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GOVERNMENT OF MANIPUR
SECRETARIAT- INDUSTRIES & LABOUR DEPARTMENT

NOTIFICATION

Imphal, the 18th March, 1966

No. 69/8/62/Lab.- In exercise of the powers conferred on him by sub-section (2) of section 26 of the Payment of Wages Act, 1936 (Act No. IV of 1936) read with the Government of India, late Ministry of State Notification No. 104-3, dated the 24th August, 1950 the Chief Commissioner, Manipur hereby makes the following rules after previously published in an extraordinary issue of the Manipur Gazette dated 16th October, 1965 for carrying out the purposes of the aforesaid Act.

By order, etc.

H. RANBIR SINGH

Secretary to the Government of Manipur.

MANIPUR PAYMENT OF WAGES RULES, 1966.

1. Title - These rules may be called **the Manipur Payment of Wages rules, 1966.**
2. Definitions - .- In these rules, unless there is anything repugnant in the subject or context -
 - (a) "the Act" means the Payment of Wages Act, 1946 (IV of 1936);
 - (b) "the Authority" means the authority appointed under sub-section (1) of section 15;
 - (c) "the Chief Inspector of Factories" means the Chief Inspector of Factories appointed under sub-section (2) of section 8 of the Factories Act, 1948 (63 of 1948);
 - (d) "the Court" mean the court mentioned in sub-section (1) of section 17;
 - (e) "deduction for breach of contract" means deduction made in accordance with the provisions of the sub-section (2) of section 9;
 - (f) "deduction for damage or loss" means a deduction made in accordance with the provisions of clause (c) of sub-section (2) of section 7.
 - (g) "Form" means a form appended to those rules;
 - (h) "Inspector" means the Inspector authorised by or under section 14;
 - (i) "person employed" excludes all persons to the payment of whose wages the Act does not apply;
 - (j) "section" means a section of the Act;
 - (k) "paymaster" means an employer or other persons responsible under section 3 for the payment of wages.
3. Register of Fines –
 - (1) In any factory in respect of which the employer has obtained approval under sub-section (1) of section 8 to a list of acts and omissions in respect of which fines may be imposed, the paymaster shall maintain a register of fines in Form I.
 - (2) At the beginning of the register of fines there shall be entered serially numbered the approved purpose or purposes on which the fines realized to be expended.
 - (3) A voucher or receipt in respect of any amount disbursed shall be maintained and produced as and when demanded by the Inspector.

4. Register of deductions for damage or loss – In every factory in which deduction for damage or loss is made, the paymaster shall maintain the register required by sub-section (2) of section 10 in Form II.
5. Register of wages – A register of wages shall be maintained in every factory and may be kept in such form as the paymaster finds convenient, but shall include the following particulars:
 - (a). the gross wages earned by each person employed for each wages period;
 - (b). all deductions made from those wages , with an indication in each case of the clause of sub-section (2) of section 7 under which the deduction is made; and
 - (c). the wages actually paid to each person employed for each wages period.
6. Maintenance of registers – The registers required to be maintained by rules 3, 4, 5 and 18 shall be preserved for a periods of three years after the date of the last entry made therein.
7. Display of wages-rates - In every factory a notice in Form III in English, Hindi and Manipuri shall be displayed by the paymaster in a conspicuous place at or near the entrance of each department or group of departments specifying the rates of wages payable to all classes of workers other than these holding positions of supervision or management. When the rates of wages are revised or a new class of work introduced, the necessary alterations shall be made by the paymaster in the said notice and dated.

This notice shall be preserved for period of six months, after the date of its replacement by a new notice and shall be available to an Inspector on demand for the purposes of inspection.

8. Weight and measures –
 - (1) All weights, measures, or weighing machines which are used in checking, or ascertaining the wages of persons employed in any factory shall be examined at least biannually by an inspector who may prohibit the use of any weight, measures or weighing machine which he finds to register incorrectly.
 - (2) If the Inspector considers that any action taken should be taken under the Rajasthan Weights & Measures (Enforcement) Act, 1958 as extended to the Union Territory of Manipur, or the Indian Penal code (XLV of 1960) he may seize the article in question and shall record his opinion and send it to the District Magistrate for such action as he may think fit.
9. Notice of dates of payment:- The paymaster shall display in conspicuous place at or near the main entrance of the factory , a notice, in English and in the language of the majority of the persons employed therein, giving for not less than one month in advance, the days on which wages are to be paid.

Provided that an employed person who is absent any such day shall be paid his wages on any working day before the expiry of the third working day after the day on which a demand is made by him for the same.
10. Prescribed Authority :- The Chief Inspector of Factories in the case of Factories, and the Labour Commissioner in other cases shall be the authority competent to approve under sub-section (1) of section 8, the acts and omission in respect of which fitness may be imposed and under sub-section (8) of section 8, the purposes for which the proceeds of fine shall be applied.
11. Application in respect of acts and omission for which fines may be imposed:- Every employer requiring the power to impose fines in respect of any acts or omission on the part of the employed persons shall send to the Chief Inspector of factories or the Labour Commissioner, as the case may be, along with his application,-
 - (a) A list in English, in duplicate, clearly defining such acts and omission;
 - (b) In cases where the employer himself does not intend to be the sole person empowered to impose fines, a list in duplicate showing those appointment of which

the incumbents may pass other imposing fines and the class of establishment on which the incumbent of each appointment may impose fine.

12. Approval of list of acts and omissions:- The authority appointed under rule 10 on receipt of the list prescribed in rule 11(a) may, after such inquiry as it considers necessary, pass orders either –
 - (a) disapproving the list, or
 - (b) approving the list either in its original form or as amended by it in which case such lists shall be considered to be an approved list provided that no order disapproving or amending any list shall be passed unless the employer shall have been given an opportunity of showing cause orally or in writing why the list as submitted by him should not be disapproved or amended.
13. Posting of lists:- The employer shall display at or near the main entrance of the factory a copy in English, together with a literal translation thereof, in a language of the majority of the person employed therein of the list approved under rule 12.
14. Power authorised to impose fines:- No fine may be imposed by any person other than an employer, or a person holding an appointment named in a list submitted under rule 11(b).
15. Procedure in imposing fines and deductions:- Any person desiring to impose a fine on an employed person or to take a deduction for damage or loss shall explain personally to the said person the acts or omission, or damage or loss, in respect of which the fine or deduction is imposed to be imposed or made and the amount of fine and deduction, which it is proposed to impose or make and shall take his explanation, either orally in the presence of at least one other person or in writing as the employed person may prefer.
16. Information to paymaster:- The person imposing a fine or directing the making of a deduction for damage or loss shall, without unnecessary delay, inform the paymaster of all particulars so that the entries in the register prescribed in rule or rule 4 may be duly completed.
17. Deduction for breach of contract -
 - (1) No deduction for breach of contract shall be made from the wage of an employed person who is under the age of 15 years or is a woman.
 - (2) No deduction for breach of contract shall be made from the wage of an employed person unless –
 - (a) There is a provision in writing forming part of the terms of the contract of employment requiring him to give notice of the termination of his employment; and
 - i) The period of this notice does not exceed fifteen days or the wage-period, whichever is less ; and
 - ii) The period of this notice does not also exceed the period of notice which the employer is required to give of the termination of that employment ;
 - (b) This rule has been displayed in English together with a translation in the language of the majority of the employed persons at or near the main entrance of the factory and has been so displayed for not less than one month before the commencement of the absence in respect of which the deduction is made.
 - (c) A notice has been displayed at or near the main entrance of the factory giving the name of the persons from whom the deduction is proposed to be made, the number of days wages to be deducted and the conditions, if any, on which the deduction will be remitted; Provided that where the deduction is proposed to be made from all the persons employed in any departments or sections of the Factory, it shall be sufficient, in lieu of giving the names of

the person in such departments or sections to specify the departments or sections affected.

- (3) No deduction for breach of contract shall be exceed the wages of the person employed for the period by which the notice of termination of service given falls short of the period of such notice required by the contract of employment.

18. Advances -

- (1) An advance of wages not already earned shall not without the previous permission of an inspector, exceed an amount equivalent to the wages earned by the employed persons during the preceding two calendar months, or he has not been employed for that period, twice the wages he is likely to earn during the two subsequent calendar months.
- (2) The advance may be recovered in installment by deduction from wages spread over not more than twelve months. No installments shall exceed one-third ,or where the wages for any wage period are not more than twenty rupees, one-fourth of the wages for the wage-period in respect of which the deduction is made.
- (3) The amounts of all advances sanctioned and the repayment thereof shall be entered in a register in Form IV.

19. Annual return - In respect of every factory or other establishment a return shall be sent in Form V so as to reach the Chief Inspector of Factories or the Labour Commissioner, as the case may be, not later than the 15th of February following the end of the calendar year to which it relates.

20. Costs -

- (1) Where the Authority or the Court, as the case may be directs that any cost shall not follow the event, it shall state the reasons for so doing in writing.
- (2) The cost which may be awarded shall include (a) the charges necessarily incurred on account off court-fees; (b) the charges necessarily incurred on diet money and travelling expenses to witnesses ; and (c) pleader's fees which shall ordinarily be Rs 10, provided that the authority or the Court as the case may be , in any proceedings may reduce the fee to a sum not less than Rs 5 or increase it to a sum not exceeding Rs 30.
- (3) When a party engages more pleaders than one to conduct or defend a case, he shall be allowed one set of costs only.

21. Fees for obtaining copies:- The Authority or the Court, in the case may be, may fix fees on the payment of which any person entitled to do so may obtained copies of any documents filed with it . Provided that the Authority or the Court, as the case may be, may in consideration if the poverty of the applicant grant copies fee of cost.

22. Fees – The fees payable in respect of proceedings under the act shall be –

- | | | |
|------|--|--|
| i) | For every applications to
summon a witness. | Twenty –five paise in respect of each
Witness. |
| ii) | For every other application made by
or on behalf of an individual person
before the authority. | Fifty paise. |
| iii) | For every other application made by
or on behalf of an unpaid group
before the authority. | Twenty five paise for each member of
of the group subject to a maximum of
five rupees. |
| iv) | For every appeal lodge with the Court. | Two rupees and fifty paise for hundred
rupees or portion thereof and fifty paise for
every additional hundred rupees or portion
thereof, subject to a maximum of ten
rupees. |

- v) For every other miscellaneous application filed before the Court. Fifty paise.

Provided that the Authority or the court may, in consideration of the poverty of the applicant, reduce or remit this fee;

Provided further that no fee shall be chargeable in respect of an application presented by an inspector.

23. Abstract :- The abstract of the Act and of the Rules made thereunder to be displayed under section 25 shall be in Form VI.
24. Penalties – A breach of any rules 3, 4, 5, 6, 7, 9, 13, 16 and 19 of these rules shall be punishable with a fine which may extend to two hundred rupees.
25. Application of the rules to industrial establishments - The provision contained in these rules applicable to a Factory shall nutalis nutandis apply to any industrial establishment to which the Act or these rules may be extended as they apply to factory.

FORM III
(see rule 7)

Name of factory :

Name of Department :

Date from which wage-rates will be or are in force

Class or description of work	Rate of wages			Allowances, if any
	Rs	Paise	Per unit	

Name of the paymaster

Signature

Date

FORM IV
(see rule 18)
REGISTER OF ADVANCES MADE TO EMPLOYED PERSONS
----- **FACTORY** -----

Sl. No.	Name	Father's Name	Department	Date and amount of advances made	Purpose(s) for which advance made	Number of installments by which advance to be repaid	Postponements granted	Date & Total amount repaid	Remarks
1	2	3	4	5	6	7	8	9	10

FORM V
(see rule 19)

WAGES AND DEDUCTIONS FROM WAGES
Returns for the year ending 31st December,

- 1 (a) Name of factory or establishment
and postal address :
- (b) Industry :
- 2 (a) Number of days worked during
the year :
- 3 (a) Average daily number of persons
employed during the year. :
Adult :
Children :
- (b) Gross amount paid as remuneration to these persons including deductions
under section 7(2) Rs..... Of which the amount due to profit sharing bonus is
Rs and that due to money value of concession is Rs
- 4 Total wages paid including deductions under section 7(2) on the following accounts.
(a) Basis wages including non-profit sharing bonus
(b) dearness and other allowance in cash
(c) overtime wages
(d) arrears of pay in respect of previous years during the year
- 5 Number of cases and amount realized as :

Number of cases	Amount
1	2
(a) Fines (b) deductions for damage or loss © deduction for breach of contract (d)	

- 6 Disbursement from find Fund:

Purposes	Amount
(a)	
(b)	
(c)	
(d)	

- 7 Balance of fines in hand at the end of year

Dated

Signature
Designation