officer, as the case may be, from whose order the appeal has been preferred.

19. *Obtaining of copies of orders.*—A copy of the order of the registering officer, licensing officer or appellate officer may be obtained on payment of fees of Rs 5 per copy of each order on application specifying the date and other particulars of the order made to the officer concerned.

20. *Payment of fees and security deposit.*—The payment of various fees relating to registration, licensing and security deposits under these rules shall be made through the local treasury under the head of account XXX-Miscellaneous-social and Development organization XXXII-A-Labour and Employment-fees under the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 and a receipt obtained.

CHAPTER III

DUTIES OF THE CONTRACTOR

21. *Particulars of migrant Workmen.*—(1) Every contractor shall furnish to the specified authorities the particulars regarding recruitment and employment of migrant workmen in Form X.

(2) The particulars shall be either personally delivered by the contractor to the concerned specified authorities or sent to them by registered post acknowledgement due.

22. *Return fare.*—The contractor shall pay to the migrant workman the return fare from the place of employment to the place of residence in the home State of the migrant workman, on the expiry of the period of employment and also on his—

(a) termination of service before the expiry of the period of employment, for any reason whatsoever ;

(b) being incapacitated for further employment on account of injury or continued ill health, duly certified as such by a registered medical practitioner ;

(c) cessation of work in the establishment, which is not due to any fault on the part of the migrant workman, and

(d) resignation from service on account of non-fulfilment of terms and conditions of his employment by the contractor.

23. *Pass-Book.*—(1) In the pass-book referred to in clause (b) of sub-section (1) of section 12, the following additional particulars shall be indicated namely—

(a) date of recruitment ;

(b) the date of employment ;

(c) wage-period, total attendance/unit of work, done (in respect of piece-rated migrant workman), total wages earned/deduction, if any, made/net amount paid and signature of contractor or his duly authorised representative with date ; and

(These entries shall be made separately in respect of each wage-period within three days from the date of payment).

(d) Name and address of the next of kins of migrant workman.

(2) In case of fatal accident or serious bodily injury to any migrant workman, the contractor shall immediately send telegrams to the specified authorities of both the State and also the next of the kins of the migrant workman, intimating death or the nature of serious bodily injury sustained by the migrant workman, as the case may be, date, place and reasons of accident. The contractor shall further send written report to the specified authorities concerned and next of the kins of the migrant workman giving the undermentioned particulars,

by registered post acknowledgement due within twenty-four hours of the occurrence of the accident :—

(i) Name of the migrant workman ;

(ii) Date, place, nature and reasons of the accident, with clear indication as to whether it occurred in course of employment ;

(iii) Condition of the migrant workman (if alive) ;

(iv) Action taken by the Contractor/Principal employer.

(v) Death Certificate from a Medical Officer of the nearest Government Hospital, if dead ;

(vi) Remarks.

(3) If the contractor fails to send the telegraphic intimation and/or written report, as required under sub-rule (2), the principal employer shall comply with the requirements of sub-rule (2), as early as possible but in any case not later than forty-eight hours of the time of occurrence of the accident.

24. *Return and report.*—Every contractor shall furnish a return regarding migrant workman, who have ceased to be employed in Form XI, with detained reasons for such cessation of work to the specified authorities either personally or by registered post acknowledgement due, so as to reach them not later than fifteen days from the date the migrant workman ceases to be employed.

CHAPTER IV

WAGES

25. *Rate of wages.*—The rate of wages of a migrant workman in an establishment where he is required to work which is neither same nor of similar kind as is being performed by any other workman in that establishment, shall not be less than the rate of wages paid by the principal employer to a workman in the lowest category of workmen directly employed by him in that establishment or the minimum rates of wages notified by the State Government under the Minimum Wages Act, 1948 for the same or similar type of work performed by workmen in any scheduled employment in the area in which the establishment is located, or the rates of wages payable to the workmen for performing same or similar kind of work in that establishment in the State in which the establishment is located, whichever is higher :

Provided that if there is any dispute in this regard or with regard to applicability of wage-rate to migrant workman under clause (b) of sub-section (1) section 13, the same shall be decided by the Commissioner of Labour, Bombay or any officer or officers nominated by him whose decision shall be final.

26. *Wage-periods.*—The Contractor shall fix wage-periods in respect of which wages shall be payable.

27. *Wage-period not exceed one month.*—No wage-period shall exceed one month.

28. *Time of payment of wages.*—The wages of every migrant workmen in an establishment by a contractor, where less than one thousand workmen are employed, shall be paid before the expiry of the seventh day and, in other cases before the expiry of tenth day of every month.

29. *Payment on termination.*—Where the employment of any migrant workman is terminated by or on behalf of the contractor, the wages earned by the migrant workman shall be paid before the expiry of the second working day from the day on which his employment is terminated.

30. *Mode of payment.*—(1) All payments of wages shall be made by the contractor on working day at the work premises and during the working time and on a date notified in advance and, in case the work is completed before expiry of the scheduled period, final payments shall be made within forty-eight hours of the last working day.

(2) Wages due to every migrant workman shall be paid to him direct or to other persons duly authorised by him in this behalf in accordance with the provision contained in this rule.

(3) All wages shall be paid in current coin or in currency or in both. The wages shall be paid without any deduction of any kind, except those specified by the State Government by general or special orders in this behalf or permissible under the Payment of Wages Act, 1936.

(4) A notice showing the wage-period and the place and time of disbursement of wages shall be displayed at the place of work and a copy sent by the contractor to the principal employer under acknowledgement due.

(5) The principle employer shall ensure the presence of his authorised representative at the place and time of disbursement of wages by the contractor to the migrant workman and it shall be the duty of the contractor to ensure the disbursement of wages in the presence of such authorised representatives.

(6) The authorised representative of the principal employer shall record under his signature (indicating his name and designation within bracket) a Certificate at the end of all the entries in the register of wages or the wage-cum-muster roll, as the case may be, in the following form :—

“ Certified that the amount shown in column No..... has been paid to the migrant workman concerned, in my presence on.....

CHAPTER V

MEDICAL AND OTHER FACILITIES TO BE PROVIDED TO MIGRANT WORKMEN

31. *Holidays, hours of work and other conditions of service.*—(1) Holidays including weekly-holidays, hours of work, including extra wages for overtime work done and other conditions of service of migrant workman shall not be less favourable than those obtaining in that establishment or in similar employments in the area in which the establishment is located, as the case may be.

(2) Where there is any dispute in this regard or with regard to applicability of holidays, including weekly-holidays, hours of work including extra wages for overtime work done and other conditions of service to a migrant workman under clause (a) of sub-section (1) of section 13, the same shall be decided by the Commissioner of Labour, Bombay or an Officer or Officers nominated by him, whose decision shall be final.

32. *Medical facilities.*—(1) The contractor shall ensure provision of suitable and adequate medical facilities for outdoor treatment to the migrant workman, free of cost, for treatment of any ailment from which the migrant workman or any member of his family may suffer during his employment in the establishment or to meet any preventive measure against epidemic or any virus infection. Whenever any medicine is purchased by a migrant workman from the market on the basis of the prescription issued by any Doctor provided by the contractor or the principal employer, as the case may be or any registered medical practitioner, the cost of such medicine shall be reimbursed by the contractor to the migrant workman concerned, within a period of seven days from the date of presentation of the bill by the migrant workman.

(2) In the event of migrant workman or any of his family members suffering from any ailment requiring hospitalisation during his employment if the establishment the contractor shall promptly arrange for the hospitalisations of the migrant workman of the concerned member of his family. The contractor shall bear entire expenses on treatment, hospital charges (including diet), if any, and travel expenses for the patient from the place of his residence to the hospital and back.

(3) Every contractor shall provide and maintain, so as to be readily accessible during all working hours, first-aid-boxes at the rate of not less than one box for one hundred and fifty workmen or part thereof.

(4) The first-aid box shall be distinctly marked with a red cross on a white back ground and shall contain the following equipments, namely

(a) For the establishments in which number of migrant workman employed does not exceed fifty, each first-aid-box shall contain the following equipment:—

- (i) Six small sterilized dressings ;
- (ii) Three medium size sterilized dressings ;
- (iii) Three large size sterilized dressings ;
- (iv) Three large size sterilized burn dressings ;
- (v) One (30 ml.) bottle containing a two per cent alcoholic solution of iodine ;
- (vi) One (50 ml.) bottle containing salvolatile having the dose and mode of administration indicated on the label ;
- (vii) One snake-bite lancet ;
- (viii) One (30 gms.) bottle of potassium permanganate crystals ;
- (ix) One pair scissors ;

(x) One copy of the first-aid leaflet issued by the Director-General, Factory Advice Service and Labour Institute Government of India;

(xi) A bottle containing one hundred tablets (each of five grams) of aspirin ;

(xii) Ointment for burns ; and

(xiii) A bottle of suitable surgical antiseptic solution ;

(b) For establishment in which the number of migrant workmen exceed fifty, each first-aid box shall contain the following equipment :

(i) Twelve small sterilized dressings ;

(ii) Six medium size sterilized dressings ;

(iii) Six large size sterilized dressings ;

(iv) Six large size sterilized burn dressings ;

(v) Six (15 gms.) packets sterilized cotton wool ;

(vi) One (60 ml.) bottle containing a two per cent. alcoholic solution of iodine;

(vii) One (60 ml.) bottle containing salvolatie, having the dose and mode of administration indicated on the label ;

(viii) One roll of adhesive plaster ;

(ix) a snake-bite lancet ;

(x) One (30 gms.) bottle of potassium permanganate crystals ;

(xi) One pair of scissors ;

(vii) One copy of the first-aid leaflet issued by the Director-General of Factory Advisory Service and Labour Institute, Government of India;

(xiii) A bottle containing one hundred tablets each of five grams) of aspirin ;

(xiv) Ointment for burns, and

(xv) bottle of a suitable surgical antiseptic solution :

(5) Adequate arrangements shall be made for immediate reconpment, when necessary,

(6) Nothing except the contents mentioned in sub-rule (4) shall be kept in the first-aid box.

(7) The first-aid box shall be in-charge of a responsible person, who shall always be readily available during the working hours of the establishment.

(8) The person in-charge of the first-aid box shall be a person trained in first-aid treatment in establishments where the number of migrant workmen is one hundred and fifty or more.

33. *Protective clothing.*—(1) The contractor shall provide to every migrant workman where the temperature falls below twenty degree centigrade, protective clothing consisting of one woollen coat and one woollen trouser.

Provided that where the temperature falls below five degrees centigrade one woollen overcoat shall also be provided to the migrant workman, once in three years.

(2) The protective clothing shall be provided by the contractor to every migrant workman before onset of winter season in the area where the establishment is located or on the 30th day of September whichever is earlier.

34. *Drinking water, latrines, urinals and washing facilities*—(1) The contractor shall provide sufficient quantity of wholesome drinking water, sufficient number of sanitary latrines and urinals and washing facilities for the migrant workmen at the establishment in the case of new establishments, within seven days of the commencement of employment of migrant workmen therein and in case of existing establishments, within seven days of commencement of these rules ;

Provided that, if any question arises as to what is sufficient or what is a wholesome, the decision of the licensing officer on the said questions shall be final and binding.

(2) If any of the facilities is not provided by the contractor within the specified period, the same shall be provided by the principal employer within seven days of the expiry of the period specified in sub-rule (1).

35. *Rest Rooms.*—(1) In every place where migrant workmen are required to halt at night in connection with the working of the establishment and in which employment of migrant workmen is likely to continue for three months or more, the contractor shall provide and maintain rest rooms or other suitable alternative accommodation, within fifteen days of the coming into force of these rules in case of the existing establishments and within fifteen days of the commencement of the employment of migrant workmen in the case of new establishments.

(2) If the amenity is not provided by the contractor within the specified period, the principal employer shall provide the same within a period of fifteen days of the expiry of the period specified in sub-rule (1).

(3) Separate rooms shall be provided for female migrant workmen.

(4) Effective and suitable provisions shall be made in every room for securing and maintaining adequate ventilation by circulation of fresh air, and there shall also be provided and maintained sufficient and suitable natural and artificial lighting.

(5) The rest room or other suitable alternative accommodations shall be of such dimensions, so as to provide at least a floor area of 1.1 square meter for each person.

(6) The rest room, or other suitable alternative accommodation shall be so constructed as to afford adequate protection against heat, wind, rain and shall have smooth, hard and impervious floor surface.

(7) The rest room or other suitable accommodations shall be at a convenient distance from the establishment and shall have adequate supply of wholesome drinking water.

36. *Canteens.*—(1) In every establishment wherein work regarding the employment of migrant workmen is likely to continue for six months and wherein migrant workmen numbering one hundred or more are ordinarily employed, an adequate canteen shall be provided by the contractor for the use of such migrant workmen within sixty days of the date of coming into force of these rules in the case of the existing establishments, and within sixty days of the commencement of the employment of migrant workmen in the case of new establishments.

(2) If the contractor fails to provide canteen within the time laid down, the same shall be provided by the principal employer within sixty days of the expiry of the time allowed to the contractor, under sub-rule (1).

(3) The canteen shall be maintained by the contractor or principal employer as the case may be, in an efficient manner.

(4) The canteen shall consist of at least a dining hall, kitchen, store-room, pantry and washing places separately for migrant workmen and for utensils.

(5) The canteen shall be sufficiently lighted, at all times when any person has access to it.

(6) The floor of the canteen shall be made of smooth and impervious material and the inside walls shall be lime-washed or colour-washed at least once in each year. The precincts of the canteen shall be maintained in a clean and sanitary condition.

Provided that the inside walls of the kitchen shall be lime-washed every four months:

(7) Waste water of the canteen shall be carried away in suitable covered drains and shall not be allowed to accumulate so as to cause a nuisance, and suitable arrangements shall be made for the collection and disposal of garbage. The dining hall shall accommodate at a time at least thirty per cent of the migrant workmen, working at a time.

(8) The floor area of the dining hall, excluding the area occupied by the service counter and any furniture, except tables and chairs, shall be not less than one square metre per diner to be accommodated, as specified in sub-rule (7).

(9) A portion of the dining-hall and service counter shall be partitioned off and reserved for women migrant workmen, in proportion to their number.

(10) Washing place for women in the dining-hall shall be separate and screened to secure privacy.

(11) Sufficient tables, stools, chairs or benches shall be available for the diners to be accommodated, as specified in sub-rule (7).

(12) There shall be provided and maintained sufficient utensils, crockery, cutlery, furniture and other equipment necessary for the efficient running of the canteen.

(13) The furniture, utensils and other equipments of the canteen shall be maintained in a clean and hygienic condition.

(14) Suitable clean clothes for the employees serving in the canteen shall also be provided and maintained.

(15) A service counter, if provided in the canteen, shall have top of smooth and impervious material.

(16) Suitable facilities, including an adequate supply of hot water shall be provided for the cleaning of utensils and equipments of the canteen.

(17) The food-stuffs and other items to be served in the canteen shall be in conformity with the normal habits of the migrant workmen.

(18) The charges for meals, other food-stuffs, beverages and any other items served in the canteen shall be based, on no profit no loss basis, and shall be conspicuously displayed in the canteen.

(19) In arriving at the prices of food-stuffs and other articles served in the canteen, the following items shall not be taken into consideration as expenditure, namely :—

(a) the rent for the land and buildings ;

(b) the depreciation and maintenance charges for the building and equipments provided for in the canteen.

(c) the cost of purchase, repairs and replacement of equipments including furniture, crockery, cutlery and utensils ;

(d) the water charges and other charges incurred for lighting and ventilation ;

(e) the interest on the amount spent on the provision and maintenance of furniture and equipments provided for in the canteen.

(20) The books of accounts and registers and other documents used in connection with the running of the canteen shall be produced, on demand, to an Inspector.

(21) The accounts pertaining to the canteen shall be audited once every twelve months by registered Accountants and Auditors :

Provided that, the Commissioner of Labour, Bombay or any Officer or Officers authorised by him in this behalf may approve of any other person to audit the accounts, if he is satisfied that it is not feasible to appoint a registered Accountant and Auditor, in view of the site or the location of the canteen,

Urinals.—(1) Latrines shall be provided in every establishment on the following scale, namely :—

(a) where females are employed, there shall be at least one latrine for every twenty-five females ;

(b) where males are employed, there shall be at least one latrine for every twenty-five males ;

(c) that where the number of males or females exceeds one hundred and fifty. It shall be sufficient if there is one latrine for twenty-five males or females as the case may be up to the first one hundred and one for every one hundred thereafter.

Every latrine shall be under cover and so partitioned off as to secure privacy and shall have a proper door and fastenings.

Where workers of both sexes are employed, there shall be displayed on each block of latrine and urinal, a notice in the language understood by the majority of the workers reading " For Men only " or " For Women only " as the case may be. Such notice shall also bear the figure of a man or of a woman, as the case may be.

(4) There shall be at least one urinal for male workers up to fifty and one for female up to fifty employed at a time :

Provided that where the number of male or female workmen, as the case may be, exceeds five hundred, it shall be sufficient if there is one urinal for every fifty females up to the first five hundred and one for every one hundred or part thereof thereafter.

(5) The latrines and urinals shall be conveniently situated and accessible to workers at all times at the establishment.

(6) The latrines and urinals shall be adequately lighted and shall be maintained in a clean and sanitary condition, at all times.

(7) Latrines and urinals other than those connected with a flush sewage system, shall comply with the requirements of the public health authorities.

(8) Water shall be provided by the means of tap or otherwise so as to be conveniently accessible in or near the latrines and urinals.

38. *Washing facilities.*—(1) In every establishment adequate and suitable facilities for washing shall be provided and maintained for the use of migrant workmen employed therein.

(2) Separate and adequate screening facilities shall be provided for the use of male and female migrant workmen.

(3) Such facilities shall be conveniently accessible and shall be kept in clean and hygienic condition.

39. *Creche.*—(1) In every establishment where twenty or more female workmen are ordinarily employed as migrant workmen and in which employment of migrant workmen is likely to continue for three months or more the contractor shall provide and maintain two rooms of reasonable dimension for the use of the children of migrant workmen under the age of six years, within fifteen days of the coming into force of these rules in case of existing establishment, and within fifteen days of the commencement of the employment of not less than twenty workmen as migrant workmen in new establishment.

(2) One of such rooms shall be used as play room for the children the other as bed room for the children.

(3) If the contractor fails to provide the creche within the time laid down in sub-rule (1) the same be provided by the principal employer within fifteen days of the expiry of the time allowed to the contractor.

(4) The contractor or the principal employer, as the case may be, shall supply adequate number of toys and games in the play rooms and sufficient number of cots and beddings in the sleeping room.

(5) The creche shall be so constructed as to afford adequate protection against heat, damp, with rain and shall have smooth, hard and impervious floor surface.

(6) The creche shall be at a convenient distance from the establishment and shall have adequate supply of wholesome drinking water.

(7) Effective and suitable provisions shall be made in every room of the creche for securing and maintaining adequate ventilation by circulation of fresh air and there shall also be provided and maintained sufficient and suitable natural or artificial lighting.

40. *Residential Accommodation.*—(1) The contractor shall provide to every migrant workman—

(i) in case he is accompanied by another member of his family a suitable quarter consisting of minimum one room having at least a floor area of 10 square metres, a verandah and adequate additional covered space for cooking food as well as one common sanitary latrine, one common bathroom for every three such quarter and,

(ii) in case he is unaccompanied by any other member of his family, a suitable barrack so as to accommodate not more than ten such migrant workmen, having at least a floor area of not less than 6.5 square meters for each such migrant workmen making use of the barrack, a verandah and adequate additional covered space for cooking food as well as one common sanitary latrine and one common bathroom for every ten such migrant workmen ;

Within fifteen days of coming into force of values in case of the these existing establishment and within fifteen days of the commencement of the employment of migrant workmen in new establishments.

(2) Every quarter and the barrack shall be so constructed as to afford adequate ventilation protection against heat, wind, rain and shall have smooth, hard and impervious floor surface.

(3) The quarters or the barracks, as the case may be, shall be at a convenient distance from the establishment and shall have adequate supply of wholesome drinking water.

(4) The area in which the quarters or the barracks are located as well as the latrines and the bathrooms provided therein shall be kept in a clean and sanitary condition, at all times.

(5) If the amenities referred to in sub-rule (1) are not provided by the contractor within the period prescribed, the principal employer shall provide the same within a period of fifteen days of the expiry of the period laid down in the said sub-rule.

(6) If there is any dispute or disagreement regarding the suitability or the adequacy of provision of any of the amenities referred to in sub-rule (1) to (4), the same shall be decided by Commissioner of Labour, Bombay or an Officer or Officer authorised by him in this behalf, whose decision shall be final.

41. *Liability of the principal employer in certain cases.*—If any allowance required to be paid under section 14 or section 15 to a migrant workman employed in an establishment to which this Act applies is not paid by the contractor or if any facility specified in section 16 is not provided for the benefit of such migrant workman, then such allowance shall be paid, or as the case may be, the facility shall be provided by the principal employer within fifteen days of the expiry of the time allowed to the contractor under the sub-rules, except where otherwise provided for in the relevant rules :

Provided that in case of ailment requiring urgent medical attention or hospitalisation, as the case may be, the principal employer shall provide the same immediately, on the failure of the contractor to do so.

42. *Relaxation in certain cases.*—If the contractor or the principal employer, as the case may be, has already provided any facility relating to supply of wholesome drinking water to rest rooms or latrines and urinals or washing facilities, canteen or creche or first-aid, as required under any Act applicable to the establishment and the same is adequate and also available for use of the migrant workmen, then that facility shall be deemed to have been provided for under these rules,

CHAPTER VI

REGISTERS AND RECORDS—COLLECTION OF STATISTICS

43. *Registers of contractors.*—Every principal employer shall maintain in respect of each registered establishment a register of contractors, in Form XII.

44. *Register of persons employed.*—Every principal employer and contractor shall maintain in respect of each establishment where he employs migrant workmen register in Form XIII.

45. *Service Certificate.*—On termination of employment for any reason whatsoever, the contractor shall issue to the migrant workman, whose services have been terminated, a service certificate, in Form XIV.

46. *Displacement-cum-outward journey allowance sheet and return Journey allowances register.*—Every contractor shall maintain a sheet for payment of displacement-cum-outward journey allowances as required to be paid under sections 14 and 15, in Form XV and a register for return journey allowance, as required to be paid under section 15, in Form XVI.

47. *Muster-roll, wages-register deductions register and overtime register.*—(1) In respect of establishments which are governed by the Payment of Wages Act, 1936 and the rules made thereunder or the Minimum Wages Act, 1948 and the rules made thereunder or the Contract Labour (Regulation and Abolition) Act, 1970 and the rules made thereunder, the following register and records required to be maintained by the contractor as employer under those Acts and rules shall be deemed to be registers and records to be maintained by the contractor under these rules :—

- (a) Muster roll ;
- (b) Register of wages ;
- (c) Register of deductions ;
- (d) Register of fines ;
- (e) Register of over-time ;
- (f) Register of advances.

2. In respect of establishments not covered by any of the Acts or the rules referred to in sub-rule (1), the following provisions shall apply, namely

- (a) Every contractor shall maintain a Muster-Roll and Register of Wages in Forms XVII and Forms XVIII respectively ;
- (b) Signature or thumb impression of every migrant workman on the register of wages shall be obtained and entries therein shall be authenticated by the signature of the contractor or his authorised representative and duly certified by the authorised representative of the principal employer, as required by sub-rule (6) or rule 30 ;

(c) *Register of deductions, register of fines and Register of advances.*—Register of deduction for damage or loss, register of fines and register of advances shall be maintained by every contractor in Forms XIX and XXI respectively ;

- (d) Every contractor shall maintain register of over-time in Form XXII.

3. Notwithstanding anything contained in these rules, where a combined or alternative form is sought to be used for the contractor to avoid duplication of work for compliance with the provisions of any other Act, or the rules framed thereunder or any other laws regulations in case where mechanised pay-rolls are introduced for better administration, alternative suitable form or form in lieu of any of the Forms prescribed under these rules, may be used with the previous approval of the Commissioner of Labour, Bombay, or any other Officer authorised by him in this behalf.

48. *Maintenance and preservation of registers.*—(1) All registers and other records required to be maintained under the Act and rules shall be maintained complete and up-to-date and, unless otherwise provided for, shall be kept at an office or the nearest convenient building within the precincts of the work-place, or at a place if any specified by the Inspector on the specific request made by the contractor in this behalf.

(2) All the registers shall be maintained legibly, in English or in Marathi and in the language understood by majority of the migrant workmen employed.

(3) All the registers and other records shall be preserved in *original*, for a period of three calendar years from the date of last entry made therein.

(4) All the registers, records and notice maintained under the Act or rules shall be produced on demand before, the Inspector or by the Commissioner of Labour, Bombay, or any other Officer or Officers authority under the Act or any person authorised in that behalf by the State Government or the Commissioner of Labour, Bombay.

(5) Where no deduction or fine has been imposed or no over-time has been worked during any wage period a 'NIL' entry shall be made across the body of the register at the end of every wage-period, indicating also in precise terms the wage-period to which the 'NIL' entry relates in the respective registers maintained in Form XIX, XX and XXI respectively.

49. *Display of an abstract of the Act and the rules.*—Every contractor shall display an abstract of the Act and these rules in English or Marathi and in the language spoken by majority of migrant workmen in such Form as may be approved by the Commissioner of Labour.

50. *Notices.*—(1) Notices showing the rates of wages, hours of work, wage period, weekly holidays, dates of payment of wages, names and addresses of the Inspectors having jurisdiction, and date of payment on unpaid wages, shall be displayed in English or in Marathi and in the language understood by the majority of the workers in conspicuous places at the establishment and at the work-site by the principal employer or the contractor, as the case may be.

(2) The notices shall be properly maintained and kept in a clean and legible condition.

(1) A copy of the notices shall be sent to the Inspector and, whenever any changes occur, they in addition of being incorporated in the notice, shall be communicated to the Inspector at the latest within seven days of effecting such changes.

51. *Periodical returns.*—(1) Every contractor shall send half-yearly returns Form XXIII, in *duplicate* so as to reach the licensing officers concerned not later than the 30 days from the close of the half-year.

Note.—Half-year for the purpose of this rule means a period of six months commencing from the 1st of January and the 1st of July each year.

(2) Every principal employer of a registered establishment shall send annually a return in Form XXIV, in *duplicate*, so as to reach the registering officer concerned not later than the 15th February following the end of the year to which it relates with a copy thereof sent to the Registering Officer of the State from which migrant workers have been drafted and engaged in the establishment during the period in question.

52. (1) The Commissioner of Labour, Bombay, or the Inspector or any other authority appointed under the Act by the Government of the State from which the migrant workmen have been recruited shall have powers to call for any information or statistics in relation to the migrant workmen so drafted from the concerned contractor or the principal employer in that State in which the migrant workmen have been engaged at any time by an order in writing.

(2) Any person called upon to furnish the information under sub-rule (1) shall be legally bound to do so.

CHAPTER VII

LEGAL AID TO MIGRANT WORKMEN

53. *Legal Aid.*—On receipt of a written application from migrant workmen or in the event of his death, from the next of his kin for providing legal aid in relation to any proceeding before the authority under section 15 of the payment of Wages Act, 1936 or Authority under section 20 of the Minimum Wages Act, 1948 or appropriate Labour Court under sub-section (2) of section 33-C of the Industrial Disputes Act, 1947 or Commissioner for Workmen's Compensation under the Workmen's Compensation Act, 1923 in which the migrant workmen or his legal heir or dependant is a party during the stay of the migrant workman in the area in which the work place is located or after his return to the home State, the specified authority concerned in such case, if he is satisfied, may with the approval of the Commissioner of Labour, Bombay engage an Advocate to conduct the relevant proceedings in the concerned Court on behalf of the migrant workmen or his legal heir or dependant, and meet all legal expenses in this regard.

FORM I
[See rule 3 (1)]

Application for registration of establishment employing migrant workmen'

1. Name and location of the establishment.
2. Postal address of the establishment.
3. Full name and address of the principal employer (furnish father's/husband's name in the case of individuals).
4. Names and addresses of the Directors/particulars of partners (in case of companies and firms).
5. Full name and address of the Manager or person responsible for the supervision and control of the establishment.
- 5-A. Number and date of registration of the establishment, under the Contract Labour (Regulation and Abolition) Act, 1970.
6. Nature of work carried on in the establishment.
7. Particulars of contractors and migrant workmen.
 - (a) Names and addresses of contractors.
 - (b) Nature of work for which migrant workmen are to be recruited or are employed.
 - (c) Maximum number of migrant workmen to be employed on any day through each contractor.
 - (d) Estimated date and commencement of work under each contractor.
 - (e) Estimated date of termination of employment of migrant workmen under each contractor.
8. Particulars of treasury challans (original Treasury challans to be enclosed) (name of the Treasury, amount, number and date).

I hereby declare that the particulars given above are true to the best of my knowledge and belief.

Principal Employer,
Seal and Stamp.

To

The Registering Officer,
Date of receipt of application
with Treasury challan.

Office of the Registering Officer.

FORM II
[See rule 4(1)]

Certificate of Registration

GOVERNMENT OF MAHARASHTRA

Date

Office of the Registering Officer

certificate of registration containing the following particulars is hereby granted, under clause (a) of sub-section (2) of section 4 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 and the Rules made thereunder to—

Nature of work carried on in the Establishment	Names and addresses of contractors	Nature of work in migrant workmen are employed or are to be employed	Maximum No. of migrant workmen to be employed on any day through each contractor	Estimated or actual date of termination of employment of migrant workmen
1	2	3	4	5

Place :

Date :

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Signature of the
Registering Officer,
with Seal.

FORM III

[See rule 4(2)]

Register of Establishments

Serial No.	Registration No. and Date	Name and address of the establishment registered	Name of the principal employer and his address	Nature of work carried on in the establishment	Maximum number of migrant workmen directly employed on any day
1	2	3	4	5	6

Particulars of Contractor and Inter-State Migrant Workmen

Name and address of contractor	Nature of work for which migrant workmen are to be recruited or are employed	Maximum number of migrant workmen employed on any day through a contractor	Probable duration of employment of migrant workmen	Remarks
7	8	9	10	11

FORM IV

[See rule 7(1)]

Application for licence for recruitment

- Name and address of the contractor (including his father's/husband's name in case of individuals) with number and date of licence obtained by the contractor under Contract Labour (Regulation and Abolition) Act, 1970 from.....(Particulars of the authority and the State to be mentioned here).
- Date of birth and age (in case of individuals).
- Particulars of establishment where migrant workmen are to be employed.-
 - Name and address of the establishment.
 - Nature of work carried on in the establishment.
 - Number and date of certificate of registration of the establishment under the Act, alongwith a certified copy thereof and particulars in Form I.
 - Name and address of the principal employer.
- Particulars of migrant workmen :—
 - Nature of work in which migrant workmen are to be employed in the establishment.
 - Duration of the proposed contract work (give particulars proposed date of commencing and ending).
 - Name and address of the agent or manager of the contractor at the work-site.
 - Maximum number of migrant workmen proposed to be employed in the establishment of any date.
 - Name and address of the Director/Partners (in case of companies and firms).
 - Name (s) and address(es) of the person(s) in-charge of and responsible to the company/firm for conduct of the business of the company/firms, as the case may be.
- Whether the contractor was convicted of any offence involving moral turpitude within the preceding five years? If so, give details.
- Whether there was any order against the contractor revoking or suspending his licence or forfeiting his security deposit in respect of an earlier contract? If so, the date of such order.
- Whether the contractor has worked in any other establishment in the State within the past five years? If so give details of the principal employer, establishment and nature of work.

8. Whether a certificate by the principal employer in Form VI is enclosed.
9. Amount of licence fee paid (with number and date of Treasury Challan).
10. Amount of security deposit if any.

I hereby declare that the details given above are correct to the best of my knowledge and belief.

Place..... (Signature of the applicant)
Date..... (Contractor)

Note—The application should be accompanied by Treasury Challan showing the payment of the prescribed licence fee and security deposit, if any, and certificate in Form VI from the principal employer.

(To be filled in the Office of the Licensing Officer),

Date of receipt of the application
with treasury Challan for fees.

Signature of the Licensing Officer.

FORM IV-A

[(See rule 9(2))]

Application for licence for recruitment of labourers by the Agents for employment in Contractor's establishments outside Maharashtra.

1. Name and permanent address of the Agent (including his father's/husband's name in case of individuals) with age of the Agent.
2. Date of birth and age (in case of individuals).
 - (a) Complete address of the recruiting office.
 - (b) Name and address of the authorised nominee, if any, and in absence of the nominee his relation with the Agent.
3. Particulars of establishment where migrant workmen are to be employed.
4. (a) Name and address of the establishment.
(b) Type of business, trade industry, manufacture or occupation which is carried on in the establishment.
(c) Number and date of certificate of registration of the establishment under the Act.
(d) Name and address of the principal employer.
(e) Name and address of the contractor (s) to whom labourers to be supplied during the year in question [with number and date of licence obtained under the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979].

- (f) Detailed address of the work-place.
- (g) Number and date of licence of the Contractor of outside State under the Contract Labour (Regulation and Abolition) Act, 1970 with particulars of the Licensing Officer.

5. Particulars of migrant workmen.—

- (a) Nature of work in which migrant workmen are employed or to be employed in the establishment.
- (b) Duration of the proposed contract work (give particulars of proposed date of commencing and ending).
- (c) Name and address of the management of the contractor at the work-site.
- (d) Maximum number of workmen proposed to be recruited and supplied to the Contractor(s) by the Agent during the year in question (with break-up of the number to be supplied to each contractor).
- (e) Areas with name of police-station and district from which labourers are to be recruited.
- (f) Name and address of the Partner and Managing Partner or Director of the Contractor's firm (in case of Companies or firms) to whom workmen are to be supplied.

6. Whether the Agent was convicted of any offence within the preceding five years. If so give details.

7. Whether there was any order against the Agent revoking or suspending licence or forfeiting security deposits in respect of an earlier contract. If so, the date of such order.

8. Areas with name of police-station and district from which the Dadan Labourers are proposed to be recruited.

9. Amount of licence fee paid (with number and date of Treasury Receipt).

DECLARATION

I hereby declare that the details given above are correct to the best of my knowledge and belief.

Place.....
Date.....

Signature of the Agent.

(To be filled in the office of the Licensing Officer).

Date of receipt of the application
with crossed demand draft for fees.

Signature of the Licensing Officer.

FORM V

[See rule 7(2)]

Application for Licence for Employment

1. Name and address of the Contractor (including father's/husband's name, in case of individuals) with number and date of licence obtained by the Contractor under the Contract Labour (Regulation and Abolition) Act, 1970 from.....
(Particulars of the Authority and State to be mentioned here).....
along with a copy of the licence issued under section 3(1)(a).

2. Date of Birth and age (in case of individuals).

3. Particulars of establishment where migrant workmen are to be employed:—

(a) Name and address of the establishment.

(b) Nature of work carried on in the establishment.

(c) Number and date of certificate of registration of the establishment under the Act.

(d) Name and address of the principal employer.

4. Particulars of migrant workmen.—

(a) Nature of work in which migrant workmen are to be employed in the establishment.

(b) Duration of the proposed contract work (give particulars of proposed date of commencing and ending).

(c) Name and address of the agent or manager of the contract at work-site.

(e) Maximum number of migrant workmen proposed to be employed in the establishment on any date.

(e) Name and address of the Director/Partners (in case of companies and firms).

(f) Name(s) and address(es) of the person(s) in charge of and responsible to the company/firm, for the conduct of the business of the company/firm, as the case may be.

5. Whether the contractor was convicted of any offence involving moral turpitude within the preceding five years? If so, give details.

6. Whether there was any order against the contract revoking or suspending licence or forfeiting his security deposit in respect of an earlier contract. If so, the date of such order?

7. Whether the contractor has worked in any other establishment within the past five years? If so, give details if the principal employer, establishment and nature of work.

8. Whether a certificate by the principal employer in form VI is enclosed?

9. Amount of licence fee paid (with number and date of Treasury Challan).

10. Amount of Security deposit, if any.

DECLARATION

I hereby declare that the details given above are correct to the best of my knowledge and belief.

Place.....

Date.....

Signature of the Applicant,
(Contractor).

Note.—The application should be accompanied by a Treasury Challan showing the payment of the prescribed fee and security deposit, if any from the principal employer.

(To be filled in the Office of the Licensing Officer)

Date of receipt of the application

with Treasury Challan for fees.

Signature of the Licensing Officer, with seal.

FORM VI

See Rule 7(3)]

Form of Certificate by Principal Employer

Certified that I have engaged the applicant (name and address of the contractor) as a contractor in my establishment. I undertake to be bound by all the provisions of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 and the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Maharashtra Rules, 1983, in so far as the provisions are applicable to me in respect of the employment of migrant workmen by the applicant in my establishment.

Place.....

Signature of Principal employer and

Date.....

name and address of establishment.

FORM VII

[See Rule 11(2)]

Application for Adjustment of Security Deposit by Contractor

Name and Address of the contractor	Number and date of application for fresh licence	Date of expiry of previous licence	Whether the previous licence of the contractor was suspended or revoked	Number and date of the Treasury Challan of security deposit in respect of the previous licence	Amount of security deposit
1	2	3	4	5	6

Amount of Security deposit for the fresh licence	Number and date of Treasury Challan of the balance of security deposit with the fresh application	Number and date of certificate of registration of the establishment in relation to which the fresh licence is applied for	Name and address of the principal employer	Particulars of fresh application	Remarks
7	8	9	10	11	12

Place

Date

Signature of applicant contractor

FORM VIII

[See Rule 12(1)]

Office of the Licensing Officer

Dated Fee Paid Rs.

Licence

Licence is hereby granted to (Name and Address of the Contractor), under sub-section (1) of section 8 of the Inter-State Migrants Workmen (Regulation of Employment and Conditions of Service) Act, 1979, subject to the conditions specified in the Annexure.

1. This licence is valid for doing the work of (nature of work to be precisely indicated) in the establishment of (Name and address of principal employer to be indicated) Act (location of worksite to be precisely indicated), by the migrant workmen recruited from (Name of police station, district and the State to be indicated) through Shri (Name and address of the Contractor/Sub-Contractor/Agent to be indicated).

2. This licence shall remain in force till the 31st December of (Year in which issued to be mentioned here).

Signature and Seal of Licensing Officer.

Renewal

(See Rule 15)

Date of renewal	Fee paid for renewal	Date of expiry	Signature with date and Seal of the Licensing Officer
1			
2			
3			

Annexure

The licence is granted subject to the following conditions —

1. The licence shall be non-transferable.
2. The number of workmen employed as migrant workmen in the establishment shall not, on any day, exceed the maximum number specified in this licence, during the calendar year for which it is issued for last renewed.

3 The rates of wages payable to migrant workmen by the contractor shall not be less than the rates prescribed under the Minimum Wages Act, 1948 for the employment for work of similar kind or nature and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed.

(4) In case where the migrant workmen employed by the contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage-rates, holidays, hours of work and other conditions of service of the migrant workmen of the contractor shall not be less favourable than those applicable to the workmen directly employed by the principal employer of the establishment on the same or similar kind(s) of work :

Provided that, in the case of any disagreement with regard to the type of work, the same shall be decided by the Deputy Labour Commissioner of the area in the State concerned whose decision shall be final.

(5) In other cases, the wages rates, holidays, hours of work and conditions of service of the migrant workmen of the contractor shall be such prescribed by the Rules.

(6) Every migrant workman shall be entitled to allowance, benefits, facilities, etc., as prescribed in the Act and the Rules.

(7) No female migrant workman shall be employed by any contractor before 6 a.m. or after 7 p.m. :

Provided that this will not apply to the employment of female migrant workman in Pit-Heads, Baths, Creches and Canteens and Midwives and Nurses in hospitals and dispensaries.

(8) The contractor shall notify any change in the number of migrant workmen or their conditions of work to the Licensing Officer.

(9) The contractor shall comply with all the provisions of the Act and the Rules

(10) A copy of the licence shall be displayed prominently at the work site, where the migrant workmen are employed.

FORM IX

[See Rule 15 (2)]

Application for Renewal of Licence

- 1 Name and address of the contractor.
- 2 Number and date of the licence.

3. Date of expiry of the previous licence.
4. Whether the licence of the contractor was suspended or revoked. If so, the date of such suspension or revocation.
5. Number and date of the Treasury-Chalan enclosed.

Place :

Date : Signature of the Applicant Contractor

(To be filled in the office of the Licensing Officer)

Date of receipt of the application with

Treasury Challan number and date.

Signature of the Licensing Officer.

FORM X

[(See rule 21(1))]

Form in which to furnish particulars in respect of recruitment and employment of migrant workman/as prescribed under sub-rule (1) of Rule 21 to the authorities specified under the explanation below sub-section (2) of section 12 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Services) Act, 1979

Name and address of the Contractor.....
 Name and address of the sub-contractor or the Agent through whom recruitment has been made.....
 Name and address of the establishment.....
 Name and address of the principal employer.....
 Name of the State in which the place of work is located.....
 Name of the State in which recruitment was made.....

Serial No.	Name of migrant workman	Father's/Husband's name	Sex	Age	Permanent home address	Name and address of the next of the kin of the migrant workman	Place and address of residence in the Home State	Amount of displacement allowance paid
1	2	3	4	5	6	7	8	9

Amount of outward journey allowance	Amount of wages for outward journey period paid	Nature of job required to be performed	Date of recruitment	Date of employment	Details of rates of wages and other allowance payable	Period of contract of employment	Details of other service conditions	Remarks
10	11	12	13	14	15	16	17	18

Submitted to

(1)

 (2)

Signature of Contractor.
 Date
 (Specified authority in the State in which migrant workman/workmen is/are employed)
 (Specified authority in the State from which the migrant workman/workmen has/have been recruited)

Copy forwarded to
 (The Principal Employer)

Signature of the Contractor.
 Date

Where migrant workmen concerned have been recruited from more than one State returns shall be submitted in respect of each such State.

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FORM XI

(See rule 24)

[Return to be sent by the contractor to the authorities specified under explanation below sub-section (2) of section 12 of the Inter-State Migrant Workmen (Regulation of Employment and conditions of Service) Act, 1979)

Name and address of the contractor

Name and address of the sub-contractor through whom recruitment has been made [with number and date of licence obtained under the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 from Licencing Officer of the State from which workmen are recruited].

Name and address of the Establishment

Name and address of the Principal Employer

Name of the State in which the place of work is located

Name of the State in which recruitment was made

Serial No.	Name of migrant workman	Father's/Husband's name	Sex	Designation	Age	Permanent Home address indicating the State	Place and address of residence in home State	Date of employment	Date on which ceased to be employed with reasons	Total days worked
1	2	3	4	5	6	7	8	9	10	11

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Details of the rates of wages and other allowance paid	Amount of displacement allowance paid	Amount of outward journey allowance, wages for outward journey period paid	Amount of return journey allowance and wages for return journey period paid	Total wages paid	Details of compensation and other allowances paid	Amount of deductions if any, made	Amount of advance, if any, paid	Amount of advance if any, recovered	Remarks
12	13	14	15	16	17	18	19	20	21

DECLARATION

I/We hereby declare that all wages, other dues, including displacement allowance, outward return journey's allowance and wages for journey period payable to migrant workman/workmen named above and employed by me/us have been paid by me/us to him/them.

Place

Signature of the Contractor.

Date

Submitted to—

(1) (Specified authority in the State in which migrant workman/workmen is/are employed).

(2) (Specified authority in the State from which the migrant workman/workmen has/have been recruited)

'Copy' forwarded to

Signature of the Contractor.

(The Principal Employer)

Note.—In case where migrant workmen concerned have been recruited from more than one state, separate returns shall be submitted in respect of each such State.

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FORM XII

(See rule 43)

Register of Contractor

- 1) Name and address of the Principal Employer
- 2) Name and address of the establishment

Name and address of contractor	Nature of work on contract	Location of work site	Period of contract		Maximum number of migrant workmen employed by contractors.
			From	To	
2	3	4	5	6	7

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XIII
(See rule 44)

- and address of Contractor Name and address of establishment in/under which migrant workmen are employed.....
- and address of the Establishment Name and address of Principal Employer.....

Name of migrant workmen	Age and sex	Father's/Husband's name	Nature of works designation	Permanent Home address of migrant workman (village and Tahsil/Taluka and Dist.)	Local address	Date of Commencement of employment	Signature or thumb impression of migrant workman	Date of termination of employment	Reasons for termination	Remarks
2	3	4	5	6	7	8	9	10	11	12

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Signature of Contractor.

FORM XIV

(See rule 50)

Service Certificates

Name and address of Contractor Name and address of establishment in/under which migrant workmen are employed.....
 Nature and location of work Name and address of Principal Employment.....
 Name and address of the migrant workmen
 Age and date of birth
 Identification marks
 Fathers'/Husband's name.....

Serial No.	Total Period for which employed		Nature of work done	Rate of wages (with particulars of unit in case of peice-work)	Remarks
	From	To			
1	2	3	4	5	6

Signature of Contractor.

FORM XV
(See rule 46)

Displacement and Outward Journey Allowances Sheet

Name and Address of the Contractor Name and Address of the Establishment.....
 Name and Address of the Principal Employer..... Month and year

Serial No.	Name of the migrant workman	Father's/Husband's name	Permanent home address indicating the State	Place and address of residence in the home State	Designation	Rate of wages	Wages Payable in a month	Place of Recruitment
1	2	3	4	5	6	7	8	9

Place of work with address, indicating the State	Railway Station/ bus-stand nearest to the place of residence	Railway Station/ bus-stand nearest to the place of work	Date and time of Commencement of journey from the place of residence	Expected date and time of arrival at the place of work	Details of modes of Journeys from the place of residence in the home State to the place of work	Amount of bus fare and/or Second class train fare and/ or other journey expenses Separately as per the modes of journeys indicated in column 15	Totals of amounts indicated in column No. 16	Amount of displacement allowance	Amount outward journey period
10	11	12	13	14	15	16	17	18	19
							Rs. P.		Rs. P.

Expected date and time of arrival at the residence in home State	Expected modes of journeys from the place of work to place of residence in home State	Amount of bus fare and/or second class train fare and/or other Journey expenses separately as per expected modes of journeys indicated in column No. 13	Total amounts indicated in column No. 14	Amount of return journey allowance paid	Wages for return journey period paid	Total amount paid	Date on which paid	Signature or thumb impression of the migrant workman	Remarks
12	13	14	15	16	17	18	19	20	21

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Note.—(1) Indicate separately different modes of journey.
 (2) Entries are to be made against each individual inter-State migrant workmen.

Signature of the Contractor,
 Date

FORM XVII

[See rule 47(2)(a)]

Monitor-Roll

Name and address of the Contractor :
 Name and address of establishment in/under which the migrant workmen are employed :
 Name and address of Principal employer :
 For the month of

Serial No. of migrant workmen	Name of migrant workmen	Father's Name	Sex	Age	Dates				Remarks
					1	2	3	4	

FORM XVIII
 [See Rule 52(2)(a)]
 Register of Wages

Name and address of the Contractor :
 Name and address of establishment in/under which the migrant workmen are employed :
 Name and address of Principal employer :
 Wage period

Serial No. of migrant workmen	Name of Inter State migrant workmen	Sr. No. in the muster Roll	Designation/nature of work	Number of days worked	Units of work in each piece worked	Daily-rate of wages/ piece-rate of a
1	2	3	4	5	6	7

Amount of wages earned		Deductions, if any indicate nature)	Net amount paid	Signature/ thumb impression of Inter-State migrant workmen	Initials of contractor or his authorised representative			
Basic Wages	Dearness Allowance							
8	9	10	11	12	13	14	15	16

FORM XIX
[See Rule 47(2)(c)]

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Register of Deductions for Damage or loss

Name and address of Contractor Name and address of establishment in/under which
 Name and location of work Inter-State migrant workmen are employed.....

 Name and address of Principal Employer.....

Name of Inter-State migrant workman	Father's/Husband's Name	Designation/Nature of work	Particulars of damage or loss caused	Date of damage or loss caused	Whether Inter-State migrant workman showed cause against deduction	Name of person in whose presence workmen's explanation was heard	Amount of deduction imposed	Number of instalments	Date of recovery	
									First instalment	Last instalment
2	3	4	5	6	7	8	9	10	11	12

LABOUR GAZETTE—FEBRUARY 1986

FORM XX
[See Rule 52(2)(c)]

Register of times

Name and address of Contractor Name and address of establishment in/under which
 Name and location of work inter-State migrant workmen are employed.....

 Name and address of Principal Employer.....

Name of Inter-State migrant workman	Father's/Husband's name	Designation/nature of work	Act/Omission from which fine imposed	Date of Act/Omission	Whether Inter-State migrant workman showed cause against fine	Name of person in whose presence workmen explanation was heard	wage period and wages payable	Amount of fine imposed with date	Date on which fine realised	Remarks	
											1	2	3	4	5	6	7	8	9	10	11	12

LABOUR GAZETTE—FEBRUARY 1986

FORM XXI
[See rule 47(2)(c)]

Register of Advance

Name and address of Contractor Name and address of establishment in/under which
Nature and location of work Inter-State migrant workmen are employed.....
.....
Name and address of Principal Employer.....

Serial No.	Name of Inter-State migrant Workman	Father's/Husband's name	Designation/Nature of work	Wage period wages	Date and amount of advance given	Purpose(s) for which advance given	Number of instalments by which advance to be paid	Date and amount of each instalment repaid	Date on which last instalment was repaid	Remarks
1	2	3	4	5	6	7	8	9	10	11

LABOUR GAZETTE—FEBRUARY 1986

FORM XXII

[See Rule 52(2)(d)]

Register of Overtime

Name and address of Contractor Name and address of establishment in/under which
Name and location of work Inter-State migrant workmen are employed.....
.....
Name and address of Principal Employer.....

Serial No.	Name of Inter-State migrant workmen	Father's/Husband's Name	Sex	Age	Designation/nature of work	Date on which over-time worked	Total over-time worked or units produced in case of piece-rated workmen	Normal rates of wages	Overtime rate of wages	Overtime earnings	Date on which overtime wages paid	Remarks
1	2	3	4	4(a)	5	6	7	8	9	10	11	12

LABOUR GAZETTE—FEBRUARY 1986

FORM XXIII

[See Rule 51 (1)]

Return to be sent by the Contractor to the Licensing Officer

Half-year ending 31st December
31st June

1. Name and Address of the Contractor
2. Name and Address of the Establishment
3. Name and Address of the Principal employer
4. Duration of Contract From _____ To _____
5. Number of days during the half-year on which—
(a) the establishment of the Principal employer had worked
(b) the contractors' establishment had worked.
6. Maximum number of Inter-State migrant workmen employed on day during the half-year—

Men	Women	Total
-----	-------	-------

7. (i) Daily hours of work and spreadover :
(ii) (a) Whether weekly holiday observed and on what day—
(b) If so, whether it was paid for.
(iii) Number of manhours of overtime worked.

8. Number of mandays worked by—		
Men	Women	Total

9. Amount of Wages paid—		
Men	Women	Total

Note.—Wages shall not include wages for periods of outward and return journeys.

10. Amount of deductions form wages, if any—		
Men	Women	Total

11. Amount of displacement allowance paid—		
Men	Women	Total

12. Amount of outward journeys allowance paid—		
Men	Women	Total

13. Amount of wages for journeys period paid—		
Men	Women	Total

14. Amount of return journeys allowance paid—		
Men	Women	Total

15. Amount of wages for return journeys period paid—		
Men	Women	Total

Whether the following have been provided*—

- (i) Residential Accommodation;
- (ii) Protective clothing;
- (iii) Canteen;
- (iv) Rest-room;
- (v) Latrine and urinals;
- (vi) Drinking Water;
- (vii) Creche ;
- (viii) Medical facilities;
- (xi) First Aid.

*(If the answer is ' Yes ' state briefly nature/standards provided).

Place

Date

Signature of Contractors.

FORM XXIV

[See rule 51(2)]

Annual Return of Principal Employer to be sent to the Registering Officer
Year ending 31st December

1. Full name and address of the Principal Employer :
2. Name of the Establishment—
(a) District
(b) Postal Address
(c) Nature of the operation/industry /work carried on.
3. Full name of the Manager or person responsible for supervision and control of the establishment.
4. Number of contractors who worked in the establishment during the half-year (Give details in Annexure).
5. Nature of work-operations in which migrant workmen were employed.
6. Total number of days during the year on which migrant workmen were employed.
Total number of mandays worked by migrant workmen during the year.
Maximum number of workmen employed directly on any days during the half-year.
9. Total number of days during the half-year in which direct labour was employed.
10. Total number of mandays worked by directly employed workmen.
11. Change, if any, in the management of the establishment, its location, or any other particulars furnished to the Registering Officer in the application for Registration indicating also the dates.

Place

Date

Principal Employer.

ANNEXURE

Name and address of the Contractor	Period of Contract		Nature of work	Maximum number of workers employed by each contractor	Number of days worked	Number of mandays worked
	From	To				
1	2	3	4	5	6	7

By order and in the name of the Governor of Maharashtra,

S. M. GAWTHE,
Under Secretary to Government.

Order

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT
Mantralaya, Bombay 400 032.

Dated, the 7th January 1986

No. ISM-1085/915/1-ah-1.—In exercise of powers conferred by section 3 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 79) (hereinafter referred to as "the said Act"), the Government of Maharashtra, in relation to the establishment in which the State Government is the appropriate Government, hereby,—

(i) appoints the Officers specified in column 2 of the Schedule to be gazetted officers of the State Government, to be the registering officers for the purposes of Chapter II of the said Act, and

(ii) defines the areas respectively mentioned against each of them in column 3 of the said Schedule to be the limits within which such registering officers shall exercise the powers conferred on them by or under the said Act.

Schedule

Serial No.	Designation of Officers		Area
	2	3	
1	Assistant Commissioner of Labour, Bombay.	Within the limits of Greater Bombay.	
2	The Assistant Commissioner of Labour, Thane.	Within the limits of Thane District.	
3	Assistant Commissioner of Labour, Kalyan.	Within the limits of Thane District.	
4	Assistant Commissioner of Labour, Raigad.	Within the limits of Raigad, Ratnagiri and Sindhudurg District.	
5	The Assistant Commissioner of Labour, Nasik.	Within the limits of Nasik District.	
6	The Assistant Commissioner of Labour, Jalgaon.	Within the limits of Jalgaon and Dhule Districts.	
7	The Assistant Commissioner of Labour, (Pune District), Pune.	Within the limits of Pune district.	
8	The Assistant Commissioner of Labour, Ahmednagar.	Within the limits of Ahmednagar District.	
9	The Assistant Commissioner of Labour, Kolhapur.	Within the limits of Kolhapur District.	
10	The Assistant Commissioner of Labour, Sangli.	Within the limits of Sangli and Satara Districts.	
11	The Assistant Commissioner of Labour, Solapur.	Within the limits of Solapur district.	

1	2	3
12	The Assistant Commissioner of Labour, Nagpur, (Nagpur District), Nagpur.	Within the limits of Wardha district.
13	The Assistant Commissioner of Labour, Nagpur (Nagpur Division), Nagpur.	Within the limits of Nagpur district.
14	The Assistant Commissioner of Labour, Chandrapur.	Within the limits of Chandrapur district and Gadchiroli districts.
15	The Assistant Commissioner of Labour, Gondia.	Within the limits of Bhandara District.
16	The Assistant Commissioner of Labour, Amravati.	Within the limits of Amravati and Yeotmal districts.
17	The Assistant Commissioner of Labour, Akola.	Within the limits of Akola and Buldhana districts.
18	The Assistant Commissioner of Labour, Aurangabad.	Within the limits of Aurangabad, Parbhani and Jalna districts.
19	The Assistant Commissioner of Labour, Nanded.	Within the limits of Nanded, Beed, Osmanabad and Latur districts.

By order and in the name of the Government of Maharashtra,

S. M. GAWTHE,
Under Secretary to Government.

To be published in the Maharashtra Government Gazette, Part-I-L, Extraordinary, dated the 7th January 1986 and returned with 50 copies of the print. 200 copies of the print may be sent to the Commissioner of Labour, Bombay 400 034, direct.

The publication of the Order in the Extra-Ordinary Gazette has been approved by the Deputy Secretary, Industries, Energy and Labour Department (Incharge of Labour).

S. M. GAWTHE,
Under Secretary to Government.

Order

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT,
Mantralaya, Bombay 400 032
Dated 7th January 1986

INTER-STATE MIGRANT WORKMEN (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) ACT, 1979.

No. ISM-1085/915(t)/Lab-1.—In exercise of the powers conferred by Section 7 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 to 79) (hereinafter referred to as "the said Act"), the Government of Maharashtra, in relation to the establishment in which the State Government is the appropriate Government, hereby.—

(i) appoints the Officers specified in column 2 of the Schedule hereto being gazetted officers of the State Government to be the Licensing Officers for the purposes of chapter III of the said Act; and

(ii) defines the areas respectively mentioned against each of them in column 3 of the said Schedule to be the limits within which such Licensing Officers shall exercise the jurisdiction and powers conferred on Licensing Officers by or under the said Act.—

Schedule

Serial No.	Designation of Officers	Area
1	2	3
	The Assistant Commissioner of Labour,	Within the limits of Greater, Bombay.
1	Bombay.	
2	The Assistant Commissioner of Labour,	Within the limits of Thane district.
	Thane.	
3	The Assistant Commissioner of Labour,	Within the limits of Thane district.
	Kalyan.	
4	The Assistant Commissioner of Labour,	Within the limits of Raigad, Ratnagiri
	Raigad.	and Sindhudurg districts.
5	The Assistant Commissioner of Labour,	Within the limits of Nasik district.
	Nasik.	
6	The Assistant Commissioner of Labour,	Within the limits of Jalgaon and Dhule
	Jalgaon.	districts.
7	The Assistant Commissioner of Labour,	Within the limits of Pune district.
	(Pune district), Pune.	
	The Assistant Commissioner of Labour,	Within the limits of Ahmednagar district.
	Ahmednagar.	

Serial No.	Designation of Officers	Area
1		3
9	The Assistant Commissioner of Labour, Kolhapur.	Within the limits of Kolhapur district.
10	The Assistant Commissioner of Labour, Sangli.	Within the limits of Sangli district.
11	The Assistant Commissioner of Labour, Solapur.	Within the limits of Solapur district.
12	The Assistant Commissioner of Labour, Nagour (Nagour Division) Nagour.	Within the limits of Wardha district.
13	The Assistant Commissioner of Labour, (Nagpur district) Nagpur.	Within the limits of Nagpur district.
14	The Assistant Commissioner of Labour, Chandrapur.	Within the limits of Chandrapur district and Gadchiroli district.
15	The Assistant Commissioner of Labour, Gondia.	Within the limits of Bhandara district.
16	The Assistant Commissioner of Labour, Amravati.	Within the limits of Amravati and Yavatmal districts.
17	The Assistant Commissioner of Labour, Akola.	Within the limits of Akole and Buldhana districts.
18	The Assistant Commissioner of Labour, Aurangabad.	Within the limits of Aurangabad, Parbhani and Jalna districts.
19	The Assistant Commissioner of Labour, Nanded.	Within the limits of Nanded, Beed, Osmanabad and Latur districts.

By order and in the name of the Governor of Maharashtra,

S. M. GAWTHE,
Under Secretary to Government.

To be published in the *Maharashtra Government Gazette*, Part-II, Extraordinary, dated the 7th January 1986 and returned with 50 copies of the print. 200 copies of the print may be sent to the Commissioner of Labour, Bombay 400 034, direct.

The publication of the Order in the Extra-ordinary Gazette has been approved by the Deputy Secretary, Industries, Energy and Labour Department (Incharge of Labour).

S. M. GAWTHE,
Under Secretary to Government.

NOTIFICATION

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT
Mantralaya, Bombay 400 032, dated the 7th January 1986

INTER-STATE MIGRANT WORKMEN (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE ACT, 1979).

No. LSM-1085/915 (ii)/Lab-1.—In exercise of powers conferred by section 20 of the Inte-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 79) (hereinafter referred to as "the said Act") the Government of Maharashtra, in relation to establishment for which the Government of Maharashtra is the appropriate Government, hereby—

(i) appoints the officers specified in column 2 of the Schedule hereto to be the Inspector for the purposes of the said Act, and

(ii) defines the area respectively mentioned against each of them in Column 3 of the said Schedule to be the local limits within which such Inspector shall exercise his respective powers under the said Act.

SCHEDULE

Serial No.	Officers	Areas
1	Commissioner of Labour, Bombay Additional Commissioner of Labour, Bombay Deputy Commissioner of Labour, (RW & E), Bombay	The whole State of Maharashtra.
	Deputy Commissioner of Labour, (E), Bombay The Deputy Commissioner of Labour, Thane The Assistant Commissioner of Labour, Bombay The Assistant Commissioner of Labour, Thane The Assistant Commissioner of Labour, Kalyan. The Assistant Commissioner of Labour, Raigad. The Assistant Commissioner of Labour, Nashik.	Within the limits of Greater Bombay, Thane, Kalyan, Raigad, Nashik, Jalgaon.
10	The Assistant Commissioner of Labour, Jalgaon	Ratnagiri, Raigad and Sindhudurg Districts.
11	The Government Labour Officer, Bombay	
12	The Government Labour Officer, Thane	
13	The Government Labour Officer, Bhiwandi	
14	The Government Labour Officer, Kalyan	
15	The Government Labour Officer, Nashik	
16	The Government Labour Officer, Malegaon	
17	The Government Labour Officer, Jalgaon	
18	The Government Labour Officer, Dhule	
19	The Government Labour Officer, Ratnagiri	
20	The Government Labour Officer, Sindhudurg	
21	The Government Labour Officer, Raigad	

Serial No.	Officers	Areas
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- | | | | |
|----|---|---|--|
| 22 | Additional Commissioner of Labour, Pune | | |
| 23 | Deputy Commissioner of Labour, Pune Division, Pune | | |
| 24 | Deputy Commissioner of Labour, Pune District, Pune | | |
| 25 | Assistant Commissioner of Labour, Pune | | |
| 26 | Assistant Commissioner of Labour, Ahmednagar | | |
| 27 | Assistant Commissioner of Labour, Sangli | | |
| 28 | Assistant Commissioner of Labour, Kolhapur | | |
| 29 | Assistant Commissioner of Labour, Solapur | | |
| 30 | Government Labour Officer, Pune | Within the limits of pune, Ahmednagar, Sangli, Satara, Kolhapur and Solapur Districts. | |
| 31 | Government Labour Officer, Ahmednagar | | |
| 32 | Government Labour Officer, Satara | | |
| 33 | Government Labour Officer, Sangli | | |
| 34 | Government Labour Officer, Solapur | | |
| 35 | Government Labour Officer, Kolhapur | | |
| 36 | Government Labour Officer, Ichalkaranji | | |
| 37 | Government Labour Officer, Barshi | | |
| 38 | Deputy Commissioner of Labour, Nagpur Division, Nagpur. | | |
| 39 | Assistant Commissioner of Labour, Nagpur Division, Nagpur. | | |
| 40 | Assistant Commissioner of Labour, Nagpur District, Nagpur. | | |
| 41 | Assistant Commissioner of Labour, Chandrapur and Gadchiroli District. | | |
| 42 | Assistant Commissioner of Labour, Gondia. | | |
| 43 | Assistant Commissioner of Labour, Amravati | | |
| 44 | Assistant Commissioner of Labour, Akola | Within the limits of Nagpur, Buldhana, Akola, Amravati, Yeotmal, Wardha, Bhandara, Chandrapur and Gadchiroli Districts. | |
| 45 | Government Labour Officer, Nagpur | | |
| 46 | Government Labour Officer, Buldhana | | |
| 47 | Government Labour Officer, Akola | | |
| 48 | Government Labour Officer, Amravati | | |
| 49 | Government Labour Officer, Yeotmal | | |
| 50 | Government Labour Officer, Wardha | | |
| 51 | Government Labour Officer, Bhandara | | |
| 52 | Government Labour Officer, Gondia | | |
| 53 | Government Labour Officer, Tumsar | | |
| 54 | Government Labour Officer, Tirora | | |
| 55 | Government Labour Officer, Chandrapur and Gadchiroli | | |

Serial No.	Officers	Area
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- | | | |
|----|--|--|
| 56 | Deputy Commissioner of Labour, Aurangabad | |
| 57 | Assistant Commissioner of Labour, Aurangabad | |
| 58 | Assistant Commissioner of Labour, Nanded | |
| 59 | Government Labour Officer, Aurangabad. | Within the limits of Aurangabad, Parbhani, Beed, Nanded, Osmanabad, Latur and Jalna Districts. |
| 60 | Government Labour Officer, Parbhani | |
| 61 | Government Labour Officer, Nanded | |
| 62 | Government Labour Officer, Osmanabad and Latur | |
| 63 | Government Labour Officer, Jalna | |
| 64 | Government Labour Officer, Beed | |

By order and in the name of the Governor of Maharashtra.

S. M. GAWTHE,
Under Secretary to Government.

To be published in the *Maharashtra Government Gazette*, Part I-L, Extra-Ordinary, dated the 7th January 1986 and returned with 50 copies of the print. 200 copies of the print may be sent to the Commissioner of Labour, Bombay 400 034 direct.

The publication of the Notification in the Extra-Ordinary Gazette has been approved by the Deputy Secretary, Industries, Energy and Labour Department (Incharge of Labour).

S. M. GAWTHE,
Under Secretary to Government.

NOTIFICATION

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT,
Mantralaya, Bombay 400 032.

Dated the 7th January 1986.

INTER-STATE MIGRANT WORKMEN (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) ACT, 1979.

No. ISM-1085/915(iii)/LAB-1.—In exercise of the powers conferred by sub-section (1) of section 11 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 79) (hereinafter referred to as "the said Act"), the Government of Maharashtra, in relation to the establishment for which a State Government is the appropriate Government, hereby nominates the persons specified in column 2 of the Schedule hereto to be the Appellate Officer to whom appeals against any order made under sections 4, 5, 8 or 10 of the said Act and for the areas respectively mentioned against each of them in column (3) of the said Schedule, may be preferred.

Schedule

Serial No.	Name of Person	Officers' against whose orders appeals may be preferred.
1	2	3
1	Commissioner of Labour, Maharashtra State, Bombay.	Registering Officers or Licensing Officer for whole of Maharashtra State.
2	The Additional Commissioner of Labour, Bombay.	Registering Officer or Licensing Officer for Jalgaon, Dhule, Nasik, Raigad, Ratnagiri and Sindhudurg District.
3	Deputy Commissioner of Labour (Enforcement), Bombay.	Registering Officer or Licensing Officer for Greater Bombay.
4	Deputy Commissioner of Labour, Thane	Registering Officer or Licensing Officer for Thane District.
5	Deputy Commissioner of Labour, (Pune District), Pune.	Registering Officer or Licensing Officer for Pune District.
6	Deputy Commissioner of Labour, (Pune Division), Pune.	Registering Officer or Licensing Officer for Kolhapur, Solapur, Ahmednagar, Singli, Satara Districts.
7	Deputy Commissioner of Labour (Nagpur District), Nagpur.	Registering Officer or Licensing Officer for Nagpur, Amravati, Bhandara, Akole, Chandrapur, Gadchiroli, Buldhana, Wardha, Yeotmal, Districts.
8	Deputy Commissioner of Labour, (Aurangabad Division), Aurangabad.	Registering Officer for Licensing Officer Aurangabad, Parbhani, Nanded, Beed, Osmanabad, Latur and Jalna Districts.

By order and in the name of the Governor of Maharashtra,

S. M. GAWTHE,
Under Secretary of Government,

To be published in the Maharashtra Government Gazette, Part I-L, Extraordinary, dated the 7th January 1986 and returned with 50 copies of the print. 200 copies of the print may be sent to the Commissioner of Labour, Bombay 34, direct.

The publication of the Notification in the Extra-ordinary Gazette has been approved by the Deputy Secretary, Industries, Energy and Labour Department (Incharge of Labour).

S. M. GAWTHE,
Under Secretary to Government.

NOTIFICATION

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT
Mantralaya, Bombay 400 032

Dated the 7th January 1986.

INTER-STATE MIGRANT WORKMEN (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) ACT, 1979.

No. ISM-1085/915(iv) LAB-1.—In exercise of the powers conferred by sub-section (1) of section 4 of Inter-State Migrant Workmen (Employment and Conditions of Service) Act, 1979 (30 of 1979) (hereinafter referred to as "the said Act") the Government of Maharashtra hereby fixes the period specified in column 3 of the Schedule hereto with respect to the classes of establishment respectively mentioned against such period in column 2 of the said Schedule, to be the period with which the principal employer of those classes of establishments, shall make an application for registration of such establishment as provided in the said sub-section (1) of section 4 of the said Act.

Schedule

Serial No.	Classes of Establishment	Period
1	2	3
1	Establishment to which the said Act is applicable on the date of publication of this notification in the Maharashtra Government Gazette.	Period commencing on the date of publication of this notification in the Maharashtra Government Gazette and ending on the 15th April, 1986.
2	Establishment to which the said Act applies at any time after the date of publication on this notification in the Maharashtra Government Gazette.	Period of one month from the date on which the said Act applies to such establishments.

By order and in the name of the Governor of Maharashtra,

S. M. GAWTHE,
Under Secretary to Government.

To be published in the Maharashtra Government Gazette, Part-II, Extraordinary, dated the 7th January 1986 and returned with 50 copies of the print. 200 copies of the print may be sent to the Commissioner of Labour, Bombay, direct.

The publication of the Notification in the Extraordinary Gazette has been approved by the Deputy Secretary, Industries, Energy and Labour Department (Incharge of Labour).

S. M. GAWTHE,
Under Secretary to Government.

NOTIFICATION

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Mantralaya, Bombay 400 032,
dated the 7th January 1986

INTER-STATE MIGRANT WORKMEN (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) ACT, 1979.

No. ISM. 1085/915(v)/LAB-1.—In exercise of the powers conferred by sub-section (1) of section 8 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979) the Government of Maharashtra hereby specifies the 15th April 1986 to be the date for the purposes of the said section.

By order and in the name of the Governor of Maharashtra,

S. M. GAWTHE,
Under Secretary to Government.

To be published in the Maharashtra Government Gazette, Part-II, Extraordinary, dated the 7th January 1986 and returned with 50 copies of the print. 200 copies of the print may be sent to the Commissioner of Labour, Bombay-34, direct.

The publication of the Notification in the Extraordinary Gazette has been approved by the Deputy Secretary, Industries, Energy and Labour Department (Incharge of Labour).

S. M. GAWTHE,
Under Secretary to Government.

Gist of Important Notifications under the Various Labour Laws

1 EMPLOYEES' PROVIDENT FUNDS AND MISCELLANEOUS PROVISION ACT, 1952

(A) *Exemptions under the Act.*—(1) The Government of Maharashtra, Industries, Energy and Labour Department, has in exercise of the powers conferred by clause (a) of sub-section (1) of section 17 of the said Act and subject to the conditions specified in the original notification of the Schedule exempted the Messrs. Advani Oerlikon Limited, Ador House, 6-K, Dubhas Marg, Bombay 400 023, from the operation of all the provisions of the said Scheme for a period of three years from date of issue of this Notification.

Government Notification, Industries, Energy and Labour Department, No. EPF-1185/(9672)/Lab-4, dated 11th April 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 5th December 1985, at pages Nos. 4629 to 4631.

(2) The Government of Maharashtra, Industries, Energy and Labour Department, has in exercise of the powers conferred by clause (a) of sub-section (1) of section 17 of the said Act, subject to the conditions specified in the original notification of the Schedule, exempted Messrs. Cnemicon Engineering Consultants Pvt. Ltd., Embassy Centre, Eleventh floor, Nariman Point, Bombay 400 021, exempted from the operation of all the provisions of the Employees' Provident Fund Scheme, 1952 for a period of three years from the date of issue of this Notification.

(Vide Government Notification, Industries, Energy and Labour Department, No. EPF-1185/9824/Lab-4, dated 16th October, 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 26th December 1985, at page Nos. 5449 to 5451).

(B) *Notifications under the Act.*—The following Notification No. R. 11017/1/83-SS. II, dated the 20th April 1985, issued by the Government of India, Ministry of Labour, New Delhi, is re-published :—

GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF LABOUR/SHRAM MANTRALAYA
New Delhi, dated the 20th April 1985.

NOTIFICATION

G.S.R. 457.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) the Central Government hereby specified with effect from the 1st May 1985 every establishment in the following industries/class of establishments and in which fifty or more persons are employed, as the establishment to which the said proviso shall apply

1. Lac including shellac.
2. Petroleum or natural gas refining.
3. Linoleum industry.
4. Indoleum industry.
5. Ferro Manganese industry.
6. Ice and Ice Cream industry.
7. Factories engaged in winding of thread and yarn reeling industry.
8. Cotton ginning, baling and pressing industry.
9. Beer manufacturing industry.
10. Establishments engaged in sorting, clearing and esting of cotton waste industry.
11. Garments making factories.

12. Establishments which are factories engaged in the manufacture of glue and
13. Establishments engaged in fish processing and non-vegetable food preservation industry including bacon factories and pork processing plants.
14. Financing establishments (other than banks) engaged in the activities of borrowing, lending, advancing of money dealing with other monetary transactions with a view to earn interest.
15. Lignite mines.
16. Ferro Chrome industry.
17. Diamond Cutting industry.
18. Manufacture of Myrobalam extract powder, Myrobalam extract solid and vegetable Tannin blended extract.

(Vide Government Notification, Industries, Energy and Labour Department, No. EPF-1085/9951/Lab-4, dated 20th November, 1985, published in *Maharashtra Government Gazette* Part I-L, dated 12th December 1985, at page No. 4820).

(2) The Following Notification No. V. 20012/1/85-SS-II, dated the 18th September, 1985, issued by the Government of India, Ministry of Labour, New Delhi, is republished

GOVERNMENT OF INDIA (BHARAT SARKAR)

MINISTRY OF LABOUR/SHRAM MANTRALAYA

Dated New Delhi, the 18th September 1985

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of the section 5A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the late Ministry of Labour and Rehabilitation (Department of Labour) S. O. No. 2399, dated the 11th May, 1983, the Central Government hereby constitute with effect from 18th September 1985, the Central Board of Trustees consisting of the following persons namely :—

CHAIRMAN

- (1) Ministry of State in the Ministry of Labour, Government of India, New Delhi.

MEMBERS

(2) Secretary, Ministry of Labour, Government of India, New Delhi, (3) Additional Secretary, Ministry of Labour, Government of India, New Delhi, (4) Financial Adviser, Ministry of Labour, Government of India, New Delhi, (5) Director (Budget), Ministry of Finance (Department of Economic Affairs), New Delhi. (6) Director General, Employees' State Insurance Corporation, New Delhi.—Officials of the Central Government.

(7) Secretary to the Government of Andhra Pradesh, Labour Department, Hyderabad. (8) Secretary to the Government of Assam, Labour Department, Dispur (Gauhati). (9) Secretary to the Government of Bihar, Department of Labour and Employment, Patna. (10) Secretary to the Government of Gujarat, Labour Department, Sachivalaya, Gandhinagar, Ahmedabad. (11) Commissioner and Secretary to the Government of Haryana, Labour and Employment Department, Chandigarh. (12) Secretary to the Government of Karnataka, Social Welfare and Labour Department, Bangalore. (13) Secretary to the Government of Kerala, Labour Department, Trivandrum. (14) Secretary to the Government of Madhya Pradesh, Labour Department, Bhopal. (15) Secretary to the Government of Maharashtra, Industry, Labour and Energy Department, Bombay. (16) Secretary to the Government of Orissa, Labour Department, Bhubaneswar. (17) Secretary to the Government of Punjab, Labour and Employment Department, Chandigarh. (18) Commissioner and Secretary to the Government of Rajasthan, Labour Department, Jaipur. (19) Secretary

Commissioner and Secretary to the Government of Uttar Pradesh, Labour Department, Lucknow. (21) Secretary to the Government of West Bengal, Labour Department, Kolkata. (22) Shri Waris R. Kidwai, Secretary General, SCOPE, A/81, Himalaya House, Katurba Gandhi Marg, New Delhi 110 001. (23) Shri D. P. Chakaravarti, Shri Annapurna Katurba Gandhi Marg, New Delhi 110 001. (24) Shri Pratap Bhogilal, Chairman, Batliboi and Company Limited, Apeejay Park, Dr. V. B. Gandhi Marg, Bombay 400 023. (25) Shri B. M. Sethi, Secretary, All India Organisation of Employers, Federation House, Tansen Marg, New Delhi 110 001. (26) Shri Babubhai Rathi, President, Federation of Association of Small Industries, 67-71, T. Matind Lane of India, Fort Chambers, Fort, Bombay 400 023. (27) Dr. I. P. Poddar, Managing Director, Calcutta Silk Mfg. Co. Ltd., Commercial House, 135A, Biplabai Rashbehari Road, Calcutta 700 001. (28) Shri Parduman Singh, Secretary, Punjab State Committee, All India Trade Union Congress, Ekta Bhavan, Putlighar, Amritsar. Representatives of Employers appointed by the Central Government in consultation with the Organisations of Employers.

(29) Shri B. N. Sathaye, Semadhan, Ram Nagar, Dombivali East 421 201, District Thane, MAHARASHTRA. (30) Shri Kisan Tulpule, President, Mill Mazdoor Sabha, Shram Sadhana, 57-D. V. Pradhan Road, Hindu Colony Dadar, Bombay 400 014. (31) Shri D. Venkatesh, General Secretary, INTUC, Karnataka Branch, 26/1, 2nd Main Road, 11th Cross, Vyalikhaval, Malleswaram, BANGALORE 560 003. (32) Shri Lal Bahadur Singh, Joint General Secretary, INTUC, Bengal Branch, 177/B-Acharya Jagdish Bose Road, Calcutta-14. (33) Shri Balwantraj Kapoor, President, INTUC, Punjab Branch, 852/9, Gate Khazana, Amritsar.—Representatives of Employees appointed by the Central Government in consultation with the Organisations of Employees.

(Vide Government Notification, Industries, Energy and Labour Department, No. EPF-1085/95744/Lab-4, dated 10th October, 1985, published in *Maharashtra Government Gazette* Part I-L, dated 26th December, 1985, at pages Nos. 5453 to 5454.

(3) The following Notification No. A-11019/1/84-85, III, dated the 17th September 1985 issued by the Government of India, Ministry of Labour, New Delhi is re-published

GOVERNMENT OF INDIA

(BHARAT SARKAR)

MINISTRY OF LABOUR

(SHRAM MANTRALAYA)

New Delhi-1, dated the 17th September 1985

NOTIFICATION

S. O. No.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), and in supersession of all the existing notifications in this regard, the Central Government hereby appoints the Officers specified in column (1) of the Table below to be Inspectors for the areas specified in the corresponding entry in column (2) thereof for the purposes of the said Act and the Scheme, the Family Pension Scheme and the Insurance Scheme framed thereunder in relation to any establishment belonging to, or under the control of, the Central Government

THE TABLE

Serial No.	Officers	Area
1	All the Provident Fund Officers and the Enforcement officers of the office of the Regional Provident Fund Commissioner, Andhra Pradesh (Hyderabad).	Whole of the State of Andhra Pradesh and Yanam area of Union Territory of Pondicherry.
2	All the Provident Fund Officers and the Enforcement Officers of the Office of the Regional Provident Fund Commissioner, Bihar (Patna).	Whole of the State of Bihar
3	All the Provident Fund Officers and the Enforcement Officers of the Office of the Regional Provident Fund Commissioner, Delhi.	Whole of the Union Territory of Delhi.
4	All the Provident Fund Officers and the Enforcement Officers of the Office of the Regional Provident Fund Commissioner, Gujarat (Ahmedabad).	Whole of the State of Gujarat and the Union Territory of Daman and Diu area of the Union Territory of Goa, and Diu.
5	All the Provident Fund Officers and the Enforcement Officers of the Office of the Regional Provident Fund Commissioner, Haryana.	Whole of the State of Haryana.
6	All the Provident Fund Officers and the Enforcement Officers of the Office of the Regional Provident Fund Commissioner, Karnataka (Bangalore).	Whole of the State of Karnataka
7	All the Provident Fund Officers and the Enforcement Officers of the office of the Regional Provident Fund Commissioner, Kerala (Trivandrum).	Whole of the State of Kerala and the Union Territory of Lakshadweep and the Mahe area of the Union Territory of Pondicherry.
8	All the Provident Fund Officers and the Enforcement Officers of the Office of the Regional Provident Fund Commissioner, Madhya Pradesh (Indore).	Whole of the State of Madhya Pradesh.
9	All the Provident Fund Officers and the Enforcement Officers of the Office of the Regional Provident Fund Commissioner, Maharashtra (Bombay).	Whole of the State of Maharashtra and the Goa, area of the Union Territory of Goa, Daman and Diu.
10	All the Provident Fund Officers and the Enforcement Officers of the Office of the Regional Provident Fund Commissioner, North Eastern Region, Gauhati, Assam.	Whole of the State of Assam, Manipur, Tripura, Meghalaya, Nagaland and the Union Territory of Mizoram and Arunachal-Pradesh.
11	All the Provident Fund Officers and the Enforcement Officers of the Office of the	Whole of the State of Orissa.

Table—contd.

No.	Officers	Area
12	All the Provident Fund Officers and the Enforcement Officers of the Office of the Regional Provident Fund Commissioner, Punjab (Chandigarh).	Whole of the State of Punjab and Himachal Pradesh and the Union Territory of Chandigarh.
13	All the Provident Fund Officers and the Enforcement Officers of the Office of the Regional Provident Fund Commissioner, Rajasthan (Jaipur).	Whole of the State of Rajasthan.
14	All the Provident Fund Officers and the Enforcement Officers of the Office of the Regional Provident Fund Commissioner, Tamil Nadu (Madras).	Whole of the State of Tamil Nadu and the Pondicherry and Karaikal areas of the Union Territory of Pondicherry.
15	All the Provident Fund Officers and the Enforcement Officers of the Office of the Regional Provident Fund Commissioner, Uttar Pradesh (Kanpur).	Whole of the State of Uttar Pradesh.
16	All the Provident Fund Officers and the Enforcement Officers of the Office of the Regional Provident Fund Commissioner, West Bengal, (Calcutta).	Whole of the State of West Bengal and the Union Territory of the Andaman and Nicobar Islands.

Note.—Earlier Notification was published in the Gazette of India, Part-II, section 3, sub-section (ii), dated 2nd April 1977 under S. O. No. 1045.

(Vide Government Notification Industries, Energy and Labour Department No. EPF. 1085/87046/Lab-4, dated 25th October, 1985, published in *Maharashtra Government Gazette*, Part-I-L, dated 26th December 1985 at pages No. 5454 to 5456).

II. BOMBAY SHOPS AND ESTABLISHMENT ACT, 1948

(A) *Amendments under the Act.*—(i) The Government of Maharashtra, Industries, Energy and Labour Department, has in exercise of the powers conferred by the proviso to section 4 of the said Act, amended Schedule II to the said Act, as follows namely

In the said Schedule II to the said Act, in entry No. 337, in column 2, after entry No. 336, the following entry shall be added namely

“337—Computer Section of the Ceat Tyres Section 13(i) subject to the condition that of India Limited situated at 463, Dr. Annie Besant Road, Bombay 400 025” no employee shall be given, without his consent night duty continuously for more than fifteen days.

(Vide Government Notification, Industries, Energy and Labour Department, No. BSE-1485/CR-1236/Lab-9, dated 30th August, 1985 published in *Maharashtra Government Gazette*, Part-IL, dated 5th December, 1985, at page No. 4632).

(B) *Suspensions under the Act.*—(1) The Government of Maharashtra, Industries, Energy and Labour Department, has in exercise of the powers conferred by section 6 of the said Act, suspended the operation of the provisions of section 18 of the said Act in respect of the retail grain dealers in Greater Bombay, for as period specified in column 1 of the schedule

of the said Schedule within a month from the respective holiday.

SCHEDULE

Period	1	2
(1) Weekly ending	.. 20th August 1985	.. Paryusan Parva, first day, (13th August 1985)
(2) Weekly ending	.. 27th August 1985	.. Paryusan Parva, last day, (20th August 1985)

(Vide Government, Notification Industries, Energy and Labour Department, No. P-7385/30025, 1392/Lab-9, dated 8th August 1985, published in Maharashtra Government Gazette, Part-I-L, dated 5th December 1985, at page No. 4632.)

(2) The Government of Maharashtra, Industries, Energy and Labour Department, has in exercise of the powers conferred by section 6 of the said Act, suspended the operation of the provisions of section 13, 14, 17 and 18 of the said Act, in respect of 22 employees employed in the Accounts Department of Messrs. Cyanamid India Limited, Nyloc House, 254-D2 Dr. Annie Bensusan Road, Bombay 400 025, with effect from 10th December, 1985 to 31st January, 1986 (both days inclusive) subject to the conditions that, (1) the employees concerned shall be paid overtime wage in accordance with the provisions of Section 63 of the said Act, (2) they shall be granted compensatory holidays with wages insubstitution of weekly off days and paid holidays before 28th February 1986, (3) the spread over in respect of these employees shall not be more than 14 hours a day and (4) the establishment shall not be opened earlier than 6-30 a.m. and closed later than 10-00 p.m.

(Vide Government, Notification, Industries, Energy and Labour Department, No. P-7385/90218 1566, Lab-9, dated 10th December 1985 published in Maharashtra Government Gazette Part-I-L, dated 26th December 1985 at pages Nos. 5395, to 5396.)

III. INDIAN BOILER ACT

(A) *Exemptions under the Act.*—(1) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-7763 and belonging to The Hindustan Petroleum Corporation Ltd., Corridor Road, Mahul, Bombay 400 074, from the operation of clause (c) of section 6 of the said Act, for the period of 3 months from the 28th November 1985 to 27th February 1986.

(Vide Government Notification Industries, Energy and Labour Department, No. IBA-1085/94042 CR-1606/Lab-9, dated 2nd December 1985 published in Maharashtra Government Gazette, Part I-L, dated 12th December 1985 at page No. 4818.)

(2) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-10424 and belonging to the Rashtriya Chemicals and Fertilizers Ltd., Chembur, Bombay 400 074, from the operation of clause (c) of section 6 of the said Act, for the period of 3 months from the 21st November 1985 to 20th February 1986.

(Vide Government Notification, Industries, Energy and Labour Department, No. IBA, 1084 93433 CR-1602/Lab-9, dated 3rd December 1985 published in Maharashtra Government Gazette, Part I-L, dated 12th December 1985 at page No. 4819.)

(3) In exercise of the powers conferred by sub-section (3) of section 34 of the said Act, the Government of Maharashtra has exempted H. P. Heaters No. 5 (Drawing No. 698/311)

Station and connected to boiler No. MR/11073, Maharashtra State Electricity Board Station at Parli-Vaijnath, District Beed, from the operation of all the provisions of Act, subject to the following conditions and restrictions:—

(1) If any accident occurs, the same shall be reported immediately to the Chief Inspector, alterations, additions or repairs to the Heaters shall be carried out without first obtaining sanction from the Chief Inspector.

(2) The HP Heaters shall be offered for inspection and hydraulic test before erection according to plan approved by the Chief Inspector.

(3) This exemption can be withdrawn or modified as and when considered necessary by Government.

(Vide Government Notification, Industries, Energy and Labour Department No. IBA-1085/86376/(1547)/Lab-9, dated 29th November 1985, published in Maharashtra Government Gazette, Part I-L, dated 12th December, 1985 at page No. 4819.)

(4) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-10124 and belonging to the Maharashtra State Electricity Board, Koradi Thermal Power Station, Koradi, Nagour, from the operation of clause (c) of section 6 of the said Act, for the period of 6 months from that 8th November 1985 to 7th May 1986 (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department, No. IBA-1085/92164/CR-1573/Lab-9, dated 7th November 1985, published in Maharashtra Government Gazette, Part I-L, dated 19th December 1985, at page No. 5126.)

(5) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-9378 and belonging to the National Organic Chemical Industries Limited, Thane-Belapur Road, Post Box 73, Thane, from the operation of clause (c) of section 6 of the said Act, for the period of 4 months from the 21st November 1985 to 20th March 1986.

(Vide Government Notification Industries, Energy and Labour Department No. IBA-1085/92170/CR-1581/Lab-9, dated 15th November 1985 published in Maharashtra Government Gazette Part-I-L, dated 19th December 1985 at page No. 5126.)

(6) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-10098 and belonging to the Maharashtra State Electricity Board, Koradi Thermal Power Station, Koradi, from the operation of clause (c) of section 6 of the said Act, for the period of 15 days from the 20th November 1985 to 4th December 1985.

(Vide Government Notification Industries Energy and Labour Department No. IBA-1085/CR-1593/Lab-9, dated 19th November 1985 published in Maharashtra Government Gazette, Part I-L, dated 19th December 1985 at page No. 5126.)

(7) In exercise of the power conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MP-2504 and belonging to the Ballarshah Thermal Power Station, Maharashtra State Electricity Board from the operation of clause (c) of section 6 of the said Act, for the period of 6 months from the 29th November 1985 to 28th May 1986.

(Vide Government Notification Industries, Energy and Labour Department No. IBA-1085/CR-1592/Lab-9, dated 20th November 1985 published in Maharashtra Government Gazette, Part-I-L, dated 19th December 1985 to page No. 5127.)

(8) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-10720 and belonging to the Diviya Chemicals Limited, 710 Raheaja Chambers, Nariman Point, Bombay 400 021, from the operation of clause (c) of section 6 of the said Act, for the period of 4 months from the 28th November, 1985 to 27th March 1986.

(Vide Government Notification Industries Energy and Labour Department No. IBA-1085/92337/CR-1585/Lab-9, dated 20th November 1985 published in Maharashtra Govern-

(9) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-9581 and belonging to the High Explosives Factory, Kirkee, Pune-411 003, the operation of clause (c) of section 6 of the said Act, for the period from the 14th November, 1985 to 31st March, 1986 (both days inclusive).

(Vide Government Notification Industries Energy and Labour Department No. IBA-1085/CR-1586/Lab-9, dated 11th November 1985 published in *Maharashtra Government Gazette* Part-II, dated 19th December, 1985 at page No. 5127).

(10) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-9379 and belonging to the National Organic Chemical Industrial Limited, Thane-Belapur Road, Post Box, No. 71 Thane from the operation of clause (c) of section 6 of the said Act, for the period of 4 months from the 15th November, 1985 to 14th March, 1986.

(Vide Government Notification Industries Energy and Labour Department No. IBA-1085/92169/CR-1582/Lab-9, dated 20th November, 1985 published in *Maharashtra Government Gazette* Part-II, dated 19th December 1985 at page No. 5128).

(11) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-9595 and belonging to the Maharashtra State Electricity Board, Nashik Thermal Power Station, Eklahare from the operation of clause (c) of section 6 of the said Act, for the period of two months from the 21st October, 1985, to 20th December, 1985 (both days inclusive).

(Vide Government Notification Industries Energy and Labour Department No. IBA-1085/90216/CR-1562/Lab-9, dated 21st October 1985 published in *Maharashtra Government Gazette*, Part-II, dated 19th December, 1985 at page No. 5128).

(12) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-11059 and belonging to the Bharat Petroleum Corporation Limited, Mahul, Bombay 400 014, from the operation of clause (c) of section 6 of the said Act, for the period of two months from the 30th October, 1985 to 29th December, 1985 (both days inclusive).

(Vide Government Notification Industries Energy and Labour Department No. IBA-1085/91212/CR-1565/Lab-9, dated 29th October 1985 published in *Maharashtra Government Gazette* Part-II, dated 19th December 1985, at page No. 5129).

(13) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted six numbers of carbamate condensers of boiler Nos. MR/10973, MR/10991, MR/10992, MR/10993, MR/10994, and MR/11016 belonging to Rashtriya Chemicals and Fertilisers Limited, Thal, Urea Plant, Taluka Alibag, District Raigad, from the operation of Regulation 380 of the said Act.

(Vide Government Notification Industries Energy and Labour Department No. IBA-1085/868091/1557/Lab-9, dated 9th December, 1985, published in *Maharashtra Government Gazette* Part-II, dated 26th December, 1985 at page No. 5394).

(14) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR/8479 and belonging to the Hindustan Petroleum Corporation Limited, Corridor, Road, Mahul, Bombay 400 074 from the operation of clause (c) of section 6 of the said Act, for a period of 3 weeks upto and inclusive of 19th December, 1985.

(Vide Government Notification Industries, Energy and Labour Department, No. IBA-1085/94215/CR-1608/Lab-9, dated 9th December, 1985 published in *Maharashtra Government Gazette* Part-II, dated 26th December, 1985 at page No. 5395).

(15) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-7795, belonging to the Bharat Petroleum Corporation Limited, Mahul, Bombay 400,074, from the

operation of clause (c) of section 6 of the said Act, for the period of one year from the 19th December 1985 to 18th December 1986 (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department No. IBA-1085/904465/1624/Lab-9, dated 9th December 1985 published in *Maharashtra Government Gazette*, Part I-L, dated 26th December 1985 at page No. 5395.)

V. FACTORIES ACT, 1948

(A) *Appointments under the Act.*—(1) The Government of Maharashtra, Industries, Energy and Labour Department, has in exercise of the powers conferred by sub-section (1) of section 10 of the said Act—appointed senior Medical Officer holding M.B.B.S., DPH (Cal.) DPH (Cal), who is in charge of Medical Clinic of Air India, Bombay Air-Port, Santacruz East), Bombay 400 029, to be the certifying surgeon for the purpose of the said Act.

(Vide Government Notification, Industries, Energy and Labour Department, No. FAC-1085/9044/9533/Lab-4, dated 17th October 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 19th December 1985 at page No. 5128).

(B) *Amendments to Rules.*—(1) The Government of Maharashtra industries, Energy and Labour Department has in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, section 112 read with section 87 of the said Act and of all other powers enabling it in this behalf is published as required by section 115 of the said Act, amended draft rules in the original notification.

(Vide Government Notification, Industries, Energy and Labour Department, No. FAC-1085/9686/LAB-4, dated 16th October 1986, published in *Maharashtra Government Gazette*, Part I-L, dated 19th December 1986, at page No. 5174).

(2) The Government of Maharashtra, Industries, Energy and Labour Department has in exercise of the powers conferred by clause (c) of sub-section (1), section 6 and section 112 of the said Act, published amended draft rules as required by section 115 of the said Act.

(Vide Government Notification, Industries, Energy and Labour Department, No. FAC-1085/(9848)/Lab-4, dated 6th November 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 19th December 1985 at page Nos. 5192 to 5193).

V. EMPLOYEES STATE INSURANCE ACT, 1948

(A) *Exemptions under the Act.*—(1) The Government of Maharashtra, Industries, Energy and Labour Department has in exercise of the powers conferred under section 88 read with section 91A of the said Act, exempted from the operation of the said Act, all manual workers engaged in connection with loading unloading stacking, carrying weighing measuring filling, stitching sorting, cleaning or such other work including work preparatory or incidental thereto in the employment specified in the Schedule to the Maharashtra Mathadi Hamal and Other Manual Workers' (Regulation of Employment and Welfare), Act, 1969, and registered in the Boards set up under Section 6 of the said Act, for a period of one year with effect from 7th May 1985 to 6th May 1986.

The above exemption is granted subject to the conditions specified in the original notification.

(Vide Government Notification, Industries, Energy and Labour Department, No. SIA-1285/4569/Lab-10, dated 7th November 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 19th December 1985, at page Nos. 5129 to 5130).

VI. INDUSTRIAL DISPUTES ACT, 1947.

(A) *Declaration of Public Utility Services.*—(1) The Government of Maharashtra I.E. & L.D. has in exercise of the powers conferred by sub-section (vi) of clause (a) of section 2 of the said Act, declared the Electronics Industry, the entire production of which is exported to be a Public Utility Service for the purpose of the said Act, for a further period of six months from 20th October, 1985.

(Vide Government Notification, Industries Energy and Labour Department No. IDA-43 5/6 198/Lab-2, dated 15th October, 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 19th December 1985 at page No. 5171.)

(2) The Government of Maharashtra Industries Energy and Labour Department, has in exercise of the powers conferred by sub-section (vi) of clause (n) of section 2 of the said Act, declared the Employment of workmen in the Fire Brigade of the Bombay Municipal Corporation of Bombay and the Employment of workmen in Fire-brigade in General in the Maharashtra State as public utility service for the purpose of the said Act, for a further period of six months from 9th November, 1985.

(Vide Government Notification Industries Energy and Labour Department No. IDA-1485/6235/Lab-2, dated 4th November, 1985, published in *Maharashtra Government Gazette*, Part-I-L, dated 19th December 1985, at page No. 5189).

(3) The Government of Maharashtra Industries Energy and Labour Department has in exercise of the powers conferred by sub-clause (w) of clause (n) of section 2 of the said Act, declared "Oxygen and Acetylene Industry" to be public utility service for the purpose of the said Act for a period of six months from the 17th November, 1985.

(Vide Government Notification Industries Energy and Labour Department No. IDA-1485/80049.(6282)/Lab-2, dated 8th November, 1985, published *Maharashtra Government Gazette*, Part-I-L, dated 19th December 1985, at page No. 5194).

(4) The Government of Maharashtra Industries, Energy and Labour Department, has in exercise of the powers conferred by sub-clause (u) of clause (n) of section 2 of the said Act, declared the industry engaged in production, supply and distribution of petroleum products to be a Public Utility Service for the purpose of the said Act, for a further period of six months from 23rd November, 1985.

(Vide Government Notification Industries Energy and Labour Department, No. IDA-1484 5324 Lab-2, dated 21st November 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 19th December 1985, at page No. 5209).

(B) *Appointments under the Act.*—(1) The Government of Maharashtra Industries Energy and Labour Department, has in exercise of the powers conferred by section 8 of the said Act, appointed Shri D. S. Umrikar, to be the Presiding Officer of the Forth Labour Court, Bombay, in place of Shri M. R. Bhope.

(Vide Government Notification Industries Energy and Labour Department, No. IDA-1085/(6236)/Lab-2, dated 15th October, 1985, published in *Maharashtra Government Gazette*, Part-I-L, dated 19th December 1985, at page No. 5172).

(C) *Constitution of the Labour Courts under the Act.*—(1) The Government of Maharashtra Industries Energy and Labour Department, has in exercise of the powers conferred by sub-section (2) of section 33-C of the said Act, specified for the purposes of the said sub-section (2) the Labour Courts mentioned in column No. 1 of the Schedule for the areas shown against each of them with effect from the date these respective Labour Courts have been constituted and for that purpose amended Government Notification, Industries Energy and Labour Department, No. IDA-1984/1407/Lab-9, dated the 14th August 1984, as follows, Namely

In the Schedule to the said notification—

(a) For entries at serial numbers 1 to 10 the following entries shall be substituted, namely

1. First Labour Court, Bombay	Bombay. (Except N & T Ward).
2. Second Labour Court, Bombay	Do.
3. Third Labour Court, Bombay	Do.
4. Fourth Labour Court, Bombay	Do.
5. Fifth Labour Court, Bombay	Do.
6. Sixth Labour Court, Bombay	Do.

7. Seventh Labour Court, Bombay	Do.
8. Eighth Labour Court, Bombay	Do.
9. Ninth Labour Court, Bombay	Do.
10. Tenth Labour Court, Bombay	Do.
10A. Eleventh Labour Court, Bombay	Do.

(b) For entries at serial numbers 11 to 12 the following entries shall be substituted, namely—

11. First Labour Court, Thane	(i) N & T Ward of Greater Bombay. (ii) Thane and (iii) Raigad Districts.
12. Second Labour Court, Thane	Do.
12A. Third Labour Court, Thane	Do.

(c) For entries at serial numbers 17 to 18 the following entries shall be substituted, namely—

17. First Labour Court, Pune	Pune District.
18. Second Labour Court, Pune	Do.
18A. Third Labour Court, Pune	Do.

(d) For entries at serial numbers 21 to 22 the following entries shall be substituted, namely—

21. First Labour Court, Solapur	Solapur District and Osmanabad District.
22. Second Labour Court, Solapur	Do.
22A. Labour Court, Latur	Latur District.

Schedule

Name of the Courts	Areas
1. First Labour Court, Bombay	Bombay. (Except N & T Ward).
2. Second Labour Court, Bombay	Do.
3. Third Labour Court, Bombay	Do.
4. Fourth Labour Court, Bombay	Do.
5. Fifth Labour Court, Bombay	Do.
6. Sixth Labour Court, Bombay	Do.
7. Seventh Labour Court, Bombay	Do.
8. Eighth Labour Court, Bombay	Do.
9. Ninth Labour Court, Bombay	Do.
10. Tenth Labour Court, Bombay	Do.
10A. Eleventh Labour Court, Bombay	Do.
11. First Labour Court, Thane	(i) N & T Ward of Greater Bombay. (ii) Thane and (iii) Raigad Districts.
12. Second Labour Court, Thane	Do.

Name of the Courts	Areas
12A. Third Labour Court, Thane	.. (i) N & T Ward of Greater Bombay. (ii) Thane and (iii) Raigad Districts.
17. First Labour Court, Pune	.. Pune District.
18. Second Labour Court, Pune	.. Do.
18A. Third Labour Court, Pune	.. Do.
21. First Labour Court, Solapur	.. Solapur and Osmanabad Districts.
22. Second Labour Court, Solapur	.. Do.
22A. Labour Court, Latur	.. Latur District.

Nothing in this notification shall affect any part heard cases pending immediately before the date of this notification on the file of any authority and such part heard cases shall be disposed of by that authority as if this notification had not been issued.

(Vide Government Notification Industries Energy and Labour Department No. ID-1085/6301/Lab-2, 8th November, 1985, published in Maharashtra Government Gazette Part-I-L, dated 19th December, 1985, at page Nos. 5195 to 5196).

VII. BOMBAY INDUSTRIAL RELATIONS ACT, 1946

(A) *Appointments under the Act.*—(1) The Government of Maharashtra, Industries, Energy and Labour Department has in exercise of the powers conferred by section 9 of the said Act, appointed Shri D. S. Umrikar to preside over the Fourth Labour Court, in place of Shri M. R. Bhope.

(Vide Government Notification, Industries, Energy and Labour Department, No. BIR-1085/6236/(i)/Lab-2, dated 15th October 1985 published in Maharashtra Government Gazette Part I-L, dated 19th December 1985 at pages Nos. 5172 to 5173).

(B) *Constitutions of the Labour Court under the Act.*—(1) The Government of Maharashtra, Industries, Energy and Labour Department has in exercise of the powers conferred by section 9 of the said Act, assigned to the Labour Courts, mentioned in column No. 1 of the Schedule, jurisdiction over the local areas respectively shown against each of them in column No. 2 of the Schedule, and for that purpose amended Government Notification Industries, Energy and Labour Department, No. BIR-1083/6986/Lab-9, dated the 12th December 1983 as follows, namely :—

In the Schedule to the said notification,—

(a) for entries at serial numbers 1 to 10 the following entries shall be substituted, namely

1. First Labour Court, Bombay	.. .. .	Bombay (Except N & T Ward)
2. Second Labour Court, Bombay	.. .. .	Do.
3. Third Labour Court, Bombay	.. .. .	Do.
4. Fourth Labour Court, Bombay	.. .. .	Do.
5. Fifth Labour Court, Bombay	.. .. .	Do.
6. Sixth Labour Court, Bombay	.. .. .	Do.
7. Seventh Labour Court, Bombay	.. .. .	Do.
8. Eighth Labour Court, Bombay	.. .. .	Do.
9. Ninth Labour Court, Bombay	.. .. .	Do.
10. Tenth Labour Court, Bombay	.. .. .	Do.
10A. Eleventh Labour Court, Bombay	.. .. .	Do.

(b) For entries at serial numbers 11 to 12 the following shall be substituted, namely

11. First Labour Court, Thane	.. .. .	(i) N & T Ward of Greater Bombay. (ii) Thane and (iii) Raigad Districts.
12. Second Labour Court, Thane	.. .. .	Do.
12A. Third Labour Court, Thane	.. .. .	Do.

(c) For entries at serial numbers 17 and 18, the following entries shall be substituted, namely

17. First Labour Court, Pune	.. .. .	Pune District
18. Second Labour Court, Pune	.. .. .	Do.
18A. Third Labour Court, Pune	.. .. .	Do.

(d) For entries at serial numbers 21 and 22, the following entries shall be substituted, namely

21. First Labour Court, Solapur	.. .. .	Solapur District and Osmanabad District.
22. Second Labour Court, Solapur	.. .. .	Do.
22A. The Labour Court, Latur	.. .. .	Latur District.

Schedule

Name of the Labour Courts	Local areas	
1. First Labour Court, Bombay	Bombay (Except N & T Ward).
2. Second Labour Court, Bombay	Do.
3. Third Labour Court, Bombay	Do.
4. Fourth Labour Court, Bombay	Do.
5. Fifth Labour Court, Bombay	Do.
6. Sixth Labour Court, Bombay	Do.
7. Seventh Labour Court, Bombay	Do.
8. Eighth Labour Court, Bombay	Do.
9. Ninth Labour Court, Bombay	Do.
10. Tenth Labour Court, Bombay	Do.
10A. Eleventh Labour Court, Bombay	Do.
11. First Labour Court, Thane	(i) N & T Ward of Greater Bombay. (ii) Thane and (iii) Raigad Districts.
12. Second Labour Court, Thane	Do.
12A. Third Labour Court, Thane	Do.
17. First Labour Court, Pune	Pune District.
18. Second Labour Court, Pune	Do.
18A. Third Labour Court, Pune	Do.
21. First Labour Court, Solapur	Solapur District and Osmanabad District.
22. Second Labour Court, Solapur	Do.
22A. Labour Court, Latur	Latur District.

Nothing in this notification shall affect any part heard cases pending immediately before the date of this notification on the file of any authority and such part heard cases shall be disposed of by that authority as if this notification had not been issued.

(Vide Government Notification, Industries, Energy and Labour Department, No. BIR-1085/6302/Lab-2, dated 8th November 1985, published in Maharashtra Government Gazette, Part I-L, dated 19th December 1985, at page Nos. 5196 to 5198).

VIII. MAHARASHTRA RECOGNITION OF TRADE UNIONS AND PREVENTION OF TRADE UNION DISCRIMINATION ACT, 1971.

(A) *Appointments under the Act*—(1) The Government of Maharashtra Industries, Energy and Labour Department has in exercise of the powers conferred by section 6 of the said Act, appointed Shri D. S. Umrikar, in place of Shri M. R. ... to preside over as a Presiding Officer of the Fourth Labour Court, Bombay.

(Vide Government Notification, Industries, Energy and Labour Department No. ULP-1085/6236/(ii)/Lab-2, dated 15th October 1985, published in Maharashtra Government Gazette, Part II, dated 19th December 1985, at page No. 5173).

(B) *Constitution of Labour Boards under the Act*—(1) The Government of Maharashtra Industries, Energy and Labour Department has in exercise of the powers conferred by section 6 of the said Act, assigned to the Labour Courts mentioned in column No. 1 of the Schedule, jurisdiction over the local areas respectively mentioned against each of them in column No. 2 of the Schedule, and for that purpose amended Government Notification, Industries, Energy and Labour Department No. ULP-1083/6985/Lab-9, dated 8th December 1983, as follows, namely—

In the Schedule to the said notification,—

(a) for entries at serial numbers 1 to 10 the following entries shall be substituted, namely :—

1. First Labour Court, Bombay	Greater Bombay (Except N & T Ward)
2. Second Labour Court, Bombay	Do.
3. Third Labour Court, Bombay	Do.
4. Fourth Labour Court, Bombay	Do.
5. Fifth Labour Court, Bombay	Do.
6. Sixth Labour Court, Bombay	Do.
7. Seventh Labour Court, Bombay	Do.
8. Eighth Labour Court, Bombay	Do.
9. Ninth Labour Court, Bombay	Do.
10. Tenth Labour Court, Bombay	Do.
10A. Eleventh Labour Court, Bombay	Do.

(b) For entries at serial numbers 11 and 12 the following entries shall be substituted, namely :—

11. First Labour Court, Thane	(i) N & T Ward Greater Bombay. (ii) Thane and (iii) Raigad Districts.
12. Second Labour Court, Thane	Do.
12A. Third Labour Court, Thane	Do.

(c) For entries at serial numbers 17 and 18 the following entries shall be substituted, namely :—

17. First Labour Court, Pune	Pune District.
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(d) For entries at serial numbers 21 and 22 the following entries shall be substituted, namely :—

21. First Labour Court, Solapur	Solapur District and Osmanabad District.
22. Second Labour Court, Solapur	Do.
22A. Labour Court, Latur	Latur District.

Schedule

Name of the Labour Courts	Local areas
1. First Labour Court, Bombay	Bombay (Except N & T Ward).
2. Second Labour Court, Bombay	Do.
3. Third Labour Court, Bombay	Do.
4. Fourth Labour Court, Bombay	Do.
5. Fifth Labour Court, Bombay	Do.
6. Sixth Labour Court, Bombay	Do.
7. Seventh Labour Court, Bombay	Do.
8. Eighth Labour Court, Bombay	Do.
9. Ninth Labour Court, Bombay	Do.
10. Tenth Labour Court, Bombay	Do.
10A. Eleventh Labour Court, Bombay	Do.
11. First Labour Court, Thane	(i) N & T Ward of Greater Bombay. (ii) Thane and (iii) Raigad Districts.
12. Second Labour Court, Thane	Do.
12A. Third Labour Court, Thane	Do.
17. First Labour Court, Pune	Pune District.
18. Second Labour Court, Pune	Do.
18A. Third Labour Court, Pune	Do.
21. First Labour Court, Solapur	Solapur District and Osmanabad District.
22. Second Labour Court, Solapur	Do.
22A. Labour Court, Latur	Latur District.

Nothing in this notification shall affect any part heard cases pending immediately before the date of this notification on the file of any authority and such part heard cases shall be disposed of by that authority as if this notification had not been issued.

(Vide Government Notification, Industries, Energy and Labour Department No. ULP-

IX. PAYMENT OF WAGES ACT, 1965.

A. *Amendments under the Act.*—(1) The following Act of the Parliament—the Payment of Bonus (Amendment) Act, 1985 (No. 30 of 1985), dated the 22nd May 1985, along with the Payment of Bonus (Amendment) Ordinance, 1985 (No. 6 of 1985), dated the 27th September, 1985—is hereby republished:—

New Delhi, the 22nd May 1985, Jyeshtha 1, 1907 (Saka).

(LEGISLATIVE DEPARTMENT)

New Delhi, the 22nd May 1985/Jyaistha 1, 1907 (Saka).

The following Act of Parliament received the assent of the President on 22nd May, 1985, and is hereby published for general information:—

THE PAYMENT OF BONUS (AMENDMENT) ACT, 1985
No. 30 OF 1985

[22nd May, 1985].

An Act further to amend the Payment of Bonus Act, 1965

BE it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Payment of Bonus (Amendment) Act, 1985.

2. *Omission of section 12.*—Section 12 of the Payment of Bonus Act, 1965 (21 of 1965), shall be omitted.

(Vide Government Notification, Industries Energy and Labour Department, No. PBA-1485/10/58/Lab-5, dated 25th October 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 19th December 1985 at Page No. 5175).

(2) THE PAYMENT OF BONUS (AMENDMENT) ORDINANCE, 1985
No. 6 OF 1985

Promulgated by the President in the Thirty-sixth Year of the Republic of India.

An Ordinance further to amend the Payment of Bonus Act, 1965

WHEREAS, Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution and of all other powers enabling him in that behalf, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Payment of Bonus (Amendment) Ordinance, 1985.

(2) It shall come into force at once.

2. *Retrospective omission of section 12.*—The omission of section 12 of the Payment of Bonus Act, 1965 (21 of 1965) (hereinafter referred to as principal Act) by section 2 of the Payment of Bonus (Amendment) Act, 1985 (30 of 1985) shall

Explanation—For the purposes of this section, the expressions “employee” and “accounting year” shall have the same meaning as in the principal Act.

(Vide The Payment of Bonus (Amendment) Ordinance, 1985 No. 6 of 1985, published in the *Maharashtra Government Gazette*, Part I-L, dated 19th December 1985, at Page No. 5175).

(3) MINIMUM WAGES ACT, 1948.

Notifications under the Act.—(1) The Government of Maharashtra Industries, Energy and Labour Department, has in exercise of the powers conferred by clause (b) of sub-section (1) of section 3 read with sub-section (2) of section 5 of the said Act, after considering all representations received in respect of the proposals published draft notification in the original Government Notification No. MWA 2385/5662/Lab-7, dated 29th October 1985 and after considering the Advice of the Advisory Board amended the Government Notification I E. & L. D. No. MWA-2383/5137(A)/Lab-7, dated 31st January, 1983.

(Vide Government Notification I. E. & L. D. No. MWA-2385/5662/Lab-7, dated 29th October 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 19th December 1985 at Pages Nos. 5176 to 5177).

B. *Fixation and Revision of Minimum rates of wages under the Act.*—(1) The Government of Maharashtra has in exercise of the powers conferred by clause (b) of sub-section (1) of section 3 read with sub-section (2) of section 5 of the said Act, after considering all the representations received in respect of the aforesaid proposals and after consulting the Advisory Board as registered by the proviso to the sub-section (2) of section 5 of the said Act, revised with effect from the 1st November 1985, the Minimum rates of wages payable to the employees employed in the said Schedule employment and refixed as set out in column 3 of the First Schedule as the minimum rates of wages payable to the classes of employees mentioned against them in column 2 of that Schedule consisting of—

1. (a) the basic rates of wages inclusive of cash value of concession, if any, set out in column 3 of the First Schedule hereto in respect of each zone specified in the same column for the classes of employees mentioned against them in column 2 thereof, employed in the said scheduled employment in each zone; and

(b) a special allowance at the rate to be adjusted as provided in the Second Schedule hereto.

2. The Competent Authority shall on declaring the consumer price Index Number for working class (New Series) specified in column 3 of the Second Schedule hereto, to be the cost of living index number, applicable to the employees employed in the said Scheduled Employment, in pursuance of clause (d) of section 2 of the said Act, calculate the average of the cost of living index applicable to the employees in the areas specified in column 2 of the said Second Schedule for every six months commencing on the first day of January and first day of July and ascertain the rise of such average in terms of points over the index number mentioned against them in Column 4 of the Second Schedule. For every such rise in the number of points specified in column 5 of the said Second Schedule, the special allowance (hereinafter

3. The Competent Authority shall compute the cost of living allowance according with the directions made in clause 2.

4. The cost of living allowance computed as aforesaid shall be declared by the Competent Authority by Notification, in the *Official Gazette* in the month of January when such allowance is payable for each of the months of January to December: the month of July when such allowance is payable for each of the months of July to December:

Provided that the Competent Authority shall declare the cost of living allowance payable in respect of the period from the date of revision of the minimum wages upto the end of December 1985, immediately after the said date with effect from which the minimum rates of wages are revised.

First Schedule

Serial No.	Class of employees	Rates per Month				
		Zone I	Zone II	Zone III	Zone IV	Zone V
1	2					
	(A) Adults (not being adolescents)					
	I Skilled					
	(1) Cook or Head Cook,	Rs.	Rs.	Rs.	Rs.	Rs.
	(2) Achari,	570	520	510	450	420
	(3) Maharaj,					
	(4) Rasoya					
	(5) Ustad,					
	(6) Bavarchi,					
	(7) Khansama,					
	(8) Manager,					
	(9) Accountant,					
	(10) Settlement maker or farsan maker (Malwala),					
	(11) Clerk,					
	(12) Telephone Operator,					
	(13) Electrician,					
	(14) Tailor,					
	(15) Carpenter,					
	(16) Head Paniryman,					
	(17) Carpenter who is doing the work of planting,					
	(18) Mason/stonemason (qualified such as holding S.S.C. Certificate or other equivalent examination)					
	(19) House-Machine					
	(20) Head Weaver					
	(21) Weaver					
	(22) Supervisor					
	(23) Sweeper					
	(24) Cashier					
	(25) Head Baker					
	(26) Mummy.					

1	2	3	4	5
	Rs.	Rs.	Rs.	Rs.
(27) Barman.				
(28) Store-keeper, who keeps accounts.				
(29) Employees by whatever names called doing work of the nature done by persons falling under the foregoing entries.	520	490	465	400
(1) Assistant Manager.				
(2) Assistant Malwala.				
(3) Sarnaswala.				
(4) General Workers (Reliever or one who attends to two or more duties of semi-skilled categories)				
(5) Rotiwalla.				
(6) Chapatiwala.				
(7) Puriwala.				
(8) Dosa-walla.				
(9) Tandur Rotiwalla.				
(10) Bhajiwala				
(11) Ice-creamwala (Ice-Cream preparer one who takes out ice-cream and aerated water).				
(12) Pantryman (who prepares sand-wiches, toasts, falooda, omelette, etc.)				
(13) Mandriwala-cum-Coffee, Tea-Maker.				
(14) Liftman.				
(15) Handiwala (Assistant Cook).				
Assistant Cook.				
Wireman.				
(18) Billards Marker.				
(19) Standwala (Tea Maker).				
(20) Marketman.				
(21) Fountain Barman.				
(22) Boilerman.				
(23) Pumpman.				
(24) Gas-filer.				
(25) Filler (who prepares syrups, ice-cream, fruit salad etc.).				
Falooda etc.				

1	2	3	4	5
	Rs.	Rs.	Rs.	Rs.
(27) Syrup maker.				
(28) Lasciwala-cum-Salesman.				
(29) Waitor-cum-Tablewala.				
(30) Vendor (Who keeps accounts).				
(31) Orderwala (shouting bills or writing bills).				
(32) Kabab-Seakwala.				
(33) Bhelpuriwala.				
(34) Floor-waiter.				
(35) Grinder.				
(36) Employees by whatever name called doing the work of the nature done by persons falling under the foregoing entries.	500	475	445	400
Unskilled				375
(1) Gage-Boy.				
(2) Game-Boy.				
(3) Bell-Boy.				
(4) Page-Boy.				
(5) Room-Boy.				
(6) Tea-Boy.				
(7) Glass-Boy.				
(8) Dish-Boy.				
(9) Water-Boy.				
(10) Order-Boy.				
(11) Pantry-Helper.				
(12) Kitchen-Boy.				
(13) Office-Boy.				
(14) Message-Boy.				
(15) Soda-Fountain-Boy.				
(16) Cleaner.				
(17) Sweeper.				
(18) Hamal.				
(19) Jamadar.				
(20) Coolie.				
(21) Mazdoor.				
(22) Gadi.				
(23) Chokra.				
(24) Boy.				

	Rs.	Rs.	Rs.	Rs.	Rs.
(25) Platewalla-Panikachamberwalla.					
(26) Paniwala.					
(27) Gupwalla.					
(28) Dishwalla.					
(29) Bhandiwalla.					
(30) Moriwalla.					
(31) Kholiwalla (Room-Boy not doing the work of waiter).					
(32) Mandaniwalla (One who fills the dishes).					
(33) Lassiwalla.					
(34) Orderwalla.					
(35) Chatniwalla.					
(36) Phatkawalla.					
(37) Wadpi (Server).					
(38) Waterman.					
(39) Laundryman.					
(40) Lemonman.					
(41) Billiard Boy.					
(42) Grain-cleaner (male or female).					
(43) Miscellaneous workers, that is to say workers doing all or some of the jobs, of an unskilled nature.					
(44) Vendor or Bharawalla not working on commission basis and not entrusted with responsibility of accounts.					
(45) Employees by whatever name called doing work of the nature done by persons falling under the foregoing entries.					
(B) Persons below the age of 18 years of age employed in any of the categories mentioned above.	80 per cent of the rates fixed for adults in respect of the same category of employment.	80 per cent of the rates fixed for adults in respect of the same category of employment.	80 per cent of the rates fixed for adults in respect of the same category of employment.	80 per cent of the rates fixed for adults in respect of the same category of employment.	80 per cent of the rates fixed for adults in respect of the same category of employment.

Area	Consumer Price Index Number for working class (Index Series)	Index Number	Points	Rupees
1 Area falling in Zone-I	Bombay City Index Number.	532	2	1.80 p.m.
2 Area falling in Zone-II	Bombay City Index Number.	532	2	1.80 p.m.
3 Area falling in Zone-III	Bombay City Index Number.	532	2	1.80 p.m.
4 Area falling in Zone-IV	Bombay City Index Number.	532	2	1.80 p.m.
5 Area falling in Zone-V	Bombay City Index Number.	532	2	1.80 p.m.

Explanation.—For the purposes of the notification—
 (a) Zone I shall comprise of the areas within the limits of the Pune, Thane and Kolhapur Municipal Corporations; Cantonments of Pune and Kirkee.
 (b) Zone II shall comprise of the areas within the limits of all the Municipal Corporations, either presently existing excluding those covered in Zone I and II above, or to be formed in future; and the areas within the limits of Municipal Councils or the cantonments, as the case may be, of Solapur, Kolhapur, Ahmatnagar, Malegaon, Nashik, Nashik Road, Deolali, Deolali Cantonment, Ulhasnagar, Akola, Amravati, Dhule, Aurangabad, Aurangabad Cantonment and Kalyan.

(c) Zone III shall comprise of the areas within the limits of all Municipal Councils or Cantonments, as the case may be not covered by Zone II and III.
 (d) Zone IV shall comprise of the areas within the limits of all village gram panchayats where the Bombay Shops and Establishment Act, 1948 applies and all hotels, restaurants or eating houses situated on (or housed in premises on) National Highways and/or State Highways.
 (e) In the case of an employee employed on daily wages, the minimum rate of daily wages payable to him shall be computed by dividing the minimum rate of monthly wages fixed for the class of employees to which he belongs by the number of days in the month.
 (f) The expression "employee" shall not include a part-time employee, that is to say, employee who works in more than one residential hotel, restaurant, or eating houses, and whose daily hours of work do not exceed five and such hours of work are not split into more than two periods of work.
 (g) 30 per cent. of the revised basic minimum rates of wages of an unskilled employee in each Zone shall be the cash value of wages in kind to be cut by the employer.

Zonewise distribution of 30 per cent of basic rates of wages—

Zone I.—

One meal	..	Rs. 50.00 × 2	
One nasta	..	Rs. 25.00 × 1	Rs. 150.00
One tea	..	Rs. 12.50 × 2	

Zone II.—

One meal	..	Rs. 47.50 × 2	
One nasta	..	Rs. 23.75 × 1	Rs. 142.50
One tea	..	Rs. 11.875 × 2	

Zone III.—

One meal	..	Rs. 44.50 × 2	
One nasta	..	Rs. 22.25 × 1	Rs. 133.50
One tea	..	Rs. 11.125 × 2	

Zone IV.—

One meal	..	Rs. 40.00 × 2	
One nasta	..	Rs. 20.00 × 1	Rs. 120.00
One tea	..	Rs. 10.00 × 2	

Zone V.—

One meal	..	Rs. 37.50 × 2	
One nasta	..	Rs. 18.75 × 1	Rs. 112.50
One tea	..	Rs. 9.375 × 2	

(i) The split up of the rate of Special Allowance of Rs. 1.80 per every rupee of 2 points shall be (a) 70 per cent. to be adjusted towards payment in cash, and (b) 30 per cent. allowed to be cut by the employer towards wages in kind. The distribution/allocation of the special allowance of 30 per cent. of the amount of rate of neutralisation, as amongst meal, nasta and tea is as indicated below:—

Distribution of 30 per cent. of Special Allowance—

One meal Paise	..	18 × 2	
One nasta Paise	..	9 × 1	Paise 54.
One tea Paise	..	4.50 × 2	

(Vide Government Notification, Industries Energy and Labour Department, No. MWA-2484/6042/Lab-7, dated 31st October, 1985, published in Maharashtra Government Gazette, Part I-L, dated 19th December 1985, at Pages Nos. 5181 to 5183).

XI. MAHARASHTRA MATHADI, HAMAL AND OTHER MANUAL WORKERS, (REGULATION OF EMPLOYMENT AND WELFARE) ACT, 1969.

(A) Constitution of Board.—(1) The Government of Maharashtra Industries, Energy and Labour Department, has in exercise of the powers conferred by section 6A of the said Act, constituted a Board to be known by the name of the Nashik Mathadi and Unprotected Labour Board, and appointed Shri G. M. Shaikh, Assistant Commissioner of Labour, Nashik, to hold office and to exercise all the powers and perform all the duties and functions of the said Board until a Board is duly constituted under section 6 of the said Act, for the scheduled employment specified in the original notification.

(Vide Government Notification, Industries, Energy and Labour Department, No.

B. Appointments under the Act.—(1) The Government of Maharashtra, Industries, Energy and Labour Department, has in exercise of the powers conferred by sub-sections (3) and (5) of section 6 of the said Act, appointed Shri B. S. Gayakwad, Commissioner of Labour, Sangli to be the member of the said Board and nominates him as the Chairman of the said Board, in place of Shri S. P.

(Vide Government Notification, Industries Energy and Labour Department, No. LWA-1485, 10725/Lab-5, dated 4th November 1985, published in the Maharashtra Government Gazette, Part I-L, dated 19th December 1985, at Pages Nos. 5189 to 5190).

(2) The Government of Maharashtra Industrial Energy and Labour Department has in exercise of the powers conferred by sub-sections (3), (4) and (6) of section 6 of the said Act, nominated members to represent the unprotected workmen on the Grocery Market and Shops Board for Greater Bombay.

the said notification—

1. In clause (a)—

(i) In sub-clause A, under the heading "Members Representing Employers", after entry No. 4, the following shall be inserted, namely:—

"5. Shri Nanji Khimji Thakkar, President, Thane Merchants Association, Thane.

6. Shri Kamalkishor Shivprasad Maliwal, Manager, Maharashtra Agro Industries Development Corporation, Fertilizer Factory, Rasayani, Taluka Panvel, District Raigad";

(ii) In sub-clause B, under the heading "Members Representing Unprotected Workers", after entry No. (4), the following shall be inserted namely:—

"5. Shri Shankar Govind Avhad, Worker, Maharashtra Rajya Mathadi Transport and General Kamgar Union, Bombay 400 009, C/o. Messrs. Laxmichand Deoji and Company, Station Road, Kalyan.

6. Shri Shrirang Santu Jadhav, Worker, Maharashtra Rajya Mathadi, Transport and General Kamgar Union, Bombay 400 009, C/o. Maharashtra Agro Industries Development Corporation, Rasayani, Taluka Panvel, District Raigad

2. For clause (c), the following shall be substituted, namely:—

- (1) Shri Premji Bhanji Bheda,
- (2) Shri Gulabrai Dhanjibhai Bhuta,
- (3) Shri Vasanti Lakhamsi,
- (4) Shri D. J. Khimasia,
- (5) Shri Nanji Khimji Thakkar,
- (6) Shri Kamalkishor Shivprasad Maliwal,
- (7) Shri K. P. Valvaikar,
- (8) Shri Shivajirao Annasaheb Patil,
- (9) Shri Chandrakant Gunda Bhise.

with the Directorate of Industries of the Government of Maharashtra, the Maharashtra State Electricity Board, State Bank of India, Industrial Development Bank of India, Industrial Finance Corporation of India and Industrial Credit and Investment Corporation of India, Industrial Reconstruction Bank of India, Maharashtra State Financial Corporation and the dues of the employees State Insurance Corporation, and any liability incurred under the Bombay Sales Tax Act, 1959 (Bom. LI of 1959) the Maharashtra State Tax on Professions, Trades, Calling and Employment Act, 1975 (Mah. XVI of 1975), and the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952)] accrued or incurred before the 22nd November 1984 and any remedy for the enforcement thereof shall be suspended and all proceedings relative thereto pending before any Court, Tribunal, Officer or authority shall be stayed.

(Vide Government Notification Industries Energy and Labour Department No. BRU-1085/(185)/IND-10, dated 21st November 1985, published in *M.G.G.*, Part-II, dated 19th December 1985, at pages Nos. 5209 to 5210).

XIII. PAYMENT OF BONUS ACT, 1965.

(A) *Appointments under the Act.*—(1) The Government of Maharashtra Industries Energy and Labour Department has in pursuance of the proviso to section 19 of the said Act, specified the Commissioner of Labour, Bombay, Maharashtra State, to be the authority for the purposes of clause (b) of section 19 of the said Act.

(Vide Government Notification Industries Energy and Labour Department No. PBA-1285/10764/Lab-5, dated 8th November 1985, published in *M.G.G.*, Part-II, dated 19th December 1985, at page No. 5208).

Consumer Price Index Numbers For Industrial Workers For December 1985

BOMBAY CENTRE*

A rise of 4 points

December 1985 the Consumer Price Index Number for Industrial Workers (1960 = 100) for the Bombay Centre with base January to December 1960 equal to 100 was 658 being 4 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at the Bombay Centre.

The index number for the Food group increased by 5 points to 717 due to a rise in the average prices of rice, edibles oils, vanaspati loose, fish fresh, coconut, sugar, bhajia and tea-readymade.

The index number for the Pan, Supari and Tobacco etc, group increased by 5 points to 760 due to a rise in the average price of pan-leaf.

The index number for the Fuel and Light group increased by 3 points to 858 due to a rise in the average price of fire-wood.

The index number for housing remained steady at 191 being a six monthly item.

The index number for the clothing, bedding and footwear group increased by 5 points to 619 due to a rise in the average prices of saree and shoes gents.

The index number for the miscellaneous group increased by 1 point to 532 due to a rise in the average price of laundry charges.

CONSUMER PRICE INDEX NUMBERS FOR INDUSTRIAL WORKERS (NEW SERIES) FOR BOMBAY CENTRE

(Average prices for the calendar year 1960=100)

Group	Weight proportional to the total expenditure	Group Index Numbers	
		November 1985	December 1985
I-A. Food	57.1	712	717
I-B. Pan, Supari, Tobacco, etc.	4.9	755	760
II. Fuel and Light	5.0	855	858
III. Housing	4.6	191	191
IV. Clothing, Bedding and Foot-Wear	9.4	614	619
V. Miscellaneous	19.0	531	532
Total	....	....	....
Consumer Price Index Number	100.0	654	658

*Details regarding the scope and method of compilation of the index will be found on pages 598 to 605 of December 1965 issue of *Labour Gazette*. For *Errata* (see) page 867 of January 1966 issue.

Note.—To obtain the equivalent old index number on a base 1933=100, the general index number on base 1960=100 should be multiplied by the linking factor viz., 4.44.

SOLAPUR CENTRE***A rise of 7 points**

In December 1985 the Consumer Price Index Number for Working Class (New Series) for Solapur Centre with base January to December 1960 equal to 100 was 663 being 7 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Solapur Centre.

The index number for the food group increase by 6 points to 715 due to a rise in the average prices of jowar, grinding charges, edible oils and sugar.

The index number for the Pan, Supari and Tobacco etc. group increase by 1 point to 598 due to a rise in the average price of katha.

The index number for the Fuel and Light group remained steady at 740.

The index number for housing remained steady at 281 being a six monthly item.

The index number for clothing, bedding and footwear group increase by 2 points to 649 due to a rise in the average price of Ladies chappal.

The index number for the miscellaneous group increase by 24 points to 541 due to a rise in the average prices of barbar charges and washing soap.

CONSUMER PRICE INDEX NUMBERS (NEW SERIES) FOR WORKING CLASS FOR SOLAPUR CENTRE

(Average prices for the calendar year 1960=100)

Groups	Weight proportional to the total expenditure	Group Index Numbers	
		November 1985	December 1985
I-A. Food	63.0	709	715
I-B. Pan, Supari, Tobacco etc.	3.4	597	598
II. Fuel and Light	7.1	740	740
III. Housing	5.2	281	281
IV. Clothing, Bedding and Footwear	9.0	647	649
V. Miscellaneous	12.3	516	541
Total	100.00	647	663
Consumer Price Index Number		647	663

*Details regarding the scope and method of compilation of the index may be seen on pages 657 to 603 December 1963 issue of *Labour Gazette*. For *Erreita* (see) page 897 of January 1966 issue.

Note.—For arriving at the equivalent of the old index number 1927-28=100, the new index number should be multiplied by the linking factor of 3.82.

NAGPUR CENTRE***A fall of 7 points**

In December 1985 the Consumer Price Index Number for Working Class (New Series) for Nagpur Centre with base January to December 1960 equal to 100 was 640 being 7 points lower than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Nagpur Centre.

The index number for the food group decrease by 12 point to 680 due to a fall in the average prices of rice jowar, chillies dry, onions, and vegetable and fruits sub-group.

The index number for the Pan, Supari and Tobacco etc. group increase by 1 point to 710 due to a rise in the average price of Supari.

The index number for the Fuel and Light group remained steady at 928.

The index number for housing remained steady at 338 being a six monthly item.

The index number for clothing, bedding and footwear group decrease by 1 point to 633 due to a fall in the average price of shirting.

The index number for the miscellaneous group increased by 1 point to 506 due to a rise in the average price of hair oil.

CONSUMER PRICE INDEX NUMBERS (NEW SERIES) FOR WORKING CLASS FOR NAGPUR CENTRE

(Average prices for the calendar year 1960=100)

Group	Weights proportional to the total expenditure	Group Index Numbers	
		November 1985	December 1985
I-A. Food	57.2	692	680
I-B. Pan, Supari, Tobacco, etc.	3.8	709	710
II. Fuel and Light	5.7	928	928
III. Housing	6.6	338	338
IV. Clothing, Bedding and Footwear	10.9	634	633
V. Miscellaneous	15.8	505	506
Total	100.0	647	640
Consumer Price Index Number		647	640

*Details regarding the scope and method of compilation of the index may be seen on pages 771 to 779 of January 1968 issue of *Labour Gazette*.

Note.—For arriving at the old Index Number (1939=100), the new Index Number should be multiplied by the linking factor viz., 5.22.

PUNE CENTRE*

612—A rise of 11 points

In December 1985 the Consumer Price Index Number for Industrial Workers (1961 = 100) for the Pune Centre with base January to December 1961 equal to 100 was 612 being 11 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at the Pune Centre.

The index number for the Food group increased by 18 points to 677 due to a rise in the average prices of rice, wheat, jowar, tur dal and sugar.

The index number for the fuel and light group decreased by 2 points to 821 due to a fall in the price of charcoal (patti) only.

The index number for housing remained steady at 150 being a six monthly item.

The index number for the clothing and footwear group increased by 14 points to 619 due to a rise in the prices of coloured poplin and shoes (Bata Co.)

The index number for the miscellaneous group decreased by 1 point to 512 due to a fall in the price of hair oil (Tata Co.).

CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS FOR PUNE CENTRE

(Average prices for the calendar year 1961=100)

Groups	Weight proportional to total expenditure	Group Index Numbers	
		November 1985	December 1985
I. Food	55.85	659	677
II. Fuel and Light	6.89	823	821
III. Housing	6.65	150	150
IV. Clothing and Footwear	10.31	605	619
V. Miscellaneous	20.30	513	512
Total ..	100.00	....	....
Consumer Price Index Number	....	601	612

JALGAON CENTRE*

A rise of 4 points.

In December 1985 the Consumer Price Index Number for Industrial Workers (1961 = 100) for the Jalgaon Centre with base January to December 1961 equal to 100 was 631 being 4 points higher than that in the preceding months. The index relates to the standard of life ascertained during the year 1958-59 family living survey at the Jalgaon Centre.

The index number for the Food group increased by 6 points to 691 due to a rise in the average prices of rice wheat, edible oil, vanaspati, goat meat garlic, masana and sugar.

The index number for the Fuel and Light group remained steady at 720.

The index number for housing remained steady at 188 being a six monthly item.

The index number for the clothing and footwear group increased by 2 points to 613 due to a rise in the average price of saree only.

The index number for the miscellaneous group decreased by 1 point to 542 due to a fall in the average price of washing soap only.

CONSUMER PRICE INDEX NUMBERS (NEW SERIES) FOR WORKING CLASS FOR SOLAPUR CENTRE

(Average prices for the calendar year 1961=100)

Groups	Weight proportional to the total expenditure	Group Index Numbers	
		November 1985	December 1985
I. Food	60.79	685	691
II. Fuel and Light	7.20	720	720
III. Housing	6.11	188	188
IV. Clothing, Bedding and Footwear	10.29	611	613
V. Miscellaneous	15.61	543	542
Total ..	100.00	627	631
Consumer Price Index Number	....	....	....

*Details regarding the scope and method of compilation of the index may be seen on pages 657 to 613 December 1961 issue of Labour Gazette. For Erretta (see) page 897 of January

NANDED CENTRE***A rise of 3 points.**

In December 1985 the Consumer Price Index Number for Industrial Workers (1961 = 100) for the Nanded Centre with base January to December 1961 equal to 100 was 671 being 3 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at the Nanded Centre.

The index number for the Food Group increased by 2 points to 716 due to a rise in the average prices of wheat, jowar, edible oil, dry fish, potatoes, other vegetables and sugar.

The index number for the Fuel and Light group remained steady at 801.

The index number for housing remained steady at 386 being a six monthly item.

The index number for the clothing and footwear group increased by 14 points to 583 due to a rise in the average prices of saree and coloured fabrics.

The index number for the miscellaneous group remained steady 600.

CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS FOR NANDRD CITY

(Average price for the calendar year 1961=100)

Groups	Weight proportional to total expenditure	Group Index Numbers	
		November 1985	December 1985
I. Food ..	61.46	714	716
II. Fuel and Light ..	5.88	801	801
III. Housing ..	4.62	386	386
IV. Clothing, Bedding and Footwear ..	12.22	569	583
V. Miscellaneous ..	15.82	600	600
Total ..	100.0	668	671
Consumer Price Index Number ..	....	....	....

*Details regarding the scope and method of compilation of the index will be found on pages 1107 to 1112 of March 1966 issue of *Labour Gazette*.

Note.—To obtain the equivalent old index number on base August 1943 to July 1944=100 the new index number of base 1961=100 should be multiplied by the linking factor viz. 2.15.

AURANGABAD CENTRE***690—A rise of 2 points.**

In December 1985 the Consumer Price Index Number for Industrial Workers (1961 = 100) for the Aurangabad Centre with base January to December 1961 equal to 100 was 690 being 2 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at the Aurangabad Centre.

The index number for the Food group increased by 4 points to 765 due to rise in the average prices of jowar, gramdal and sugar.

The index number for the Fuel and Light group remained steady at 789.

The index number for housing remained steady at 326 being a six monthly item.

The index number for the clothing and footwear group decreased by 2 points to 654 due to a fall in the average price of long cloth.

The index number for the miscellaneous group decreased by 1 point to 561 to a fall in the average price of Pan-leaf.

CONSUMER PRICE INDEX NUMBER FOR WORKING CLASS FOR AURANGABAD CENTRE

(Average price for the calendar year 1961=100)

Groups	Weight proportional to total expenditure	Group Index Numbers	
		November 1985	December 1985
Food ..	60.72	761	765
II. Fuel and Light ..	7.50	789	789
III. Housing ..	8.87	326	326
IV. Clothing, and Footwear ..	9.29	656	654
Miscellaneous ..	13.62	562	561
Total ..	100.00	....	....
Consumer Price Index Number ..	....	688	690

Details regarding scope and method of compilation of the index will be found on pages 1130 to 1134 of March 1966 issue of *Labour Gazette*.

Note.—To obtain the equivalent old index number on base August 1943 to July 1944=100 the new index number on base 1961=100 should be multiplied by the linking factor viz. 2.27

(G.C.P.) Ra 4851—10 (535—5.86)

Labour Intelligence

INDUSTRIAL RELATIONS IN MAHARASHTRA REVIEW FOR THE MONTH OF NOVEMBER 1965

Industrial Courts, Tribunal and Labour Courts

In all 1866 applications were received by the Industrial Courts, Tribunals and Labour Court during the month. Their break-up are as under :—

Serial No.	Name of the Industrial Court/Tribunal and Labour Court	No. of application etc received during the month Under the—			Total
		B.I.R. Act, 1946	I.D. Act, 1947	Other Acts	
1	2	3	4	5	6
I. Industrial Court/Tribunals—					
1	Industrial Court, Bombay ..	22	..	154	176
2	Industrial Tribunal, Bombay ..	..	32	..	32
3	Industrial Court, Nagpur ..	4	..	56	60
4	Industrial Tribunal, Nagpur ..	..	..	..	..
5	Industrial Court, Pune ..	2	..	39	41
6	Industrial Tribunal, Pune ..	..	2	..	2
7	Industrial Court, Thane ..	1	..	50	51
8	Industrial Tribunal, Thane ..	..	11	..	11
9	Industrial Court, Kolhapur ..	1	..	38	39
10	Industrial Tribunal, Kolhapur ..	..	2	..	2
11	Industrial Court, Amravati ..	1	..	53	54
12	Industrial Tribunal, Amravati ..	..	1	..	1
13	Industrial Court, Nashik ..	..	..	37	37
14	Industrial Tribunal, Nashik ..	..	..	..	..
15	Industrial Court, A'bad ..	3	..	21	24
16	Industrial Tribunal, A'bad ..	..	1	..	1
Total ..		34	49	448	531
II. Labour Courts—					
1	Labour Court, Bombay ..	55	58	232	345
2	Labour Court, Pune ..	2	54	16	72
3	Labour Court, Nagpur ..	6	108	160	274
4	Labour Court, Thane ..	1	31	44	76
5	Labour Court, Kolhapur ..	3	11	20	34
6	Labour Court, Solapur ..	1	11	102	114
7	Labour Court, Akola ..	1	8	27	36
8	Labour Court, Nashik ..	..	7	16	23
9	Labour Court, Aurangabad ..	4	27	35	66
10	Labour Court, Dhule ..	..	1	20	21
11	Labour Court, Sangli ..	1	4	12	17
12	Labour Court, Amravati ..	..	3	25	28
13	Labour Court, Jalgaon ..	2	32	25	59
14	Labour Court, Bhandara ..	1	79	21	101
15	Labour Court, Ahmadnagar ..	..	3	54	57
Total ..		77	439	819	1,335

An analysis of disputes handled by the Conciliation machinery in the State during November 1965 under various Acts is given below :—

(a) Cause-wise analysis of the cases received during the month.—

Act	Issues relating to pay, allowances and Bonus	Employment leave, hours of work and Miscellaneous causes	Total
(1) Industrial Disputes Act, 1947	9	39	48
(2) Bombay Industrial Relations Act, 1946	..	2	2
(3) Bombay Industrial Relations (Extensions and Amendment) Act, 1964.	1	..	1
Total ..			51

(b) Result-wise analysis of the cases dealt with during the month.—

Act	Pending at the beginning of the month	No. of cases received during the month	Settled satisfactorily	Failed in failure	Withdrawn or not pursued by parties	Closed	Total (a to g)	Pending at the end of the month
I. D. Act, 1947	337	309	70	(81)	30	37	682	682
B. I. R. Act, 1946	151	3	1	3	..	..	150	150
B. I. R. (Ext. and Amdt) Act, 1964.	60	1	1	..	..	..	53	53
Total								885

Wage Board.—Full reference was received by the Wage Board for cotton textile in the State Industry and Co-operative Banks Industry.

Industry-wise and District-wise analysis of the cases received during the month under Bombay Industrial Relations Act, 1946 and Bombay Industrial Relation (Extension and Amendment) Act, 1964 are given below :—

Act	Common Textile	Milk (Dairy)	Chemical	Textile Processing	Hosery	Banking	Sugar	Misc	Transport	Total
B. I. R. Act, 1946	1	1	4	1	6	7	8	0	10	11
	1	1	..	..	1	..	..	..	..	2
Act	Textile Industry	Paper Industry	Chemical Industry	Press Industry	Electricity	Banking	Chemical Engineering	Local (Bawle)	Other Misc	Total
B. I. R. (Extension and Amendment) Act, 1964	1	1	1	5	6	7	8	9	10	11
	..	..	..	..	1	..	..	..	1	1

District-wise analysis is given belows—

Act	Bombay	Pune	Thane	Nagpur	Nanded	Aurangabad	Ahmednagar	Total
B. I. R. Act 1946	2	3	4	5	6	7	8	9
	2	..	..	..	..	..	..	2

Act	Amravati	Bombay	Wardha	Chandrapur	Nagpur	Buldana	Total
B. I. R. (Extension and Amendment) Act, 1964	2	3	4	5	6	7	8
	..	..	..	..	..	..	1

INDUSTRIAL DISPUTES IN MAHARASHTRA STATE DURING NOVEMBER 1985

	Nov. 1985	Oct. 1985	Nov. 1984
No. of Disputes	43	38	47
No. of Workers involved	9,733	10,303	17,857
No. of Man-days lost	1,94,106	1,86,744	3,79,704

Industry-wise classification is given below :—

Sector of the Industry Group	Number of disputes in progress			Number of work people involved in all disputes	Aggregate man-days lost in
	Started before beginning of the month i.e. before Nov. 1985	Started during the month i.e. Nov. 1985	Total		
1	2	3	4	5	6
Textile	20	2	22	5,567	99,574
Engineering	13	1	14	2,755	59,613
Chemical	5	..	5	25,091	2,31,907
Nov. 1985 Total	40	3	43	9,733	1,94,106
Oct. 1985 Total	36	2	38	10,303	1,86,744

Nineteen of the 43 disputes arose over question of "pay, allowances and bonus issues" 5 related to "Retrenchment and grievances about personnel and the Remaining 19 were due to other causes.

Out of the 11 disputes that terminated during the course of the month 6 disputes were settled entirely in favour of the workers and 5 Unsuccessful.

Note.—The figures given in the above Table are based on returns received under the Industrial Disputes Act, 1947. In compiling statistics of the industrial disputes, however, only those disputes in which 10 or more persons are involved, are included.

1

THE FOLLOWING STATEMENT GIVES THE DETAILED INFORMATION OF IMPORTANT INDUSTRIAL DISPUTES CAUSING MORE THAN 10,000 MANDAYS LOST DURING THE MONTH OF NOVEMBER 1985.

Name of the Concern	Sector	S/L	Reason	Date of work stoppages		No. of workers Involved	Mandays lost		Result
				Began	Ended		During the month	Till the close of the month	
2	3	4	5	6	7	8	9	10	11
<i>Bombay</i> S. Tekson Ltd., Koshet Road, Thane.	Pvt.	S	Reinstatement	20-4-81	—	459	10,728	6,38,298	Continued.
<i>Bombay</i> Strella Batteries Ltd., Plot No. 1, Dharavi, Matunga, Bombay-400 019.	Pvt.	L	Unfair Labour Practices	3-11-83	—	1,170	22,724	6,98,094	—
<i>Bombay</i> Bombay Forging Pvt. Ltd., Vidyanagari Marg, Kalina, Bombay-98.	Pvt.	S	Others Fighting amongst the workmen	11-7-84	—	625	16,172	2,69,998	—
<i>Bombay</i> The Indian Smelting Refining Co. Ltd., L. B. S. Marg, Bhandup Bombay 400 078.	Pvt.	S	Genl. Demand Wages, D. A. etc.	10-12-84	—	1,007	15,932	2,34,715	—
<i>Bombay</i> Ajit Glass Works Pvt. Ltd., Swami Vivakanand Rd., Jogeshwari (West), Bombay-400 102.	Pvt.	L	Go-slow agitation by workers for Bonus	24-11-84	—	416	10,816	1,33,120	—

THE FOLLOWING STATEMENT GIVES THE DETAILED INFORMATION OF IMPORTANT INDUSTRIAL DISPUTES CAUSING MORE THAN 10,000 MANDAYS LOST DURING THE MONTH OF NOVEMBER 1985.

Name of the Concern	Sector	S/L	Reason	Date of Work stoppages		No. of workers Involved	Mandays lost		Result
				Began	Ended		During the month	Till the close of the month	
2	3	4	5	6	7	8	9	10	11
<i>Bombay</i> Everest Building Products Ltd., Jathashanka Dosa Road, Mulund, Bombay 400 80.	Pvt.	L	As sault on the threats inti-personnel midition to Mgf. Staff Go-slow.	16-7-85	—	654	16,874	77,356	Continued.
<i>Chandrapur</i> Larsen and Toubro Ltd., Awarpur Cement Works, Post Office Taluka Rajura, Chandrapur, (M. S.) (Pvt.).	Pvt.	S	20 per cent Bonus + 15 per cent Exgratia	27-10-85	—	942	22,158	26,865	..

LABOUR GAZETTE—FEBRUARY 1986

LABOUR GAZETTE—FEBRUARY 1986

Press note on ESIS benefit in Maharashtra and Goa

The Employees' State Insurance Scheme protects the industrial workers as defined under the ESI Act in the event of Sickness, Maternity, Disability and Death, up to employment injury besides providing full medical care to the workers and their families.

In Maharashtra 12,87,209 employees were under the coverage of the Scheme in the month of December 1985. The high lights of the benefit paid to the employees were as follows

ESIS has paid Rs. 97 lakhs as Cash Benefit in December 1985.

(I) 46,979 workers were paid Rs. 45,58,250.60 on account of Sickness and Rs. 3,25,184.75 were paid for the long term diseases, e.g., T.B., Cancer, Hemiplegia, Paraplegia, Psychosis etc.

(II) 20,214 workers were paid Rs. 43,26,027.12 on account of accident as employment injury which included 7,790 cases for the permanent disablement and 2,400 for pension to the dependents/families due to death of the workers in the accidents.

(III) Rs. 4,85,301.50 were paid to the women workers as Maternity Benefit for the period of confinement. In addition to the above 25 per cent were sterilized and they were paid Rs. 5,714.00 as family planning benefits.

(IV) There were 172 cases where legal proceedings were initiated against defaulting employers/Insured Persons for the recovery of arrears of contributions as under :

- (1) Under Section 45B : 137 cases.
- (2) Under Section 75 : 12 cases.
- (3) Under Section 84 : 6 cases.
- (4) Under Section 85 : 17 cases.

Corrigendum

The figures of Wages Board for Cotton Textile Industry as shown in Column No. 1 may be read as shown in column No. 2 :—

	1	2
(1) September 1984	42	—
(2) December 1984	—	4
(3) January 1985	42	—
(4) March 1985	42	—
(5) May 1985	—	2
(6) June 1985	42	—
(7) August 1985	—	2
(8) September 1985	42	—
(9) October 1985	42	—
(10) November 1985	42	—

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