

List of notifications issued under various Labour Laws & Acts:-

1. Appointment of Inspectors under Payment of Wages Act, 1936 at P-.108-109.
2. Appointment of Inspectors under Working Journalist and other Newspaper Employees (CS) and Miscellaneous Provisions Act, 1955 at P-.110.
3. Payment of Wages Rules, 1988 at P-.111-120.
4. The Industrial Employment (Standing Orders) Arunachal Pradesh (Amendment) Rules, 2020 at P-.121-122.
5. Transparent Inspection Policy at P-.123-131.
6. Self Certification Schemes at P-.132-142.
7. The Industrial Disputes (Arunachal Pradesh Amendment) Act, 2020 at P-.143-145.
8. Appointment of Authority under Minimum Wages Act, 1948 at P-.146-147.
9. Notification on minimum rates of wages notified vide No.LAB(MW)-22/2016 dated 01/07/2016 at P-.148-155.
10. The Arunachal Pradesh Minimum Wages Rules, 1993 at P-.156-177.
11. Appointment of Inspectors under Minimum Wages Act, 1948 at P-.178.

(108) (7)

GOVERNMENT OF ARUNACHAL PRADESH  
DEPARTMENT OF LABOUR AND EMPLOYMENT  
ITANAGAR

Memo. No. LAB (MW) 02/2017/1602-45

Dated, Itanagar the 10<sup>th</sup> July 2018

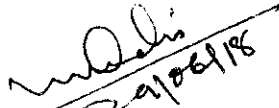
NOTIFICATION

In exercise of the power conferred by sub-section (3) of Section 14 of the Payment of Wages Act, 1936 (No. 14 of 1936), and in supersession of this departments' notification No. LAB (LAW) 160/93/I dated Naharlagun, 26<sup>th</sup> June, 1995, the Governor of Arunachal Pradesh is pleased to appoint the following officers mentioned in column (2) of the table below to be the "INSPECTORS" for the purpose of the said Act within the local limit of their respective jurisdiction specified in column (3) of the table, namely:-

TABLE

Sl. No	Officers	Jurisdiction
1	2	3
1.	Dy. Labour Commissioner	For whole of Arunachal Pradesh
2.	Assistant Labour Commissioner-I	
3.	Assistant Labour Commissioner-II	
4.	Labour Officer/In-charge LO, Tawang	For whole of Tawang District
5.	Labour Officer, Bomdila	For whole of West Kameng District
6.	Labour Officer, Seppa	For whole of East Kameng District
7.	Labour Officer/In-charge LO, Capital Complex, Itanagar	For whole of Capital Complex, Itanagar
8.	Labour Inspectors Itanagar	For whole of Capital Complex, Itanagar
9.	Labour Officer/In-charge LO, Yupia	For whole of Papum-pare District
10.	Labour Officer, Ziro	For whole of Lower Subansiri District
11.	Labour Officer/In-charge LO, Jamin	For whole of Kra-Dadi District
12.	Labour Officer, Koloriang	For whole of Kurung Kumey District
13.	Labour Officer, Daporijo	For whole of Upper Subansiri District
14.	Labour Officer, Aalo	For whole of West Siang District
15.	Labour Officer/In-charge LO, Pangin	For whole of Siang District
16.	Labour Officer, Yingkiang	For whole of Upper Siang District
17.	Labour Officer, Pasighat	For whole of East Siang District
18.	Labour Officer, Roing	For whole of Lower Dibang Valley District
19.	Labour Officer, Tezu	For whole of Lohit District
20.	Labour Officer/In-charge LO, Anini	For whole of Dibang Valley District
21.	Labour Officer/In-charge LO, Namsai	For whole of Namsai District
22.	Labour Officer, Hawaii	For whole of Anjaw District
23.	Labour Officer, Khonsa	For whole of Tirap District
24.	Labour Officer/In-charge LO, Longding	For whole of Longding District
25.	Labour Officer, Changlang	For whole of Changlang District
26.	Labour Officer/In-charge LO, Likabali	For whole of Lower Siang District
27.	Labour Officer/In-charge LO, Raga	For whole of Kamle District

This order shall come into force with immediate effect.

  
 (Kapa Kholie)  
 Secretary (L&E)  
 Government of Arunachal Pradesh  
 Itanagar.

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109 8


Memo. No. LAB (MW) 02/2017

Dated, Itanagar the 1<sup>st</sup> July 2018

Copy to:-

1. Secretary to HE Governor of Arunachal Pradesh, Itanagar.
2. The PPS to HCM Arunachal Pradesh, Itanagar.
3. The PS to Speaker/Dy. Speaker Govt. of Arunachal Pradesh, Itanagar.
4. The PS to all Hon'ble Ministers, Govt. of Arunachal Pradesh, Itanagar.
5. The PS to all Parliamentary Secretary, Govt. of Arunachal Pradesh, Itanagar.
6. The PS to Chief Secretary, Govt. of Arunachal Pradesh, Itanagar.
7. The PS to Principal Secretaries/Commissioners/Secretaries Govt. of Arunachal Pradesh, Itanagar.
8. The Director, General, (Labour Welfare), Ministry of Labour and Employment, Govt. of India, New Delhi.
9. All the Head of Departments, Govt. of Arunachal Pradesh, Itanagar/Naharlagun/Nirjuli.
10. All Dy. Commissioner, Arunachal Pradesh.
11. All Labour Officers/i/c LO, Arunachal Pradesh.
12. The Director, Printing, Govt. of Arunachal Pradesh, Papu Nallah for publication in the next issue of extra-ordinary gazette and supply us 200 copies of notification for office use.
13. Office copy.

Issued  
10/07/18

  
29/06/18  
Secretary (L&E)  
Government of Arunachal Pradesh  
Itanagar.

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## NOTIFICATION

The 24th July, 2015

No. LAB (W) 61/2002.— In exercise of the power conferred by sub-section(1) of section 17 B of the Working Journalist and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955) and in suppression of Notification No. LAB (W) 126/2003 (pt) dated, Itanagar, the 26th April, 2004, the Governor of Arunachal Pradesh is please to appoint the officers mentioned in column (2) of the table below to be the "Inspectors" for the purpose as laid down in section (2) of the said Act within the local limits of their respective jurisdiction specified in the corresponding entries of column (3) of the table, namely :-

Sl. No.	Officer	Area
1	2	3
1.	Labour Commissioner	Itanagar — Whole of Arunachal Pradesh
2.	Labour Officer	Khonsa — Tirap District and Longding District
3.	Labour Officer	Tezu — Lohit District and Namsai District
4.	Labour Officer	Bomdila — West kameng District and Tawang District
5.	Labour Officer	Ziro — Lower Subansiri District
6.	Labour Officer	Pasighat — East Siang District and Siang District
7.	Labour Officer	Changlang — Changlang District
8.	Labour Officer	Along — West Siang District
9.	Labour Officer	Roing — Lower Dibang Valley District and Dibang Valley District
10.	Labour Officer	Seppa — East Kameng District
11.	Labour Officer	Daporijo — Upper Subansiri District
12.	Labour Officer	Yingkiong — Upper Siang District
13.	Labour Officer	Koloriang — Kurung Kumey District and Kra Dadi District
14.	Labour Officer	Hawai — Anjaw District
15.	Labour Officer (HQ)	Itanagar — Capital Complex and Papum Pare District
16.	Labour Inspectors	Itanagar — Capital Complex and Papum Pare District.

This order shall be deemed to have come into force with effect from 1st October, 2014.

Satya Gopal  
Principal Secretary (Labour and Employment),  
Government of Arunachal Pradesh,  
Itanagar.



# The Arunachal Pradesh Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 249, Vol. IV, Naharlagun, Thursday, June 14, 1990, Jaistha 24, 1912 (Saka)

GOVERNMENT OF ARUNACHAL PRADESH  
DEPARTMENT OF LABOUR  
NAHARLAGUN

## NOTIFICATION

The 14th June, 1990

No. LAB-69/88.—Whereas the draft of "The Arunachal Pradesh Payment of Wages Rules, 1988" was published as required by sub-section (5) of section 26 of the Payment of Wages Act, 1936 (IV of 1936) at pages 304-313 of the Arunachal Pradesh Gazette, Part-III, No. 18, Volume-II dated 17th April, 1989 under the notification of the Government of Arunachal Pradesh, Department of Labour, No. LAB-69/88 dated 10th March, 1989;

And whereas no objection or suggestion has been received by the government on the aforesaid draft rules.

Now, therefore, in exercise of the powers conferred by sub-section (2), (3) and (4) of section 26 of the Payment of Wages Act, 1936 (IV of 1936), the Governor of Arunachal Pradesh hereby makes the following rules.

1. **Short title, extent and commencement:** (1) These rules may be called the Arunachal Pradesh Payment of Wages Rules, 1988.

(2) They shall extend to the whole of the State of Arunachal Pradesh.

(3) They shall come into force on such date as may be notified by the Government of Arunachal Pradesh in the official Gazette.

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

(a) "Act" means the Payment of Wages Act, 1936;

(b) "Authority" means the authority appointed under sub-section (1) of the section 15 of the Act;

(c) "Court" means the Court mentioned in sub-section (1) of section 17 of the Act;

(d) "Deputy Labour Commissioner" means the officer appointed as such by the Government of Arunachal Pradesh;

(e) "deduction for breach of contract" means a deduction made in accordance with the proviso to sub-section (2) of section 9;

(f) "deduction for damage or loss" means a deduction made in accordance with provision of clause (c) of sub-section (2) of section 7;

(g) "employer" includes the persons responsible for the payment of wages under section 3 of the Act;

(h) "Form" means a form appended to these rules;

(i) "Inspector" means the inspector authorised or appointed under section 14 of the Act;

(j) "persons employed" means all person to whom the Act applied;

(k) "Section" means section of the Act;

- (l) "paymaster" means an employer or other person responsible under section 3 of the Act for the payment of wages;
- (m) "contractor" means a person fulfilling, either directly or through a sub-contractor, a contract with an employer;
- (n) words and expression used in these rules and not defined herein but defined in the Act shall have the same meaning as in the Act.

3. **Register of fines :** (1) In any factory, industrial or other establishment 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 these shall be entered serially numbered the approved purpose or purposes on which the fines realised are to be expended.

(3) When any disbursements are made from the fines realised, a deduction entry of the amount so expended shall be made in the Register of Fines, and a voucher or receipt in respect of the amount shall be affixed to the Register; if more than one purpose has been approved, the entry of the disbursement shall also indicate the purpose for which it is made.

4. **Register of deduction for damage or loss :** (1) In every factory, industrial or other establishment in which deductions for damage or loss are made, the paymaster shall maintain the Register required by sub-section (2) of section 10 in Form—II.

(2) Where no deduction has been made from the wages of any employee in a wage period, a 'nil' entry shall be made across the body of the register at the end of wage period to which 'nil' entry relates.

5. **Register of wages :** A register of wages shall be maintained by every employer and may be kept in such form as the paymaster finds convenient. The said register shall include the following particulars :—

- (a) the gross wages of each person employed for each wage 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 deduction is made;
- (c) the wages actually paid to each person employed for each wage period and the date of payment.

6. **Maintenance of registers :** The registers required by rules 3, 4, 5 and 17 shall be preserved for twelve months after the date of the last entry made in them at the work spot and be produced before the Inspector on demand at the work spot.

The registers shall normally be maintained in English, but where they are maintained in any other language other than English, a true translation thereof in English shall be made available.

7. **Notice of wage period, and dates of payment and names and addresses of Inspectors :** (1) The paymaster shall display in conspicuous place at or near the main-entrance of the factory, industrial or other establishment, as the case may be, a notice in English and in the language of the majority of the persons employed therein, showing :—

- (i) the wage period for which wages are payable;
- (ii) the days or dates on which wages are to be paid;
- (iii) the days or dates on which unpaid are to be paid; and
- (iv) names and address of Inspectors having 'Jurisdiction'.

(2) Every such notice shall be maintained in a clean and legible condition.

(3) A copy of every such notice and of any alteration therein shall be sent to the Inspector not less than two weeks in advance of the day or date on which wages are to be paid.

8. **Supervision of payment :** On direction of the Inspector the paymaster or his representative at the work spot shall pay wages to the employed person under his supervision.

9. **Prescribed authority :** The Deputy Labour Commissioner or any other officer appointed by the Government of Arunachal Pradesh shall be the authority competent to approve under sub-section (1) of section 8, acts and omissions in respect of which fines may be imposed and under sub-section (8) of section 8, the purpose on which the proceeds of fines shall be applied.

10. **Application in respect of fines :** Every employer requiring the power to impose fines in respect of any acts and omissions on the part of employed persons shall send to the Deputy Labour Commissioner or any other officer appointed by Government of Arunachal Pradesh :—

- (a) a list, in English, in duplicate, clearly defining such acts and omissions ;
- (b) in case where the employer himself does not intend to be the sole authority empowered to impose fines, a list in duplicate, showing those appointments in his factory, industrial or other establishment, as the case may be of which the incumbents may pass orders imposing fines and the class of establishment on which the incumbent of each such appointment may impose fines.

11. **Approval of list of acts and omissions :** The authority appointed under rule 9 on receipt of the list prescribed in clause (a) of rule 10 may, after such enquiry as he considers necessary, pass orders either :—

- (a) disapproving the list ; or
- (b) approving the list either in its original form or as amended by him, in case such list shall be deemed to have been approved under sub-section (1) of section 8 provided that no order disapproving or amending the list shall be passed unless the employer shall have been given an opportunity of showing cause oral or in writing against such order.

12. **Posting of list :** The employer shall display at or near the main entrance of every factory of industrial or other establishment a copy in English, together with a literal translation thereof, in the language of the majority of the persons employed therein of the list of acts and omissions approved by the authority prescribed under rule 9.

13. **Persons authorised to impose fines :** (1) No fine may be imposed by any person other than an employer or a person holding an appointment named in a list submitted under clause (b) of rule 10.

(2) In case of persons employed by a contractor, no fines may be imposed by any other than the contractor.

14. **Procedure for imposing fines and deductions for loss or damage :** Any person deservine to impose a fine or an employed person or make deduction for damage or loss shall explain personally to the said person the act or omission, or damage or loss, in respect of which the fine or deduction is proposed to be imposed and the amount of the fine or deduction which it is proposed to impose and shall hear his explanation in the presence of at least one other person.

15. **Information to paymaster :** The person imposing a fine or directing the making of a deduction for damage or loss shall (unless such person is a paymaster) at the once inform the paymaster of all particulars so that the register prescribed in rule 3 or rule 4, as the case may be duly completed.

16. **Deductions under proviso to sub-section (2) of section 9 :** (1) No deduction under the proviso to sub-section (2) of section 9 shall be made from the wages of an employed person who is under the age of fifteen year or is a woman.

(2) No such deduction shall be made from the wages of any employed person unless :—

(a) there is provision in writing in the terms of contract of employment requiring him to give notice of termination of his employment ; and

(i) the period of the notice does not exceed fifteen days or the wage period whichever is less ; and

(ii) the period of this notice does not 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 and in the language of the majority of the employed persons at or near the main entrance of the factory or industrial or other establishment, as the case may be, and has been so displayed for not less than one month before commencement of the absence in respect of which the deduction is made ; and

9. **Prescribed authority :** The Deputy Labour Commissioner or any other officer appointed by the Government of Arunachal Pradesh shall be the authority competent to approve under sub-section (1) of section 8, acts and omissions in respect of which fines may be imposed and under sub-section (8) of section 8, the purpose on which the proceeds of fines shall be applied.

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- (a) a list, in English, in duplicate, clearly defining such acts and omissions ;
- (b) in case where the employer himself does not intend to be the sole authority empowered to impose fines, a list in duplicate, showing those appointments in his factory, industrial or other establishment, as the case may be of which the incumbents may pass orders imposing fines and the class of establishment on which the incumbent of each such appointment may impose fines.

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(2) In case of persons employed by a contractor, no fines may be imposed by any other than the contractor.

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15. **Information to paymaster :** The person imposing a fine or directing the making of a deduction for damage or loss shall (unless such person is a paymaster) at the once inform the paymaster of all particulars so that the register prescribed in rule 3 or rule 4, as the case may be duly completed.

16. **Deductions under proviso to sub-section (2) of section 9 :** (1) No deduction under the proviso to sub-section (2) of section 9 shall be made from the wages of an employed person who is under the age of fifteen year or is a woman.

(2) No such deduction shall be made from the wages of any employed person unless :—

(a) there is provision in writing in the terms of contract of employment requiring him to give notice of termination of his employment ; and

(i) the period of the notice does not exceed fifteen days or the wage period whichever is less ; and

(ii) the period of this notice does not 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 and in the language of the majority of the employed persons at or near the main entrance of the factory or industrial or other establishment, as the case may be, and has been so displayed for not less than one month before commencement of the absence in respect of which the deduction is made ; and



(c) a notice has been displayed at or near the main entrance of the factory or industrial or other establishment, as the case may be, giving the names of the persons from whom the deduction is proposed to be made, the number of days, wages to be deducted and the condition (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, industrial or other establishment, it shall be sufficient, in lieu of giving the names of the persons in such departments or sections to specify the departments or section affected.

(3) No such deduction shall 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.

(4) If any conditions have been specified in the notice displayed under clause (c) of sub-rule (2) no such deduction shall be made from any person who has complied with such conditions.

17. **Advances :** (1) An advance of wages not already earned shall not ordinarily exceed the amount equal to two calendar months' wages of the employed person. In exceptional cases, the amount of such advance may, with the previous sanction of the Inspector, be made to the extent of four calendar months' wages.

(2) The advance may be recovered in instalments by deductions from wages spread over not more than twelve months in the case of ordinary advance and 20 months in the case of special advance. In no case shall the amount of instalment exceed one-fourth of the wages earned in one month.

(3) The amount of all advances sanctioned and the repayment thereof shall be entered in form—III.

18. **Annual return :** Every employer shall send a return in form—IV so as to reach the Deputy Labour Commissioner or any other officer appointed by the Government of Arunachal Pradesh not later than the 15th of February following the end of the calendar year to which it relates.

19. **Costs :** The cost which may be awarded in proceeding under the Act shall include :—

- (a) the charges necessarily incurred on account of court fees ;
- (b) the charges necessarily incurred on subsistence money to witness ; and
- (c) Advocate fee which shall ordinarily be Rs. 50 provided that the authority or the court, as the case may be, in any proceeding may reduce the fees to a sum of Rs. 25.

(2) When a party engages more advocates than one to defend a case he shall be allowed one set of costs only.

20. The authority or the court, as the case may be, may fix fee on the payment of which any person entitled to do so may obtain copies of any documents filed with the authority or the court as the case may be :

Provided that the authority or the court, as the case may be, may, in consideration of poverty of the applicant grant copies free of cost.

21. **Fees :** The fees payable in respect of proceeding under the Act shall be :—

- (i) For every applicant to summon a witness. — one rupee in respect of each witness.
- (ii) For any other applicant made by or on behalf of an individual person before the authority. — Rs. 2.00 (Rupees two)
- (iii) For every application made by or on behalf of an unpaid group before the authority. — one rupee for each number of the group subject to maximum of Rs. 20 (Rupees twenty)
- (iv) For every appeal lodged with the court. — Rs. 20 (Rupees twenty)

Provided that the authority or the court may in consideration of the poverty of the applicant, reduce this fee ; provided further that no fee shall be chargeable in respect of an application presented by an Inspector.



1176

FORM—II

[ See Rule 4 (1) ]

Register of deduction for damage or loss caused to the employer by the neglect or default of the employed persons.

Name of the Factory/Industrial establishment.....

Sl. No.	Name	Father's name	Department/Section	Act or Omission for which fine imposed
1	2	3	4	5

Whether workman showed cause against fines or not, if so enter date	Date and Amount of deduction imposed	No. of instalments if any	Date on which total amount was realised	Remarks
6	7	8	9	10

FORM—III

[See Rule 17 (3)]

Register of advances made to employed persons

Name of Factory/Industrial establishment.....

Sl. No.	Name	Father's name	Department/Section	Date of amount of advance made
1	2	3	4	5

Purpose(s) for which advance made	No. of instalments by which advance to be repaid	Postponment grant	Date on which total amount repaid	Remarks
6	7	8	9	10

(119)

FORM-IV  
(See Rule 18)  
ANNUAL RETURN

Return for the year ending 31st December, 19.....

1. Name of the factory/industrial establishment and postal address :—
2. No. of days worked during the year :—
3. (a) Number of Mandays worked during the year :

(b) Average daily number of persons employed during the year :—

Adults.....

Children.....

- (c) Gross amount paid as remuneration to person getting less than Rs. 1600 per month including deductions under section 7 (2) is ..... of which the amount due to incentive bonus is ..... and that due to money value of concession is.....

4. Total wages paid including deduction under section 9 on the following account :—

- (a) basic wages including overtime wages and non-profit showing bonus ;
- (b) dearness and other allowances in cash ;
- (c) arrear of pay in respect of previous year paid during the year.

5. Number of cases and amount realised as persons receiving less than the Rs. 1600 per month.

Number of case	Amount
(a) Fines	
(b) Deduction for damage or loss.	
(c) Deduction for breach of contract.	

6. Disbursement from the Fines fund

Purpose	Amount
(a)	
(b)	
(c)	
(d)	

7. Balance of Fines fund in hand at the end of the year.

Dated..... 19

Signature .....

Designation .....

This is aggregate number of attendance during the year ;

The average daily number of persons employed during the year is obtained by dividing the aggregate number of attendance during the year by the number of working days ;

Money value of concession should be obtained by taking the difference of the cost price paid by the employer and the actual price paid by the employees for supplies of essential commodities given free or at concessional rates ;

Fines fund referred to in columns 6 and 7 will cover staff Benefit Fund existing in factory/industrial establishment.

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

- (1) no deduction for breaking a contract can be made from a person under 15 or a woman;
- (2) there must be provision in writing which form part of the contract of employment requiring that a specific period of notice of intention to cease work not exceeding 15 days or the period of notice which the employer has to give to discharge a worker, must be given to the employer and that wages may be deducted in lieu of notice;
- (3) the above provision must be displayed at or near the main entrance of the factory/industrial establishment;
- (4) no deduction of this nature can be made until a notice that this deduction is to be made has been posted at or near the main entrance of the factory or industrial establishment;
- (5) no deduction must exceed the wages of the employed person for the period by which the notice he gives of leaving employment is less than the notice he should give under his contract.

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

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

12. Deduction can be made, equivalent to the value thereof, for house accommodation, amenities or services (other than tools and raw materials) supplied by the employer, provided these are accepted by the employed person as a part of the term of his employment and have in case of amenities and services been authorised by order of Government of Arunachal Pradesh.

13. (a) Deduction can be made for the recovery of advances or for adjustment of over payment of wages.

(b) Advance made before the employment began can only be recovered from the first payment of wages for a complete wage period. But no recovery can be made of advance given for travelling expenses before employment began.

(c) Advances of unearned wages can be made at the paymaster's discretion during employment but not exceeding the amount of two months' wages without the permission of the Inspector.

14. Deduction can be made for subscription to and for re-payment of advances from any recognised Provident Fund.

15. Deduction can be made for payment of Co-operative Societies approved by Government of Arunachal Pradesh or to the postal insurance, subject to any conditions imposed by Government of Arunachal Pradesh.

#### INSPECTIONS

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

17. (1) Where irregular deductions are made from wages or delay in payment take place, an employed person can make an application in the prescribed form within 6 months to the Authority appointed by the Government of Arunachal Pradesh for the purpose. An application delayed beyond this period may be rejected unless sufficient cause for delay is shown.

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

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

#### ACTION BY AUTHORITY

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

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

APPEAL AGAINST THE AUTHORITY

19. An appeal in the prescribed form against a direction made by the Authority may be preferred within 30 days to the District Magistrate :—

- (a) by the paymaster if the total amount directed to be paid exceed Rs. 300 ;
- (b) by an employed person if the total amount of wages withheld from him or his co-workers exceeds Rs. 5 ;
- (c) by a person directed to pay a penalty for a malicious or vexatious application.

PUNISHMENTS FOR BREAKES OF THE ACT

20. Anyone delaying the payment of wages beyond the due date or making any unauthorised deduction from wages is liable to a fine upto Rs. 1000 only if prosecuted with the sanction of the Authority or Appellate court.

21. The paymaster who :—

- (1) does not fix a wages period, or
- (2) makes payment in kind, or
- (3) fails to display at or near the main entrance of the factory or industrial establishments this abstract in English and in the language of majority of the employed persons ; or
- (4) violates rules made under the Act, is liable to a fine not exceeding Rs. 1000. A complaint to this effect, can be made only by the Inspector or with this sanction.

Obang Dai,  
Secretary (Labour),  
Government of Arunachal Pradesh,  
Itanagar.



(127)

# The Arunachal Pradesh Gazette

**EXTRAORDINARY**  
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No. 256, Vol. XXVII, Naharlagun, Wednesday, November 11, 2020, Kartika 20, 1942 (Saka)

GOVERNMENT OF ARUNACHAL PRADESH  
DEPARTMENT OF LABOUR AND EMPLOYMENT  
ITANAGAR

**NOTIFICATION**

The 19th October, 2020

No. LAB-1/79/2010.—Whereas the draft rules of the Industrial Employment (Standing Orders) Arunachal Pradesh (Amendment) Rules, 2020 further to amend the Assam Industrial Employment (Standing Order) Rules, 1947 as adopted by the State of Arunachal Pradesh were published as required under sub-section (1) of Section 15 of the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946) in the Arunachal Pradesh Gazette (Extraordinary) No. 215 volume XXVII dated 15th September, 2020 inviting objections or suggestions from all persons who are likely to be affected on or before the expiry of a period of thirty days from the date of the publication of the said notification in the Official Gazette;

And whereas the copies of the said Gazette were made available to the public on the 15th September, 2020;

Now, therefore, in exercise of the powers conferred by section 15 of the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946), the Governor of Arunachal Pradesh hereby makes the following rules namely;

**ARUNACHAL PRADESH INDUSTRIAL EMPLOYMENT (STANDING ORDERS) AMENDMENT RULES, 2020.**

1. **Short title and commencement** : (1) These rules may be called the Industrial Employment (Standing Orders) Arunachal Pradesh (Amendment) Rules, 2020.  
(2) They shall come into force on the date of their publication in the Official Gazette.
2. **Amendment to Rule 3** : In the Assam Industrial Employment (Standing Orders) Rules, 1947 adopted in the State of Arunachal Pradesh vide No. Labour-1175 dated 8th April, 1980, after rule 3, the following rule shall be inserted namely:  
"(3A) No employer of an industrial establishment shall convert the posts of the permanent workmen existing in his industrial establishment on the date of commencement of the Industrial Employment (Standing Orders) Central (Amendment) Rules, 2018 as fixed term employment thereafter".
3. **Amendment to Schedule-II** : In the Assam Industrial Employment (Standing Orders) Rules, 1947 in Schedule-II,  
(A) in paragraph 2,-
  - (i) in sub-paragraph (a), after item (6), the following item shall be inserted,-  
"(7) fixed term employment workmen"
  - (ii) after sub-paragraph (g), the following sub-paragraph shall be inserted, namely:-  
"(h) A "fixed term employment workman" is a workman who has been engaged on the basis of written contract of employment for a fixed period : Provided that-
    - (a) his hours of work, wages, allowances and other benefits shall not be less than that of permanent workman ; and
    - (b) he shall be eligible for all statutory benefits available to a permanent workman proportionately according to the period of service rendered by him even if his period of employment does not extend to the qualifying period of employment required in the statute".

(B) in paragraph 13, for sub-paragraph (2), the following sub-paragraph shall be substituted namely :-

"(2) Subject to the provisions of the Industrial Disputes Act, 1947 (14 of 1947),-

- (i) no notice of termination of employment shall be necessary in the case of temporary workmen whether monthly rated, weekly rated or piece rated and probationers or badli workmen ; and
- (ii) no workman employed on fixed term employment basis as a result of non-renewal of contract or employment or on the expiry of such contract period without it being renewed, shall be entitled to any notice or pay in lieu thereof, if his services are terminated :

Provided that the services of a temporary workman shall not be terminated as a punishment unless he has been given an opportunity of explaining the charges of misconduct alleged against him in the matter prescribed in paragraph 14".

Naresh Kumar  
Chief Secretary,  
Government of Arunachal Pradesh,  
Itanagar.





# The Arunachal Pradesh Gazette

EXTRAORDINARY

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GOVERNMENT OF ARUNACHAL PRADESH  
DEPARTMENT OF LABOUR AND EMPLOYMENT  
ITANAGAR

## NOTIFICATION

The 5th October, 2020

No. LAB (W) 64/2020.—It is hereby ordered that henceforth the statutory inspections under various labour laws in the State shall be carried out as per the guidelines provided in the Transparent Inspection Policy (Annexed) which will be based on specific risk based criteria, norms and methodology specified therein.

Pranav Tayal, IPS  
Secretary (Labour & Employment),  
Government of Arunachal Pradesh,  
Itanagar.

## TRANSPARENT INSPECTION POLICY

Annexure

### 1. Exemption from Labour compliance inspections under all Labour Laws :

As part of Ease of Doing Business the units employing less than 50 workers shall be exempted from the inspections unless there is a specific case of non-payment of minimum rates of wages notified by the Government or some other serious complaint.

### 2. Self Certification :

The units/establishment which enroll in the Self Certification Scheme of the Government of Arunachal Pradesh notified vide No. LAB (W)-10/2020 dated 6<sup>th</sup> August, 2020 shall be exempted from this scheme and the Inspection shall be conducted based on the provisions of the Self Certification Scheme.

### 3. Inspection Criteria :

The primary task of the labour department is maintenance of industrial peace and harmony and while ensuring proper grievance redressal and the inspections under the various labour laws are conducted only to provide corollary support for compliance of labour laws.

Therefore, the fundamental criteria for the computerized identification of units based upon risk assessment for statutory inspections and also for the purpose of grievance redressal for corollary support for maintenance of industrial peace would be as follows :

#### Observations and Complaints regarding :

- Non-entry of names of workers in the muster roll or non-maintenance of statutory record-which logically leads to violation of various labour laws.
- Non-payment of wages or less payment of wages than minimum rates of wages in violation of the Minimum Wages Act, 1948 and the Payment of Wages Act, 1936.
- Industrial disputes of serious nature and apprehended breach of law or industrial peace due to such disputes.
- Non-maintenance of facilities for security, health and welfare for women employed in the night shift, in accordance with the directions of the Hon'ble Supreme Court and the preconditions laid down in the permission for the purpose ; or employment of women in the night without proper permission as per law.
- Deployment of contract labour to the extent of 50% or more of the total strength of manpower.
- Non-remittance of contributions to the Labour Welfare Fund or similar nature as may be applicable to the State of Arunachal Pradesh.

Accordingly, the list of units to be inspected will be prepared separately for the labour department at head office shared with the Planning and Investment for maintenance in EODB database and the inspection will be of two types –

- (i) Inspections based on risk assessment of units whose names are randomly generated by the computer from available database of establishments on the website of EODB such inspections will be on the basis of criteria listed at (d) (e) and (f) mentioned above.
- (ii) Inspections on the basis of complaints and information received from the field Officers on real time basis on the basis of criteria listed in (a), (b) and (c) above. This information will also have to be provided by the field Officers in their reports regularly to enable the O/o Labour Commissioner to assess the requirement of inspection.

As stated above, the primary concern would be non-entry of names of workers on the muster roll, the non-payment of wages or less payment of wages, if detected during the inspections for which legal action will be initiated only after giving the employer ample opportunity for taking corrective action. However if there is some other deficiency of maintenance of record which is not vital to secure such rights of the workers as mentioned above, then all efforts will be made to get the compliance done by the employer.

The restrictions and guidelines in the Transparent Inspection Scheme would be not apply for inspections regarding Child Labour and Bonded Labour, as also for units which have not been registered under any law.

**The inspection officer shall give 15-days' notice prior to the date of inspection to the management.**

#### 4. **Complaint Based Inspection :**

The complaints received complaints related to existing dispute/litigation shall be attended promptly. This information will also have to be provided by the field Officers in the reports regularly to enable the O/o Labour Commissioner to assess the requirement of inspection. If required, the inspection in pursuance of such complaints shall also be conducted besides the inspections under the Policy but with the prior intimation/approval of the Labour Commissioner, Arunachal Pradesh.

Complaints received directly from the workers or by Unions/representatives with critical issues and those given in general must be distinguished and action be taken as per priority.

#### 5. **Inspection Officer :**

Since, only One Designated Labour Officer in every district, he/she shall be the designated Inspecting Officer of all units located within the respective district.

However, in the interest of ensuring impartiality, the Computerized Allocation of Inspectors as maintained in the EODB portal shall allocated the inspectors/officers in the following manner :

The State shall be divided into zones, each zone containing 2 or more districts. The labour officer in each district shall be allocated establishments for inspection within their zone through the computerized random inspection system in such a way that any inspector shall not inspect the same establishment twice consecutively. The Allocation will be done as per the following zones :

- Zone — 1 Tawang, West Kameng
- Zone — 2 East Kameng & Pakke Kessang
- Zone — 3 Kurung Kumey & Kra Daadi
- Zone — 4 Capital Complex & Papum Pare
- Zone — 5 Lower Subansiri, Kamle & Upper Subansiri
- Zone — 6 West Siang, Shi Yomi
- Zone — 7 Upper Siang, Siang
- Zone — 8 Lower Siang, Laparada
- Zone — 9 East Siang, Lower Dibang Valley & Dibang Valley
- Zone — 10 Namsai, Lohit & Anjaw
- Zone — 11 Longding, Triap & Changlang

#### 6. **Preparation of quarterly list of inspection of establishments by computerized randomly generated system :**

The office of Labour Commissioner Arunachal Pradesh, Itanagar shall finalize the list of establishment to be inspected during the next quarter by computerized randomly generating system as maintained in Planning and Investment Division, based on the pre-determined criteria of selection mentioned above. This list shall be made available to the public on Departmental web portal, the EODB portal and also sent to the field-inspecting officers. The Inspecting Officers shall be allocated through a computer program.

(125)

**7. The preparation and uploading of inspection report on the web site :**

The inspection report shall be prepared and uploaded within 48 hours from the date of completion of inspection by the officer (s) on the departmental website or the EODB portal which shall be accessible to the officers in the department and the owner of the inspected establishment. The inspection report may also be supplied to the management at his place of business with a copy to the Labour Commissioner, Arunachal Pradesh Itanagar. A show cause notice shall be given by the competent authority giving one month time for compliance to the management shall also be delivered along with the copy of inspection report.

**8. Compliance by the management :**

The Labour Department, Arunachal Pradesh enforces the statutory provisions under various labour laws to protect the statutory right of the workers by way of **Proactive approach**. Therefore, management shall be provided ample opportunities for the compliance of the observation made by the inspecting office/officers. **The principle would be that the prosecution shall be for defiance to comply and not merely violation except in case of serious offence.**

- (a) The inspections of units where the number of workers is 50 and above will be regulated at the level of Labour Officers/Incharge Labour Officers/Labour Inspectors after proper hearing of the employer. The prosecution for non-payment of wages or payment of less than minimum rates of wages can be launched only after filing of claim under the relevant provisions of Labour Laws and permission from the competent authority.
- (b) The inspections of units with workers above 50 will be regulated at the level of the Labour Officers/Incharge Labour Officers/Labour Inspectors after proper hearing of the employer.
- (c) It is clarified that notice of inspection shall be issued to the management at the level of the Labour Inspector/Labour Officers/Incharge Labour Officers and issue any letter for inspection or production of record.

**9. Joint Inspections :**

The department shall ensure that the inspection under all labour laws shall be conducted jointly by the inspecting officers of Labour department and an integrated return as enclosed in Annexure - A shall be submitted to the competent authority.

- (i) The Payment of Wages Act, 1936 and rules framed thereunder.
- (ii) The Minimum Wages Act, 1948 and rules framed thereunder.
- (iii) The Contract Labour (Regulation and Abolition) Act, 1970 and rules framed thereunder.
- (iv) The Maternity Benefit Act, 1961 and rules framed thereunder.
- (v) The Payment of Bonus Act, 1965 and rules framed thereunder.
- (vi) The Payment of Gratuity Act, 1972 and rules framed thereunder.
- (vii) The Equal Remuneration Act, 1976 and rules framed thereunder.
- (viii) The Inter-State Migrant Workmen (RE & CS) Act, 1979 and rules framed thereunder.
- (ix) The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and rules framed thereunder.

Pranav Tayal, IPS  
Secretary (Labour & Employment),  
Government of Arunachal Pradesh,  
Itanagar.

1288

JOINT INSPECTION PROFORMA

1. Details of Establishment :

- (a) Name of the Establishment : .....
- (b) Address of the Establishment : .....
- (c) Contact Details of the Establishment : .....
- (d) Establishment registered under which Act ? (tick the correct option)
  - (i) Contract Labour (Regulation & Abolition) Act, 1970
  - (ii) Interstate Migrant Workmen (Regulation of Employment & Condition of Service) Act, 1979
  - (iii) Other (Specify) .....
- (e) Name of Employer .....
- (f) Address of Employer .....
- (g) Email of Employer .....
- (h) Telephone Number of Employer (Office)..... (Resi) .....
- (i) Mobile Number .....
- (j) Name and address of the Manager or person responsible for supervision and control of the establishment : .....
- (k) Nature of Business, industry or trade or occupation carried by employer : .....
- (l) Date of commencement of Business, industry or trade or occupation.....

2. Details of Registration under Applicable Acts :

Sl. No.	Name of Act	Registration/ License No.	Date of Issue/ Last Renewal
(i)	Control Labour (R & A) Act. 1970		
(ii)	Interstate Migrant Workmen (RE & CS) Act, 1979		
(iii)	Building and Other Construction Workers (RE & CS) Act, 1996		

3. The Payment of Wages Act, 1936 and Rules made thereunder :

No. Sl.	Details	Yes/No.
1.	Whether the Employer has fixed wage period as per section - 4	
2.	Whether the authorized deductions are being made from the wages of the employed persons as per section 7	
3.	Whether the Employer displayed in English and Hindi the approved list of acts in respect of which fines may be imposed.	
4.	Whether the Notice of date of payment of wages was displayed in English and Hindi.	
5.	Whether the following registers in the prescribed form have been maintained properly : <ul style="list-style-type: none"> <li>* Register of wages (Section 13A)</li> <li>* Register of Fines</li> <li>* Register of deductions for damages or loss (Section 10).</li> <li>* Register of advance (Section 12).</li> </ul>	

## 4. The Minimum Wages Act, 1948 and Rules made thereunder :

Sl. No.	Details	Yes/No.
1.	Whether the Employer maintained Muster-roll	
2.	Whether the period of work and rest intervals are provided as per section - 13.	
3.	Whether the Employer maintained the Register of wages in the prescribed form as per section - 18.	
4.	Are the weekly rest days given to all employees as per section - 13.	
5.	Are the Wages being paid on due dates.	
6.	Whether Register of Employees are maintained as per Rule. . . . .	
7.	Whether the Employer maintained overtime work and payment record as per section - 14.	
8.	Whether the Employer paid over time wage at double the ordinary rate of wages as per section - 14.	
9.	Whether the wages slips were issued to workers as per section - 18 (3).	
10.	Whether the following Notices displayed as required as per section - 18 (2). * Minimum rate of wages as notified by the Government. * Abstract of Act and Rules made thereunder. * Name and Address of Inspector.	

## 5. The Contract Labour (Regulation and Abolition) Act, 1970 and Rules made thereunder :

Sl. No.	Details	Yes/No.
1.	Whether the Contractor Licensed under the Act.	
2.	Whether the Contractor provided the following facilities for Contract Labour : * Canteen - Section - 16 * Rest Room - Section - 17 * Drinking Water - Section - 18(a) * Latrines and Urinals - Section - 18(b) * Washing facilities - Section - 18(c) * First Aid - Section - 19	
3.	Whether Contractor issued wage slips as per section	
4.	Whether Contractor disbursed wages to contract labour timely as per Section - 21 (1).	
5.	Whether disbursement of wages was made before authorized representative of principal employer as per Section - 21 (3).	
6.	Whether the Contractor issued Employment Cards (Identity Cards) to the Labour within 3 days of the employment of the contract labour as per Section - 29 (1).	
7.	Has the contractor displayed the following Notices as per section - 29 (2). * Wage period * Place and time of disbursement of wages * Hours of work * Rates of wages * Date of payment of wages * Name and Address of Inspector * Abstract of Act and Rules	
8.	Whether the Contractor maintained the following record as per Section - 29 (1). * Register of Workmen/contract labour employed by Contractor. * Muster - Roll-cum-Register of wages * Register of Over Time. * Register of Deductions/fines/advanced	
9.	Whether the Contractor complying the conditions of License granted as per section - 12.	
10.	Whether the Contractor submitted half-yearly returns to the Licensing Officer as per section - 29(1).	

(128)

6

6. **The Maternity Benefit Act, 1961 and Rules made thereunder :**

Number of Women workers eligible for benefits under the Act :

Number of Women workers who were extended the benefits.

Details with respect to each women worker

Sl. No.	Details	Yes/No.
1.	Whether the Employer engaged any women workers during the prohibited period as per section - 4.	
2.	Whether the Medical Bonus paid to the eligible women workers as per section - 8.	
3.	Whether the leave for mis-carriage to the women workers allowed as per section - 9.	
4.	Whether leave with wages for a period of 2 weeks is allowed for tubectomy as per section - 9A.	
5.	Whether leave for illness is allowed as prescribed as per section - 10.	
6.	Whether nursing breaks are allowed as prescribed as per section . . . .	
7.	Whether any women worker has been dismissed during or on account of her absence in accordance section 12.	
8.	Whether the employer maintained the register and record as required by maintaining muster-roll on Form-A as per section - 20.	

7. **The Payment of Bonus Act, 1965 and Rules made thereunder :**

Sl. No.	Details	Yes/No.
1.	Whether the Employer has paid Bonus to all eligible workers as per section - 8.	
2.	Whether the Bonus has been paid within the time limit i.e. within 8 months from the close of Financial Year as require under section - 19.	
3.	Has the Employer maintained the register/record on form A, B, C as per section- 26.	
4.	Has the Employer submitted returns on Form D to the inspector in 30 days after the time limit as per rule .....	
5.	Whether the Employer has paid at the minimum rate as per section 10	

8. **Payment of Gratuity Act, 1972 and rules made thereunder :**

Sl. No.	Details	Yes/No.
1.	Whether the Employer obtained compulsory Insurance in the manner prescribed for his liability for the payment towards the gratuity as per section 4A	
2.	Whether notice of opening, change or closure of the establishment in Form-A submitted by the employer to the Controlling Authority as per Rule-	
3.	Whether the Employer displayed the abstract of the Act and Rules and the name and address of the Controlling Authority as per Rule-	

9. **Equal Remuneration Act, 1976 and Rules made thereunder :**

Sl. No.	Details	Yes/No.
1.	Whether the Employer is paying equal remuneration to men and women workers for same work or work of similar nature as per section 4	
2.	Whether any discrimination is being made while recruiting men and women workers as per section 5	
3.	Whether the Employer maintained register in Form-D per section 8	

10. Interstate Migrant Workmen (Regulation of Employment & Condition of Service) Act, 1979 and Rules made thereunder :

Sl. No.	Details for Principal Employer	Yes/No.
1	2	3
1.	Whether the Principal Employer has registered - Section-4	
2.	Has the Register of Contractors maintained in Form-XII - Section-23(1)	
3.	Has Principal Employer directed all the Contractors employing 5 or above Inter State Migrant Workmen to obtain Licence?	
4.	Has Principal Employer directed all the Contractors to issue Pass Books/Identity Cards to the State Migrant Workmen and to submit one copy to the concerned Licensing Officer for attestation ? [Section-12(b)]	
5.	Has Principal Employer directed all the contractors to construct and maintain Residential accommodation for the workers at safer places ? [Section-16(d)]	
6.	Has the Principal Employer appointed some officer as authorized representative in whose presence wages to the Inter State Migrant Workmen are to be disbursed [Section-17(2)]	
7.	Has the Principal Employer provided the necessary facilities to the Inter State Migrant Workmen if the Contractor(s) fail(s) to provide the same (Section-18)	
8.	If yes to above, have the expenses been recovered from the contractor	
9.	Has the Principal Employer submitted Annual Return on form No. XXVI to the concerned Licensing Officer ? (Rule-56(2))	
10.	Has the Contractor(s) obtained the license under the Act and validity continued by its renewal (Section-8)	
11.	Whether the duties and obligations of contractor under Section 12 fulfilled.	
12.	Has the Contractor ensured the same rates of wages, holidays, hours of work and other condition or service to the workmen as is being provided to the workmen performing same or similar kind of work in the same establishment [Section 13 (1)]	
13.	Whether the contractor is paying not less than the minimum wages fixed under the Minimum Wages Act, 1948 by the State Government [Section-13(b)]	
14.	Whether the Contractor is paying wages in cash ? [section-13(2)]	
15.	Whether displacement allowance under Section 14 paid.	
16.	Whether Journey Allowance etc as per Section 15 paid.	
17.	Has the Contractor ensured regular payment of wages to the workmen [Section-16(a)]	
18.	Has the Contractor ensured equal pay for equal work irrespective of sex [Section-16(b)]	
19.	Has the contractor provided suitable conditions of work having regard to the fact that the workman are working in a different state [Section 16(c)]	
20.	Has the Contractor provided suitable accommodation within 15 days from the employment and if the works continues for three months or more ? [Section 16(d)]	
21.	Has the Contractor provided the prescribed medical facility free of charge [Section 16(e)]	
22.	Has the Contractor provided the prescribed protective clothing facility free of charge ? [Section 16(f)]	
23.	Has the Contractor provided the facility of drinking water, Latrines Urinals and washing facilities (Rule-39).	
24.	Whether restrooms are being provided as per Rule 40.	
25.	Whether canteen facility is being provided as per Rule 41.	
26.	Whether the responsibility under Section 17(1) regarding payment of wages has been met.	
27.	Whether the Contractor ensured the presence of authorized representative as per Section 17(3).	
28.	Whether the principal employer made the payment of wages in the prescribed time.	
29.	If yes to above, whether they have been recovered from the contractor.	

1	2	3
30.	Has the Contractor furnished the particulars regarding recruitment and employment of the workmen in form X ? (Section-22(2))	
31.	Whether Records and registers are being maintained as per section 23.	
32.	Whether Service certificate under Rule 50 issued in Form XVI.	
33.	Whether the following records have been maintained as per Section 23 of the Act and the rules below :-	
	i. Register of Contractors (Rule 48)	
	ii. Register of persons employed (Rule 49)	
	iii. Register of Displacement-cum-Outward journey allowance and return journey allowance (Rule 51(1) (2).	
	iv. Muster Roll, Wages, deductions and Overtime Register (Rule 52)	
34.	Has the employer maintained as per Rule 53 and preserved the record for the period of three calendar years.	
35.	Has the employer displayed abstract of acts and rules and public notice as per rules 54 and 55.	

11. **The building and other Construction (Regulation of employment and Condition of Service) Act, 1996 and Rules made thereunder :**  
 Registration Number and Valid upto .....  
 Nature of building/Works .....  
 Total Number of workers employed :

Sl. No.	Details	Yes/No.
1	2	3
1.	Have the following provisions been made for the workers	
	i. Quality drinking water as per section 32	
	ii. Latrines and Urinals as per Section 33	
	iii. Accomodation for workers near the Site as per Section 34	
	iv. Creches as per section 35, if applicable	
	v. First Aid facilities as per Section 36	
	vi. Canteens as per section 37	
2.	Are Notices being issued in case of Accidents under Section 39	
3.	Whether employer is taking all applicable measures as part of Provisions for Safety and Health as mentioned in Part-III of rules to protect the workers through the following :	
	i. Measures to protect against Excessive Noise and Vibration (Rule 34)	
	ii. Adequate Fire Fighting equipment for Fire Protection as per Rule 35	
	iii. Emergency action plan under Rule 36	
	iv. Fencing of motors/moving parts of machinery as per Rule 37 being done	
	v. Protection against lifting excessive weight as per Rule 38	
	vi. Formulation and Submission of Health and Safety policy as per Rule 39.	
	vii. All Measures being taken to protect workers from harmful environment as per Rule 40	
	viii. Overhead Protection under Rule 41.	
	ix. All Measures being taken to protect workers from dust, gas fumes, corrosive substances as per Rule 42 and 43.	
	x. Providing of eye protection, Head protection equipments, safety helmets and shoes and protective apparel under Rules 45, 46 and 54.	
	xi. Protection against Electrical Hazards under Rule 47.	



132

28

3

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2

- xii. Adequate barricades, warning signs, lights etc to be places for protection from vehicular traffic under Rule 48.
- xiii. Ensuring stability of structures and ensuring that no such wall, fence or structure in any form is left unguarded which can fall from a height under Rule 49.
- xiv. All passageways to be illuminated under Rule 50
- xv. Proper Stacking of materials under Rule 51
- xvi. Safe disposal of debris under Rule 52
- xvii. Whether all other applicable provisions under Chapter-VII to Chapter XX5 under Part III are being complied with.

4. Whether Notice of Wage periods, commencement and completion under Rules 239 and 240 are being sent.

5. Whether the following registers are being maintained :

- i. Registers of persons employed as building workers- Rule 241
- ii. Muster roll, register of wages, deductions register, overtime register, wage books and service certificates as per Rule 242.



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GOVERNMENT OF ARUNACHAL PRADESH  
LABOUR AND EMPLOYMENT DEPARTMENT  
ITANAGAR

## NOTIFICATION

The 6th August, 2020

No. LAB(W)-10/2020.— The Governor of Arunachal Pradesh is pleased to formulate “**Self Certification Scheme**” for establishments in the State to liberalise the enforcement of labour laws and promote Ease of Doing Business in the State by way of simplification and creating a business friendly environment.

The Scheme shall consist of the following provisions :

- 1. INTRODUCTION :** This Self Certification Scheme aims at making the employer of entrepreneur a conscious and truthful citizen and law abiding person who is willing to take care of all interests of the workers and employees by following all the labour laws as applicable and enable the Department of Labour and Employment to effectively protect the interests of the workers as well as the employers and entrepreneurs and create a friendly and safe environment for the workers and harmonious relationship between the Employer and the Employees. It is also the endeavor of the Government to increase transparency in the system of Inspections so as to enable the Establishment to focus on the core issues of the business.
- 2. OBJECTIVE :** The objectives of this Self Certification Scheme is to reduce visits of Government officials for inspection of those units who opt for this Scheme however without compromising on the safety, health, social, security and welfare of the workers as provided under the various labour enactments.
- 3. SCOPE OF THE SCHEME :** This scheme is open to all establishments which opt to join the scheme in prescribed format, which are covered.
- 4. PROCEDURE :** This scheme shall be optional and any employer or entrepreneur can opt for this scheme and apply to the office of Labour Commissioner, Government of Arunachal Pradesh in the prescribed proforma. Any discrepancy in the application or enclosures shall be communicated to the applicant within 30 days from the receipt of the application. In case no discrepancy is so communicated, the applicant shall be deemed to have been enrolled under the Self-Certification Scheme.
- 5. VALIDITY OF SCHEME :** Once opted for the scheme the same shall be valid for five years. After the successful compliance under the Self-Certification for five years, the occupier / employer shall have option either to remain covered under the Self-Certification scheme or opt out of the scheme. The option must be exercised in written before the concerned authority of Labour Department. In case the employer/entrepreneur/occupier successfully completes five years under the scheme and during any inspection carried out, if no violation of the Act is detected, the security so deposited shall be refunded. No interest shall be payable on the security so deposited.
- 6. REGISTRATION FEE :** Every Occupier/Proprietor/Partner/Director/Employer/Principal Employer/ Contractor who intends to opt for Self-Certification scheme shall pay a One-time Registration fee, as prescribed below, in favour of Labour Commissioner, Government of Arunachal Pradesh through Treasury Challan or Demand Draft.

Sl. No.	No. of Workers	Processing fee (Rs.)
1.	1 to 20	2000
2.	21 to 50	4000
3.	51 to 100	6000
4.	101 and above	10,000

The registration fee shall be deposited under head of account “0230”- Labour & Employment - 00-101- Receipt under Labour Laws”.

7. **LABOUR LAWS FOR WHICH THE SCHEME IS VALID** : This Self-Certification scheme shall be valid for following Acts and Rules made thereunder as applicable to the concerned employer/entrepreneur/occupier :-
- (i) The Payment of Wages Act, 1936 and rules framed thereunder.
  - (ii) The Minimum Wages Act, 1948 and rules framed thereunder.
  - (iii) The Contract Labour (Regulation & Abolition) Act, 1970 and rules framed thereunder.
  - (iv) The Maternity Benefit Act, 1961 and rules framed thereunder.
  - (v) The Payment of Bonus Act, 1965 and rules framed thereunder.
  - (vi) The Payment of Gratuity Act, 1972 and rules framed thereunder.
  - (vii) The Equal Remuneration Act, 1976 and rules framed thereunder.
  - (viii) The Inter-State Migrant Workmen (RECS) Act, 1979 and rules framed thereunder.
  - (ix) The Beedi & Cigar Workers (Conditions of Employment) Act, 1966 and the rules framed thereunder.
  - (x) The Motor Transport Workers Act, 1961 and rules framed thereunder.
  - (xi) The Child Labour (Prohibition & Regulation) Act, 1986 and rules framed thereunder.
  - (xii) The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) 1996 and rules made thereunder.
8. **HOW TO APPLY** : Under the Self-Certification scheme, the Application for inclusion shall be addressed to the Labour Commissioner, Government of Arunachal Pradesh, Itanagar. The date shall mean the date on which application is received in the Office of the Labour Commissioner. The Occupier /Partner/Proprietor/Director/Employer/Principal Employer/Contractor who intends to avail the Scheme shall fill the prescribed Form as per Annexure I along with documents as prescribed in Annexure II.
- An undertaking, as at Annexure III, on a non judicial Stamp paper of ₹ 50 will be furnished by the applicant along with the application for enrolment under the scheme.
9. **INSPECTION PROCEDURE UNDER THE SCHEME** : Under the Self-Certification Scheme, not more than 5% of the units/establishments so covered under the scheme shall be picked up randomly for inspection once in a year and which shall be carried out only once regarding the implementation of all the labour enactments to which this scheme applies. Once inspected the same units/establishments is not likely to be inspected during the operative period of 5 years of the scheme. However, on specific complaints, accidents, dangerous occurrences, violation of labour laws, Inspection shall be conducted only after authorization from Labour Commissioner, Government of Arunachal Pradesh. In case of any frivolous or false complaints, action shall be initiated against the complainant as per law.
- The Establishments which do not desire to opt for the Scheme shall continue to be inspected as per the Labour Department inspection policy.
10. **FILLING OF SELF-CERTIFICATION - CUM- CONSOLIDATED ANNUAL RETURNS** : After getting enrolled in the scheme the concerned occupier/proprietor/partner/director/principal employer/contractor shall file Self-Certification cum Consolidated annual returns in the format prescribed in annexure-IV along with required supporting documents with copy to the concerned District Labour Officers. This return shall be filled on or before 30th April of each financial year on any working day. On failure to submit the return within the prescribed time limit, the occupier/proprietor/partner/director/employer/principal employer/contractor will cease to be member under the Self-Certification scheme.
11. **CLARIFICATION AND INTERPRETATION** : In case of any doubt or dispute regarding the provisions of this Scheme, only State Government shall be competent to clarify or interpret these and such clarification or interpretation shall be final binding upon all concerned.
12. **POWER TO AMEND & REPEAL ANY OR ALL PROVISIONS** : Notwithstanding anything contained in any of the provision of this Self Certification Scheme, the state Government may, at any time ;
- (a) Make any amendment to this Scheme or repeal it, but such establishment or repeal shall not affect anything done or omitted to be done under this scheme already extended.
  - (b) Issue guidelines or instruction for facilitate implementation, to remove anomalies and to clarify.
13. This notification shall come into force with immediate effect.

Naresh Kumar, IAS  
Chief Secretary,  
Government of Arunachal Pradesh,  
Itanagar.

## APPLICATION FORM FOR SELF-CERTIFICATION

From

M/s./Name of Establishment/Employer(s)/Principal Employer(s)/Occupier(s)/Proprietor(s)/Partner(s)/Contractor(s)

To,

The Labour Commissioner,  
Government of Arunachal Pradesh,  
Itanagar.

Sub : Application for registration to be covered under Self-Certificate Scheme under various labour laws being implemented by the Labour Department as per terms and condition of the Scheme.

Sir,

I/We have gone through the above mentioned scheme and have understood the same. I/We wish to be covered under the Self-Certification Scheme. As such, I/We request you kindly to issue me/us necessary registration under the scheme. The necessary information and documents as required under the scheme are enclosed. I/We undertake to abide by all terms and conditions of the scheme. It is also certified that I am/We are competent and duly authorized to make any statement or provide any information to any Central/State Government agency on behalf of this Establishment/Employer(s)/Principal Employer(s)/Occupier(s)/Proprietor(s)/Partner(s)/Contractor(s) (Name) .....

Kindly issue the necessary approval at the earliest.

Enclose : As Stated above.

Yours Faithfully,

(Name &amp; address of the applicant),

ANNEXURE-II

## LIST OF DOCUMENTS TO BE ATTACHED WITH ANNEXURE - I

- (1) Name & address of the establishment/unit with e-mail, telephone numbers, Mobile/Fax Number etc, with registration under shop.
- (2) Numbers of workers employed ;
  - I. Permanent
  - II. Temporary
  - III. Contract Labour
  - IV. Casual Labour
- (3) Registration Number, License Number and date of registration / renewal under the Contract Labour (Regulation & Abolition) Act, 1970 along with attested copy of registration, if applicable.
- (4) Registration Number, License Number and date of registration / renewal under the Inter State Migrant Workman (Regulation of Employment and Conditions of Service) Act, Along with attested copy of registration, if applicable.
- (5) Registration Number and Date of Registration for Motor Transport Workers Act, 1961, Building And Other Construction Workers (RE & CS) Act, 1996, Payment of Gratuity Act, 1972, Beedi & Cigar Workers (COE) Act, 1966 or any other relevant act covered under the scheme, if applicable.
- (6) Details of fee attached.
- (7) Name and address of the Occupier/Proprietor/Partner/Director/employer/Principal employer/Contractor with telephone/fax nos and e-mail address if any.
- (8) Name and residential address of the Manager/responsible for supervision or control of the shops/ establishments with telephone/mobile, fax No. and e-mail address if any.
- (9) Nature of Industry/Activity/manufacturing/Trading/Service.

Place :

Signature of Authorised Person

Date :

UNDERTAKING

[To be filled by the Occupier/Proprietor/Partner/Director/employer/Principal Employer/Contractor on a Non-Judicial Stamp Paper of ₹ 50]

I/we..... S/o Shri ..... R/o..... and of M/s.....here by State as under ..... That I/we have applied for grant of coverage of Establishment by the ..... Name of ..... situated at (complete address of the shops/factory establishment) the Self-Certification Scheme of the Labour Department, Government of Arunachal Pradesh.

1. That I/we have gone through the Scheme and have fully understood the contents of the Scheme and undertake to abide by the same.
2. That it is declared that I/we are complying with and will continue to comply with all provisions of labour laws covered under this Scheme.
3. I/We agree that in case of violation detected in my/our shops establishment/factories under that labour laws covered under the Scheme during Self-Certificate period. I/We will be responsible for the consequences. If any violation are detected during the course of inspection. It will be processed as per the provisions of the respective labour laws.
4. I/We shall not engage or permit to engage any child labour and bonded labour in my establishment shop.

Place :

Date :

DEPONENT

VERIFICATION

I/We, the above named deponents do hereby further solemnly affirm that the contents given above are true and correct to my/our knowledge.

Place :

Date :

DEPONENT

Enclose : Annexure-

1. Application form.
2. Annexure-II (List of documents).

ANNEXURE-IV

FORM FOR SELF- CERTIFICATION TO BE SUBMITTED BY OCCUPIER/PROPRIETOR/PARTNER/DIRECTOR/ EMPLOYER/PRINCIPAL EMPLOYER/CONTRACTOR FOR COMPLIANCE OF LABOUR LAWS.

I/We, Mr/Mrs/Miss..... hereby certify that I/We, am/are the Occupier/Proprietor/Partner/Director/ employer/Principal Employer/Contractor of the Establishment whose identification and general details are as follows ; and I/We hereby certify that my/our establishment has fully and correctly complied with all the labour laws under the scheme and the status of compliance of following labour laws and annual return of my Establishment during the year..... is as under ;

- i. The Payment of Wages Act, 1936 and Rules made thereunder.
- ii. The Minimum Wages Act, 1948 and Rules made thereunder.
- iii. The Contract Labour (Regulation & Abolition) Act, 1970 and Rules made thereunder.
- iv. The Maternity Benefit Act, 1961 and Rules made thereunder.
- v. The Payment of Bonus Act, 1965 and Rules made thereunder.
- vi. Payment of Gratuity Act, 1972 and Rules made thereunder.
- vii. Equal Remuneration Act, 1976 and Rules made thereunder.
- viii. Interstate Migrant Workmen (Regulation of Employment & Condition of Service) Act, 1979 and Rules made thereunder.
- ix. The Beedi & Cigar Workers (Condition of Employment) Act, 1966 and Rules made thereunder.
- x. The Motor Transport Workers Act, 1961 and Rules made thereunder.
- xi. The Child Labour (Prohibition & Regulation) Act, 1986 and the Rules made thereunder.
- xii. The Building and Other Construction (Regulation of Employment & Condition of Service) Act, 1996 and Rules made thereunder.

## Form

Annual Return for the Financial Year .....

(To be filed before 30th April)

## 1. Details of Establishment ;

- (a) Name of the Establishment .....
- (b) Address of the Establishment .....
- (c) Contact Details of the Establishment .....
- (d) Establishment registered under which Act ? (tick the correct option)
- (i) Contract Labour (Regulation & Abolition) Act, 1970.
- (ii) Interstate Migrant Workmen (Regulation of Employment & Condition of Service) Act, 1979.
- (iii) Other (Specify).....
- (e) Name of Employer .....
- (f) Address of Employer .....
- (g) E-mail of Employer .....
- (h) Telephone Number of employer (Office)..... (Resi).....
- (i) Mobile Number .....
- (j) Name and address of the Manager or person responsible for supervision and control of the establishment :.....
- .....
- (k) Nature of Business, Industry of trade or occupation carried by employer: .....
- (l) Date of commencement of Business, Industry of trade of occupation : .....
- (m) Number of Regular Workers employed during the year .....

	Skilled	Semi Skilled	Unskilled
Male			
Female			
Total			

## 2. Details of Registration under Applicable Acts ;

Sl. No.	Name of Act	Registration/ License No.	Date of Issue/ Last Renewal
(i)	Contract Labour (R & A) Act, 1970		
(ii)	Interstate Migrant Workmen (RE & CS) Act, 1979		
(iii)	Building And Other Construction Workers (RE & CS) Act, 1996		

## 3. The Payment of Wages Act, 1936 and Rules made thereunder ;

Sl. No.	Details	Yes/No.
1.	Whether the Employer has fixed wage period as per section 4	
2.	Whether the authorized deductions are being made from the wages of the employed persons as per section 7	
3.	Whether the employer displayed in English and Hindi the approved list of acts in respect of which fines may be imposed.	
4.	Whether the Notice of date of payment of wages was displayed in English and Hindi.	
5.	Whether the following registers in the prescribed form have been maintained properly :	
	* Register of wages (Section 13A)	
	* Register of fines	
	* Register of deductions for damages or loss (Section 10).	
	* Register of advance (Section 12).	

137

6. Whether the annual return for the last year been sent to the Labour Commissioner.

4. The Minimum Wages Act, 1948 and Rules made thereunder ;

Sl. No.	Details	Yes/No.
1.	Whether the Employer maintained Muster roll	
2.	Whether the period of work and rest intervals are provided as per section 13.	
3.	Whether the Employer maintained the Register of wages in the prescribed form as per section 10.	
4.	Are the weekly rest days given to all employees as per section 13.	
5.	Are the Wages being paid on due dates.	
6.	Whether Register of Employees are maintained as per Rule	
7.	Whether the Employer maintained overtime work and payment record as per section 14.	
8.	Whether the Employer paid over time wages at double the ordinary rate of wages as per section 14.	
9.	Whether the wages slips were issued to workers as per section 18(3).	
10.	Whether the following Notices displayed as required as per section 18(2). <ul style="list-style-type: none"> <li>* Minimum rate of wages as notified by the Government.</li> <li>* Abatract of Act and Rules made thereunder.</li> <li>* Name and Address of Inspector.</li> </ul>	

5. The Contract Labour (Regulation & Abolition) Act, 1970 and Rules made thereunder ;

Sl. No.	Details	Yes/No.
1.	Whether the Contractor License under the Act	
2.	Whether the Contrator provided the following facilities for Contract Labour : <ul style="list-style-type: none"> <li>* Canteen - Section 16.</li> <li>* Rest Room - Section 17.</li> <li>* Drinking Water - Section 18 (a).</li> <li>* Latrines &amp; Urinals - Section 18 (b).</li> <li>* Washing facilities - Section 18 (c).</li> <li>* First Aid - Section 19.</li> </ul>	
3.	Whether Contractor issued wages slips as per Section.	
4.	Whether Contractor disbursed wages to contract labour timely as per Section 21 (1).	
5.	Whether disbursement of wages was made before authorized representative of principal employer as per Section 21 (3).	
6.	Whether the contractor issued Employment Cards (Identity Cards) to the Labour within 3 days of the employment of the contract labour as per Section 29(1).	
7.	Has the contractor displayed the following Notices as per Section 29(2). <ul style="list-style-type: none"> <li>* Wage period.</li> <li>* Place and time of disbursement of wages.</li> <li>* Hours of work.</li> <li>* Rates of wages.</li> <li>* Date of payment of wages.</li> <li>* Name and Address of Inspector.</li> <li>* Abstract of Act &amp; Rules.</li> </ul>	

8. Whether the contractor maintained the following record as per Section 29(1).

- \* Register of Workmen/contract labour employed by Contractor.
- \* Muster-Roll-cum-Register of wages.
- \* Register of Over Time.
- \* Register of Deductions/fines/advanced.

9. Whether the contractor complying the conditions of License granted as per Section 12.

10. Whether the contractor submitted half-yearly returns to the Licensing Officer as per Section 29 (1).

6. The Maternity Benefit Act, 1961 and Rules made thereunder ;

Number of women workers eligible for benefits under the Act.

Number of women workers who were extended the benefits.

Details with respect to each women workers.

Sl. No.	Details	Yes/No.
1.	Whether the Employer engaged any women workers during the prohibited period as per Section 4.	
2.	Whether the Medical Bonus paid to the eligible women workers as per Section 8.	
3.	Whether the leave for mis-carriage to the women workers allowed as per Section 9.	
4.	Whether leave with wages for a period of 2 weeks is allowed for tubectomy as per Section 9A.	
5.	Whether leave for illness is allowed as prescribed as per Section 10.	
6.	Whether nursing breaks are allowed as prescribed as per Section .....	
7.	Whether any women worker has been dismissed during or on account of her absence in accordance section 12.	
8.	Whether the employer maintained the register and record as required by maintaining muster-roll on Form-A as per Section 20.	

7. The Payment of Bonus Act, 1965 and Rules made thereunder.

Sl. No.	Details	Yes/No.
1.	Whether the Employer has paid Bonus to all eligible workers as per Section 8.	
2.	Whether the Bonus has been paid within the time limit i.e. within 8 months from the close of Financial Year as require under section 19.	
3.	Has the Employer maintained the register/record on form A.B.C as per section 26.	
4.	Has the Employer submitted returns on form D to the Inspector in 30 days after the time limit as per rule.....	
5.	Whether the Employer has paid at the minimum rate as per Section 10.	

8. Payment of Gratuity Act, 1972 and rules made thereunder.

Sl. No.	Details	Yes/No
1.	Whether the Employer obtained compulsory Insurance in the manner prescribed for his liability for the payment towards the gratuity as per section 4A.	
2.	Whether notice of opening, change or closure of the establishment in Form - A submitted by the employer to the Controlling Authority as per Rule.....	
3.	Whether the Employer displayed the abstract of the Act and Rules and the name and address of the Controlling Authority as per rule....	



## 9. Equal Remuneration Act, 1976 and Rules made thereunder

Sl. No.	Details	Yes/No
1.	Whether the Employer is paying equal remuneration to men and women workers for same work or work of similar nature as per section 4.	
2.	Whether any discrimination is being made while recruiting men and women workers as per section 5.	
3.	Whether the Employer maintained register in Form - D per section 8.	
10.	Interstate Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979 and Rules made there Under	

Sl. No.	Details for Principal Employer	Yes/No
1.	Whether the Principal Employer has registered - Section - 4	
2.	Has the Register of Contractors maintained in Form - XII - Sec - 23(1)	
3.	Has Principal Employer directed all the Contractors employing 5 or above Inter State Migrant Workmen to obtain Licence ?	
4.	Has Principal Employer directed all the Contractors to issue Pass Books/Identity Cards to the Inter State Migrant Workmen and to submit one Copy to the concerned Licensing Officer for attestation ? (Section -12(b))	
5.	Has Principal employer directed all the contractors to construct and maintain Residential accommodation for the workers at safer places ? (Section-16(d).	
6.	Has the Principal Employer appointed some officer as authorized representative in whose presence wages to the inter State Migrant Workmen are to be disbursed (Sec -17 (2)).	
7.	Has the Principal Employer provided the necessary facilities to the Inter State Migrant Workmen if the Contractor(s) fail(s) to provide the same (Section - 18).	
8.	If yes to above, have the expenses been recovered from the contractor	
9.	Has the Principal Employer submitted Annual Return on form No. XXVI to the concerned Licensing Officer ? (Rule - 56(2)	
10.	Has the Contractor(s) obtained the license under the Act and validity continued by its renewal (Section - 8)	
11.	Whether the duties and obligations of contractor under Section 12 fulfilled.	
12.	Has the Contractor ensured the same rates of wages, holidays, hours of work and other condition or service to the workmen as is being provided to the workmen performing same or similar kind of work in the same establishment (Section 13 (1))	
13.	Whether the Contractor is paying not less than the minimum wages fixed under the Minimum Wages Act, 1948 by the State Government (Sec - 13(b))	
14.	Whether the Contractor is paying wages in cash ? (Sec - 13(2))	
15.	Whether displacement allowance under Section 14 paid	
16.	Whether Journey Allowance etc. as per Section 15 paid	
17.	Has the Contractor ensured regular payment of wages to the workmen (Sec 16(a))	
18.	Has the Contractor ensured equal pay for equal work irrespective of sex (Sec 16(b))	
19.	Has the contractor provided suitable conditions of work having regard to the fact that workman are working in a different state (Section 16 (C))	
20.	Has the Contractor provided suitable accommodation within 15 (fifteen) days from the employment and if the works continues for three months or more ? (Section 16(d))	
21.	Has the Contractor provided the prescribed medical facility free of charge (Section 16 (e))	
22.	Has the Contractor provided the prescribed protective clothing facility free of charge ? (Section 16(f))	
23.	Has the Contractor provided the facility of drinking water, Latrines, Urinals and washing facilities (Rule - 39)	

(140)

- | 1   | 2  |
|-----|--|
| 24. | Whether restrooms are being provided as per Rule - 40.   |
| 25. | Whether canteen facility is being provided as per Rule - 41  |
| 26. | Whether the responsibility under Section 17(1) regarding payment of wages has been met   |
| 27. | Whether the Contractor ensured the presence of authorised representative as per Section 17(3)  |
| 28. | Whether the principal employer made the payment of wages in the prescribed time  |
| 29. | If yes to above, whether they have been recovered from the contractor  |
| 30. | Has the contractor furnished the particulars regarding recruitment and employment of the workmen in form X ? (Section - 22(2))   |
| 31. | Whether Records and Registers are being maintained as per section - 23   |
| 32. | Whether Service Certificate under Rule 50 issued in Form XVI   |
| 33. | Whether the following records have been maintained as per Section - 23 of the Act and the rules below :-<br>(i) Register of Contractors (Rule - 48)<br>(ii) Register of persons employed (Rule - 49)<br>(iii) Register of Displacement-cum-Outward journey allowance and return journey allowance Rule 51(1)(2)<br>(iv) Muster Roll, Wages, deductions and Overtime Register (Rule - 52) |
| 34. | Has the employer maintained as per Rule - 53 and preserved the record for the period of three calendar years   |
| 35. | Has the employer displayed abstract of acts and rules and public notice as per Rules - 54 and 55   |

## 11. The Motor Transport Workers Act, 1961 and Rules made thereunder

Sl. No.	Details	Yes/No
1.	Whether the Undertaking/Establishment is registered under Motor Transport Workers Act	
2.	Total Number of Motor Transport Workers engaged	

## 12. The Child Labour (Prohibition and Regulation) Act, 1986 and the Rules made thereunder.

Sl. No.	Details	Yes/No
1.	Whether Prohibition of employment of Children/Child Labour as per Section - 3 is being implemented in letter and spirit	
2.	Whether the Register of Maintenance has been maintained as per Section - 11	
3.	Whether the hours of work and intervals are specified as per Section - 7	
4.	Whether the weekly Holidays are provided as per Section - 8	
5.	Notice to Inspector as per Section - 9 being given	
6.	Dispute as to Age per Section - 10 being referred to Concerned Inspector	
7.	Whether the Notice is Displayed per Section - 12	
8.	Whether the health and safety provisions are implemented as per Section - 13	

## 13. The Building and other Construction (Regulation of Employment and Condition of Service) Act, 1996 and Rules made thereunder.

Registration Number and Valid Upto.....

Nature of Building/Works.....

Total Number of workers employed :

Sl. No.	Details	Yes/No
1.	Have the following provisions been made for the workers	
	(i) Quality drinking water as per Section - 32	
	(ii) Latrines and Urinals as per Section - 33	
	(iii) Accommodation for workers near the Site as per Section - 34	
	(iv) Creches as per Section - 35, if applicable	
	(v) First Aid facilities as per Section - 36	
	(vi) Canteens as per Section - 37	
2.	Are Notices being issued in case of Accidents under Section - 39	
3.	Whether employer is taking all applicable measures as part of Provisions for Safety and Health as mentioned in Part - III of rules to protect the workers through the following :	
	(i) Measures to protect against Excessive Noise and Vibration (Rule 34)	
	(ii) Adequate Fire Fighting equipment for Fire Protection as per Rule 35	
	(iii) Emergency Action plan under Rule 36	
	(iv) Fencing of motors/moving parts of machinery as per Rule 37 being done	
	(v) Protection against lifting excessive weight as per Rule 38	
	(vi) Formulation and Submission of Health and Safety Policy as per Rule 39	
	(vii) All Measures being taken to protect workers from harmful environment as per Rule 40	
	(viii) Overhead Protection under rule 41	
	(ix) All Measures being taken to protect workers from dust, gas fumes, corrosive substances as per Rule 42 and 43	
	(x) Providing of eye protection, Head Protection equipments, safety helmet and shoes and protective apparel under Rules 45, 46 and 54	
	(xi) Protection against Electrical hazards under Rule 47	
	(xii) Adequate barricades, warning signs, lights etc. to be placed for protection from vehicular traffic under Rule 48	
	(xiii) Ensuring stability of Structures and ensuring that no such wall, fence or structure in any form is left unguarded which can fall from a height under Rule 49	
	(xiv) All passageways to be illuminated under Rule 50	
	(xv) Proper Stacking of materials under Rule 51	
	(xvi) Safe disposal of debris under Rule 52	
	(xvii) Whether All other applicable provisions under Chapter VII to Chapter XX5 under Part III are being complied with	
4.	Whether Notice of Wage periods, Commencement and completion under Rules 239 and 240 are being sent	
5.	Whether the following registers are being maintained :	
	(i) Registers of persons employed as building workers - Rule 241	
	(ii) Muster roll, register of wages, deductions register, overtime register, wage books and service certificates as per Rule 242	

#### UNDERTAKING

1. I/We do hereby certify that the contents given above are true and correct.
2. That I/We have gone through the scheme and have fully understood the contents of the scheme and undertake to abide by the same.
3. That it is declared that I/We complying and will continue to comply with all the provisions of The Payment of Wages Act, 1936 and the rules made thereunder, The Minimum Wages Act, 1948, 1936 and the rules made thereunder, The Equal Remuneration Act, 1976 and Rules made thereunder, Contract Labour (Regulation and Abolition) Act, 1970 and the Rules made thereunder, The Payment of Gratuity Act, 1972 and the Rules made thereunder, The Payment of Bonus Act, 1965 and

(173)

the Rules made thereunder, Maternity Benefit Act, 1961 and the rules made thereunder, The Child Labour (Prohibition and Regulation) Act, 1986 and the Rules, The Inter-State Migrant Workmen (RECS) Act, 1979, The Beedi and Cigar Workers (Condition of Employment) Act, 1966 and the Rules made thereunder Motor Transport Workers Act, 1961 and rules made thereunder, The Building and Other Construction (Regulation of Employment and Condition of Service) Act, 1996 and Rules made thereunder covered by the Self-certification Scheme.

4. That I/We agree to accept the penalty prescribed under law in case of violation detected in the unit under any law covered under the scheme after applying under the scheme.

Place :

Date :

Signature of Applicant

\_\_\_\_\_



# The Arunachal Pradesh Gazette

EXTRAORDINARY  
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GOVERNMENT OF ARUNACHAL PRADESH  
LAW, LEGISLATIVE AND JUSTICE DEPARTMENT  
CIVIL SECRETARIAT  
ITANAGAR

## NOTIFICATION

The 21st September, 2021

No. Law/Legn-22/2020.— The following Act which was passed by the fifth session of the seventh Legislative Assembly of Arunachal Pradesh and received the assent of the President of India is hereby published for general information.

(Received the assent of the President of India on 24.08.2021)

### THE INDUSTRIAL DISPUTES (ARUNACHAL PRADESH AMENDMENT) ACT, 2020 (ACT No. 11 OF 2021)

An

Act

further, to amend the Industrial Disputes Act, 1947 (Central Act 14 of 1947), as in force in the State of Arunachal Pradesh.

BE it enacted by the Legislative Assembly of Arunachal Pradesh in the Seventy-first Year of the Republic of India, as follows :

1. **Short title and commencement :** (1) This Act may be called the Industrial Disputes (Arunachal Pradesh Amendment) Act, 2020.  
(2) It shall be deemed to have come into force with effect from 14th July, 2020.
2. **Amendment of Section 2A :** In section 2A of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), as in force in the State of Arunachal Pradesh (hereinafter referred to as the "principal Act") :
  - (i) In sub-section (3), for the words "three years", the words "one year" shall be substituted ;
  - (ii) After sub-section (3), the following sub-section shall be inserted, namely :

"(4) Notwithstanding anything contained in sub-sections (1), (2) and (3), no such dispute or difference between that workman and his employer connected with, or arising out of, such discharge, dismissal, retrenchment or termination shall be deemed to be an industrial dispute if such dispute is not raised before conciliation officer within a period of one year from the date of such discharge, dismissal, retrenchment or termination :

Provided that an authority as may be specified by the State Government may condone the delay beyond such period of one year if the applicant workman satisfies the Authority that he had sufficient cause for not raising the dispute within the period of the one year".
3. **Amendment of section 25F :** In section 25F of the principal Act, in sub-clause (b), for the expression "fifteen days", the expression "forty five days" shall be substituted.
4. **Substitution of section 25K :** For section 25K of the principal Act, the following section shall be substituted, namely :

"25K. Application of Chapter V-B : (1) The provisions of this chapter shall apply to an industrial establishment (not being an establishment of a seasonal character or in which work is performed only intermittently) in which not less than three hundred workmen were employed on an average per working day for the preceding twelve months.

(2) Without prejudice to the provisions of sub-section (1), the State Government may, if satisfied that maintenance of industrial peace or prevention of victimization of workmen so requires, by notification in the Official Gazette apply the provisions of this Chapter to an industrial establishment (not being an establishment of a seasonal character or in which work is performed only intermittently) in which such number of workmen which may be less than three hundred but not less than one hundred, as may be specified in the notification, were employed on an average per working day for the preceding twelve months.

(3) If a question arises whether an industrial establishment is of a seasonal character or whether work is performed therein only intermittently, the decision of the State Government thereon shall be final".

5. **Amendment of section 25N** : In section 25N of the principal Act, in sub-section (9), for the expression "fifteen days", the expression "forty five days" shall be substituted.

6. **Amendment of section 25O** : In section 25O of the principal Act, in sub-section (8), for the expression "fifteen days", the expression "forty five days" shall be substituted.

7. **Insertion of section 31A** : After section 31 of the principal Act, the following section shall be inserted, namely :

"31A. Compounding of offences : (1) Any offence punishable under sections 25Q, 25R, 25-U, 26, 27, 28, 29, 30A and sub-sections (1) and (2) of section 31 may, either before or after the institution of the prosecution, on an application by the alleged offender, be compounded by such officer of authority as the State Government may, by notification in the Official Gazette, specify in this behalf for such amount as specified in the Table below.

TABLE

Sl. No.	Section	Composition amount	
(1)	(2)	(3)	
1.	25Q	25 days wages last drawn by each workman.	
2.	25R	60 days wages last drawn by each workman.	
3.	25U	(i) By each workman ₹ 150 per day but not exceeding ₹ 3000 in aggregate;	
		(ii) By employer ₹ 300 per day but not exceeding the amount in aggregate as shown below :	
		Number of workmen employed in the industry	Amount not exceeding
		1 to 50	₹ 7,000
		51 to 100	₹ 10,000
4.	26	101 to 500	₹ 15,000
		More than 500	₹ 20,000
		(i) In case of illegal strike, ₹ 150 per by each workman but not exceeding ₹ 3000 in aggregate ;	
		(ii) In case of illegal lock-out ₹ 300 per day by an employer but not exceeding the amount in aggregate as shown below :	
		Number of workmen employed in the industry	Amount not exceeding
5.	27 and 28	1 to 50	₹ 7,000
		51 to 100	₹ 10,000
		101 to 500	₹ 15,000
		More than 500	₹ 20,000
6.	29	₹ 200 per day in respect of each of the workman	
7.	30A	25 days wages last drawn by each workman	

(1)	(2)	(3)			
8.	31(1)	Number of workmen employed in the industry	For first offence	For the second offence	For third offence
		1 to 50	₹ 10,000	₹ 15,000	₹ 20,000
		51 to 100	₹ 15,000	₹ 20,000	₹ 25,000
		101 to 500	₹ 20,000	₹ 25,000	₹ 30,000
		More than 500	₹ 30,000	₹ 35,000	₹ 40,000
9.	32 (2)	(i) For each workman, for the first offence ₹ 1000, for the second offence ₹ 2000 and for the third offence ₹ 3000			
		(ii) For Employer.			
		1 to 50	₹ 1500	₹ 3000	₹ 6000
		51 to 100	₹ 3000	₹ 6000	₹ 10000
		101 to 500	₹ 4000	₹ 8000	₹ 15000
		More than 500	₹ 5000	₹ 10000	₹ 20000

Provided that the State Government may, by notification in the Official Gazette, amend the composition amount specified in above Table :

Provided further that the offence committed of the same nature shall be compoundable only for the first three offences :

Provided also that such offences shall be compounded only after the alleged offender has acted to the satisfaction of such officer or authority that such offence is not continued any further.

(2) where an offence has been compounded under sub-section (1), no further proceedings shall be taken the offender in respect of such offence and the offender, if in custody, shall be discharged".

8. **Insertion of section 36C** : After section 36B of the principal Act, the following section shall be inserted, namely :

"36C. Power to exempt new industries : Where the State Government is satisfied in relation to any new industrial establishment of new undertaking or class of new public interest to do so, it may, by notification in the Official Gazette, exempt, conditionally or unconditionally, any such new establishment or new undertaking or class of new establishments or new undertakings from all or any of the provisions of this Act for a period of one thousand days from date of establishment of such new industrial establishment or new undertaking or class of new establishment or new undertakings, as the case may be".

**Explanation** : For the purpose of this section, the expression " new industrial establishment or new undertaking or class new industrial establishments or new undertakings" means such industrial establishment or undertaking or class of industrial establishment or undertakings which are established within a period of **one thousand days** after the commencement of The Industrial Disputes (Arunachal Pradesh Amendment) Ordinance, 2020.

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Onit Panyang, IAS  
Commissioner to the  
Government of Arunachal Pradesh,  
Itanagar.



# The Arunachal Pradesh Gazette

EXTRAORDINARY  
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No. 259, Vol. XXIII, Naharlagun, Friday, July 22, 2016, Asadha 31, 1938 (Saka)

GOVERNMENT OF ARUNACHAL PRADESH  
DEPARTMENT OF LABOUR AND EMPLOYMENT  
ITANAGAR

NOTIFICATION

The 1st July 2016

No. LAB (MW) - 22/2016. — In exercise of the power conferred by clause (b) of sub-section (1) of section 3; read with sub-clause (ii) and (iii) of clause (b) of sub-section (3) thereof, of the Minimum Wages Act, 1948 (No. 11 of 1948), the Government of Arunachal Pradesh is pleased to revise the minimum rates of wages per day and per month as specified in columns 2-5 of Schedule - II annexed hereto payable to employment in Schedule - I below

## SCHEDULE - I

1. Employment in woolen carpet making or shawl weaving establishment.
2. Employment in any rice mill, flour mill, or dal mill.
3. Employment in any tobacco (including Bidi making industries) manufactory.
4. Employment in any plantation, that is to say, any estate which is maintained for the purpose of growing cinchona, rubber, tea, coffee etc.
5. Employment in any oil mill.
6. Employment under any local authority.
7. Employment in any construction or maintenance of roads/ building operation.
8. Employment in any stone breaking or stone crushing.
9. Employment in public motor transport.
10. Employment in any bank in respect of which Government of Arunachal Pradesh is the appropriate government to fix or revise minimum wages.
11. Employment in any shop or commercial establishment.
12. Employment in any industry in which any process of printing by either lithography, photography or other similar work or book binding is carried on.
13. Employment in any printing press.
14. Employment in cement industry.
15. Employment in any residential, hotel, restaurant or eating house.
16. Employment in motor mechanical garage including tyre - retreating or repairing industry.
17. Employment in loading and unloading except under Department of Co-operation.
18. Employment in load carrying that is any porter porting goods from one area to another area
19. Employment in any cinema and video hall.
20. Employment in saw, veneer and ply wood mills/industry.
21. Employment under any Government authority, that is to say, any casual contingency employee engaged by Government/semi Government office for the purpose of its business.
22. Employment in SK/Petrol/diesel oil delivery depot.
23. Employment under any private cooperative society, welfare or voluntary organization.



24. Employment in agriculture, that is to say, any form of farming including cultivation and tillage of soil, dairy farming, the production, cultivation, growing or harvesting of any agricultural or horticultural commodities, the raising of livestock, bees, or poultry and any practice performed by a farmer on a farm identical to or in conjunction with farm operation (including any forestry or timber operation and the preparation for market and delivery to storage or to market or to carriage for transportation to market farm product
25. Employment in forest operations.
26. Employment in any educational/ coaching institutions.
27. Employment in hospital, nursing home, dispensaries, pharmacies, consultation clinic, etc.
28. Employment in distilleries, brewing unit.
29. Employment in any establishment as security guard and watch and ward.
30. Employment in any establishment as safai karamcharies.

2. The Minimum rates of wage revised on the basis of increase in consumer prices index number (CPIN) during the period from 1st April 2014 to 1st March 2016 and revision of National Floor Level Minimum Rate of Wages (NFLMRW) as shown in the Schedule - II below

SCHEDULE - II

THE PROPOSED REVISED RATE OF MINIMUM WAGES W.E.F 01.04.2016

Categories of Workers	Area - I		Area - II	
	Daily Rate	Monthly Rate	Daily Rate	Monthly Rate
	2	3	4	5
Unskilled	Rs 200/-	Rs 200 x 30 = 6000	Rs 220/-	Rs 220 x 30 = 6600
S/Skilled	Rs 210/-	Rs 210 x 30 = 6300	Rs 230/-	Rs 230 x 30 = 6900
Skilled	Rs 220/-	Rs 220 x 30 = 6600	Rs 240/-	Rs 240 x 30 = 7200

Explanation for purpose of this Notification

- (I) The Minimum Rates of Wages' also includes the wages for the weekly off day
- (II) The service conditions and other benefits to the employees' employed in employment shown in Schedule - I will continue to be governed by the clause as specified in Schedule - IV and by the provision of relevant labour laws.
- (III) If the minimum rates of wages in other State/Union Territories, where government or semi-government organizations under Government of Arunachal Pradesh are located, are higher than the above prescribed rates, such higher rate shall be paid to those employees under the government of Arunachal Pradesh in that particular State or Union Territories.

**EXPLANATION.** For such purpose of this notification the term "employee" shall also include "workers" or "Labourers" which are synonyms of each other in common parlance.

IV. Definition of categories:

- (i) Unskilled work means work which involves simple operation requiring little or no skill or experience on the job.
- (ii) Semi-skilled work means work which involves some degree of skill or competence acquired through experience on the job and which is capable of being performed under the supervision or guidance of skilled employee and includes unskilled supervisory work.
- (iii) Skilled work means work which involves skill or competence acquired through experience on the job or through training as an apprentice or in technical or vocational institute and performance of which call for initiative and judgment.

Note:

- (a) If any question arises as to whether particular work is skilled, semi-skilled or unskilled, it may be referred to the Labour Department, Government of Arunachal Pradesh, whose decision shall be final.
- (b) A list of workers classified as above is seen at Schedule - III which is however not exhaustive though its perusal is important.
- V. (I) AREA - I Shall comprise of places in Arunachal Pradesh where Special Compensatory Allowance (SCA) at lower rate is payable. It also includes places outside of Arunachal Pradesh where employees/workers are employed by or under the authority of Government of Arunachal Pradesh.

(II) AREA - II : Shall comprise of all other places in Arunachal Pradesh where SCA at higher rates is admissible.  
*Note: If any doubt/dispute arise whether a particular places fall under area- I or Area - II, the decision of the concerned Deputy Commissioner shall be final. However, the authority or power to declare any places as difficult or remote area etc. shall rest with the General Administration Department, Government of Arunachal Pradesh, Itanagar.*

VI. This supersedes earlier notification No. LAB (MW) - 02/2010, dated 30th April, 2014 and shall come into force with effect from 1st April 2016.

### SCHEDULE - III

(List of Scheduled Employment in respect of which Government of Arunachal Pradesh is Appropriate to fix or revise the rates of minimum wages payable to employees).

#### CATEGORIES OF EMPLOYMENTS :

##### UNSKILLED

1. Auxiliary labour corps (ALC)
2. Bajri spreader
3. Belder
4. Beater woman
5. Bellow man
6. Berry man
7. Calf boy
8. Cattleman
9. Caretaker
10. Cart man
11. Chair man
12. Cleaner (motor shed), tractor cattle yard, MT
13. Carrier
14. Collecting loose fodder
15. Coalman
16. Concrete (Mensch mixer)
17. Condenser attendant
18. Chowkidar
19. Daifader
20. Driver (Bullock, Camel, Donkey, Mule)
21. Dresser
22. Dairy Collies
23. Dairy man
24. Disant ling stock
25. Flag man
26. Flag man (Blast, Train)
27. Feeder (Adult, Boy)
28. Gang man
29. Grass cutter,
30. Handle man
31. Helper (state mazdoor)
32. Jumper man
33. Kamin (female work)
34. Khalasi
35. Labourer (Boiler, Cattle yard, cultivation loading and unloading, general building, caring fertiliser harvesting, miscellaneous, seedling, sowing, thatching, transplanting, weeding)
36. Lamp man
37. Mazdoor (carboncuturist, composite dairy, heavy staking, irrigation, manure, stocking milk room, ration room, store Anti malaria MR)
38. Patrol man
39. Peon
40. Searcher
41. Signal man

152

42. Strikers
43. Strikers (moplah Gang)
44. Stringers
45. Shunters
46. Stable man
47. Sweeper
48. Syce
49. Tatti boy
50. Tile turner
51. Tying and carrying
52. Valve controller
53. Valve man
54. Watchman
55. Waterman
56. Weighing and carrying bales
57. Any other categories by whatever name called which are of an unskilled nature

2. SEMI - SKILLED.

1. Auxiliary Labour corps (Sardar)
2. Assistant (chowdhury)
3. Attendant (bull, calving, lines chaff, cutter, hostel, dry stock, grain crusher, pump sick line, stable yard stock)
4. Assistant plumber
5. Attendant
6. Bhisti
7. Brander
8. Bullman
9. Butter man
10. Barber
11. Bearer
12. Beichawala
13. Boatman
14. Breakman
15. Breaker (rock, stone, metal)
16. Cane weaver
17. Chainman (head)
18. Charpoy stringer
19. Checker
20. Chowkidar (Head)
21. Cook (Helper)
22. Creaker
23. Coachman
24. Daftri
25. Dolly man
26. Driller
27. Driller (hole rock)
28. Driver (skin)
29. Delivery man
30. Dhobi
31. Farrier
32. Feeder
33. Fire man
34. Fireman (bricks, kiln, steam, road roller)
35. Farash
36. Ferreoman
37. Gate keeper

152

38. Gharami (Thatcher)
  39. Glass man
  40. Greaser
  41. Greaser cum fireman
  42. Grinder
  43. Gowala
  44. Hacksaw man
  45. Hammer man
  46. Helper (blacksmith)
  47. Jamadar
  48. Mali
  49. Manjhee (boatman)
  50. Masalchi
  51. Mazdoor (heavy weight change)
  52. Macadam
  53. Night guard
  54. Nalbond
  55. Olan
  56. Ploughman
  57. P.M. mate
  58. Point man
  59. Quarry man
  60. Quarry operator
  61. Store man
  62. Stocker
  63. Stocker cum boiler man
  64. Supervisor
  65. Thatcher
  66. Theomtaman (spade worker)
  67. Tindal
  68. Topaz
  69. Tocker (big stone breaker)
  70. Trolley man
  71. Trolley jamadar
  72. Weighman
  73. Wire cutter
  74. Any other categories by whatever name called which are of semi - skilled nature
3. SKILLED
  1. Account clerk
  2. Assistant mistry
  3. Armature winder
  4. Artificier
  5. Bhandari
  6. Blacksmithy
  7. Boiler man
  8. Boiler fore man
  9. Brick layer
  10. Blusterer
  11. Borer

42. Strikers
43. Strikers (moplah Gang)
44. Stringers
45. Shunters
46. Stable man
47. Sweeper
48. Syce
49. Tatti boy
50. Tile turner
51. Tying and carrying
52. Valve controller
53. Valve man
54. Watchman
55. Waterman
56. Weighing and carrying bales
57. Any other categories by whatever name called which are of an unskilled nature

2. SEMI - SKILLED.

1. Auxiliary Labour corps (Sardar)
2. Assistant (chowdhury)
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4. Assistant plumber
5. Attendant
6. Bhisti
7. Brander
8. Bullman
9. Butter man
10. Barber
11. Bearer
12. Beichawala
13. Boatman
14. Breakman
15. Breaker (rock, stone, metal)
16. Cane weaver
17. Chainman (head)
18. Charbay stringer
19. Chacker
20. Chowkidar (Head)
21. Cook (Helper)
22. Creaker
23. Coachman
24. Daftri
25. Dolly man
26. Driller
27. Driller (hole rock)
28. Driver (skin)
29. Delivery man
30. Dhobi
31. Farrier
32. Feeder
33. Fire man
34. Fireman (bricks, kiln, steam, road roller)
35. Farash
36. Ferreoman
37. Gate keeper

157

38. Charami (Thatcher)
39. Glass man
40. Greaser
41. Greaser cum fireman
42. Grinder
43. Gowala
44. Hacksaw man
45. Hammer man
46. Helper (blacksmith)
47. Jamadar
48. Mali
49. Manjhee (boatman)
50. Masalchi
51. Mazdoor ( heavy weight change)
52. Macadam
53. Night guard
54. Nalbond
55. Olman
56. Ploughman
57. P.M. mate
58. Point man
59. Quarry man
60. Quarry operator
61. Store man
62. Stocker
63. Stocker cum boiler man
64. Supervisor
65. Thatcher
66. Thoomtaman (spade worker)
67. Tindai
68. Topaz
69. Tocker (big stone breaker)
70. Trolley man
71. Trolley jamadar
72. Weighman
73. Wire cutter
74. Any other categories by whatever name called which are of semi - skilled nature

3. SKILLED

1. Account clerk
2. Assistant mistry
3. Armature winder
4. Artificier
5. Bhandari
6. Blacksmithy
7. Boiler man
8. Boiler fore man
9. Brick layer
10. Blusterer
11. Borer

12. Bore man
13. Carpenter
14. Cabinet maker
15. Cane man
16. Clerk
17. Celotax cutter maker
18. Chargeman
19. Checker (Junior)
20. Chickmaker
21. Chipper - cum - Grinder
22. Chick man
23. Chipper
24. Concrete mixture operator
25. Concrete mixture mixer
26. Cobbler
27. Computer
28. Coremaker
29. Cook (Head)
30. Driver (Engine State, Stone Crusher, Tractor, Dozer)
31. Distemperer
32. Driller
33. Driller (Well Boring)
34. Electrician
35. Fitter
36. Gharami
37. Glazier
38. Hole Driller for blasting
39. Joiner
40. Joiner (Cable)
41. Lineman
42. Mason
43. Machine man
44. Machinist
45. Mechanic
46. Meter Reader
47. Meteorological observer
48. M.C Clark (Munshi)
49. Mistry
50. Miller
51. Moulder
52. Moulder (Brick tile)
53. Mate
54. Muster Writer
55. Navighami
56. Operator
57. Painter
58. Plasterer
59. Plumber
60. Plumber-Cum-fitter
61. Polisher
62. Pump-Driver
63. Pump man (Assistant)
64. Pumper

158

- 65 Ratan man
- 66 Repairer
- 67 Riveter
- 68 Riveter (Cutter)
- 69 Road Inspector
- 70 Railway Plate Layer
- 71 Railway guard
- 72 Road Binder
- 73 Sawyer
- 74 Serang
- 75 Serang pile driving phantom with boiler
- 76 Shaps man
- 77 Shift-incharge
- 78 Sharper scooter
- 79 Spray man
- 80 Sprayer (Asphalt)
- 81 Stone cutter
- 82 Stone chiseller
- 83 Stone Blasterer
- 84 Store keeper/Store clerk
- 85 Sub-overseer/store issuer
- 86 Surveyor
- 87 Station master
- 88 Tailor
- 89 Tailor (Upolstry)
- 90 Tar Sprayer
- 91 Tarman
- 92 Tiler
- 93 Tin smith
- 94 Tinker
- 95 Trailers
- 96 Tumers
- 97 Trades man
- 98 Train Examiner
- 99 Tyre Vulcaniser
- 100 Typist
- 101 Tool Keeper
- 102 Time Keeper
- 103 Tally Clerks
- 104 Telephone Operator
- 105 Unholstener
- 106 Wood Cutter
- 107 Work Singer
- 108 Work Munsh
- 109 White washer
- 110 Wreman
- 111 Valder
- 112 Veler Sinker
- 113 Veler Sinker operator
- 114 Any other categories by whatever name which are of skilled nature

**EXPLANATION**

A Casual Labour/Contingencies: ALC shall be deemed to be in continuous service for any number of years if he/she works for 240 days in every calendar year for treating as Semi - Skilled or Skilled.



## SCHEDULE - IV

## Service conditions and other benefits applicable to workers in Arunachal Pradesh

## 1. Daily Hours of Work :

- (i) No worker shall be required to work for more than nine hours in a day with break of one hour.
- (ii) If workers are engaged for more than five hours but less than nine hours, he/she shall be deemed to have worked for a full day.

## 2. Weekly paid day of rest :

A worker shall be allowed a day of rest with wages every week which shall ordinarily be Sunday provided that he/she works continuously for a period of six days preceding the day of rest/Sunday.

## EXPLANATION :

Absence of worker from his/her work on any day(s), during the period of six days preceding the weekly day of rest, or sickness authorised leave or an accident or a strike which is not illegal, or a lock out, or a cessation of work which is not due to any fault on the part of the worker, shall be deemed to be present at work for the purposes of weekly paid day of rest.

## 3. Extra wages for overtime :

- (i) Where a worker works for more than nine hours, he/ she shall in respect of overtime work, be entitled to wages at the rate of twice his/her ordinary rate of wages.
- (ii) If workers are required to work on paid weekly day of rest, declared national holiday or festival holidays, he/she shall be deemed to have worked overtime.

## 4. Paid National Holidays :

- (a) 26th January
- (b) 20th February
- (c) 1st May (May Day)
- (d) 15th August
- (e) 2nd October

## 5. Festival Holidays :

There shall be any 5 (five) paid festival holidays in a year. The concerned Government Department, Semi-Government Organisation, Industrial Units, etc. shall declare the days as may be appropriate to be observed as such holidays.

## 6. Casual Leave :

An employee shall be allowed 6(six) days casual leave with wages in a year. This shall not include special casual leave allowed for attending conference, meetings, etc.

## 7. Wages during Hospitalization :

- (i) An employee hospitalized or undergoing medical treatment shall be entitled to full wage for a maximum period of 15(fifteen) days, subject to production of medical certificate issued by a competent authority.
- (ii) In case of injuries sustained in an accident during the course of employment for which an employee is hospitalized, he/she shall be entitled to full wages up-to a maximum period of 30(thirty) days, subject to the provision of the Workmen Compensation Act, 1923.

## EXPLANATION :

An employee shall be deemed to be in continuous service for a period of three years if he/she has, for that period, rendered uninterrupted service, including service which may be interrupted on account of sickness or authorized leave or an accident or a strike which is not illegal or lock-out or cessation of work which is not due to any faults on the part of the workers.

## 8. Daily Allowance :

An employee shall be entitled to TA/DA benefit as admissible to the group-"D" regular Government employees

## 9. Existing Higher and Better Service Conditions :

Any existing higher rates of wages and better service conditions (already available to a worker) shall not be affected by this order, and such rates and service condition shall continue to be paid and made available

Kapa Kholie  
Secretary (L&E).  
Government of Arunachal Pradesh,  
Itanagar.



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EXTRAORDINARY  
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No. 97. Vol. VII, Naharlagun, Thursday, May 30, 1996, Jyaistha 9, 1918 (Saka)

GOVERNMENT OF ARUNACHAL PRADESH  
DEPARTMENT OF LABOUR  
NAHARLAGUN

## NOTIFICATION

The 21st December, 1995

No. LAB (LAW)-115/93. - Whereas the draft of "Arunachal Pradesh Minimum Wages Rules 1993" was published as required by Section 30 of the Minimum Wages Act, 1948 (XI of 1948), in the Arunachal Pradesh Gazette, Extraordinary, No.169, Vol VI, dated, the 18th November 1994, under the Notification of the Government of Arunachal Pradesh, Department of Labour No. LAB(LAW)-115/93 dated the 7th April, 1994, inviting objections and suggestions from all persons likely to be affected.

And whereas no objection or suggestion has been received by the Government on the aforesaid draft rules.

Now, therefore, in exercise of the powers conferred by Section 30 of the Minimum Wages Act, 1948 (XI of 1948), the Governor of Arunachal Pradesh hereby makes the following rules.

### ARUNACHAL PRADESH MINIMUM WAGES RULES, 1993

#### CHAPTER - I

#### PRELIMINARY

1. **Short title, extent and commencement :** (1) These Rules may be called the Arunachal Pradesh Minimum Wages Rules, 1993.
  - (2) They shall extend to the whole of the State of Arunachal Pradesh.
  - (3) They shall come into force on such date as the State Government may, by notification in the Official Gazette, appointment.
2. **Interpretation :-** In these Rules, unless the context otherwise requires ;
  - (a) "Act" means the Minimum Wages Act, 1948 (XI of 1948) ;
  - (b) "Authority" means the authority appointed under sub-section (1) of Section 20 ;
  - (c) "Board" means the Advisory Board appointed under Section 7 ;
  - (d) "Chairman" means the Chairman of the Advisory Board or the Committee, as the case may be, appointed under Section 9 ;
  - (e) "Committee" means a committee appointed under Clause (a) of sub-section (1) of section 5 and includes a sub-committee appointed under that Section ;
  - (f) "Day" means a period of twentyfour hours beginning at midnight ;
  - (g) "Form" means a form appended to these rules ;
  - (h) "Inspector" means a person appointed as Inspector under Section 19 ;
  - (i) "Registered trade union" means a trade union registered under the Indian Trade Union Act, 1926 ;
  - (j) "Section" means a section of the Act ; and
  - (k) all other words and expressions used herein and not defined shall have the meaning respectively assigned to them under the Act.

## CHAPTER - II

## MEMBERS AND STAFF, AND MEETINGS OF THE BOARD AND COMMITTEE

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

4. **Term of office of the member of the Board :** (1) Save as otherwise expressly provided in these rules. The term of the office of a non-official member of the Board shall be two years commencing from the date of his/her nomination :

Provided that such member shall, notwithstanding the expiry of the said period of two years, continue to hold office until his/her successor is nominated.

(2) A non-official member of the Board nominated to fill a casual vacancy shall hold office for the remaining period of the term of office of the member in whose place he is nominated :

(3) The official members of the Board shall hold office during the pleasure of the Government of Arunachal Pradesh.

5. **Nomination of substitute members :** If a member is unable to attend a meeting of the Committee or the Board, the Government of Arunachal Pradesh or the body which nominated him/her may, by notice in writing signed on its behalf and by such member and addressed to the Chairman of the said Committee or the Board, nominate a substitute in his/her place to attend that meeting. Such substitute member shall have all the rights of a member in respect of that meeting.

6. **Travelling allowance :** A non-official member of the Committee or the Board shall be entitled to draw travelling and halting allowances for any journey performed by him/her in connection with his/her duties as such member at the rates and subject to the conditions applicable to a Government servant of the Group 'A' under the appropriate rules of the Government of Arunachal Pradesh.

7. **Staff :** (1) The Government of Arunachal Pradesh may appoint a Secretary, to the Committee, and the Board, and such other staff as it may think necessary, and may fix the salaries and allowances payable to them and specify their conditions of service.

(2) (i) The Secretary shall be the Chief Executive Officer of the Committee or the Board, as the case may be. He/She may attend the meeting of such Committee or Board but shall not be entitled to vote at such meeting.

(ii) The secretary shall assist the Chairman in convening meetings and shall keep a record of the minutes of such meetings and shall take necessary measures to carry out the decisions of the Committee or the Board, as the case may be.

8. **Eligibility for re-nomination of the members of the committee and the board :** An outgoing member shall be eligible for re-nomination for the membership of the Committee or the board of which he/she was a member.

9. **Resignation of the Chairman and members of the Committee, and the Board and filling of casual vacancies :** (1) A member of the Committee or the Board other than the Chairman may by giving notice in writing to the Chairman resign his/her membership.

(2) A resignation shall take effect from the date of communication of its acceptance or on the expiry of 30 days from the date of resignation whichever is earlier. The Chairman may resign by letter addressed to the Government of Arunachal Pradesh.

(3) When a vacancy occurs or is likely to occur in the membership of the Committee or the Board, the Chairman shall submit a report to the Government of Arunachal Pradesh immediately. The Government of Arunachal Pradesh shall then take steps to fill the vacancy.

10. **Cessation and restoration of membership ;** (1) If a member of the Committee or the Board fails to attend three consecutive meetings, he shall, subject to the provisions of sub-rule (2), cease to be a member thereof.

(2) A person who ceases to be a member under sub-rule (1) shall be given intimation of such cessation by a letter sent to him by registered post within fifteen days from the date of such cessation. The letter shall indicate that if he desires restoration of his/her membership, he/she may apply therefore within thirty days from the receipt of such letter. The application for restoration of membership, if received within the said period, shall be placed before the Committee or the Board, as the case may be, and if a majority of members present at the next meeting is satisfied that the reasons for failure to attend three consecutive meetings are adequate, the member shall be restored to membership immediately after a resolution to that effect is adopted.

11. **Disqualification** : (1) A person shall be disqualified for being nominated as, and for being a member of the Committee or the Board ;

- (i) if he is declared to be of unsound mind by a competent court ; or
- (ii) if he/she is un-discharged insolvent ; or
- (iii) if he/she has been convicted of an offence involving moral turpitude.

(2) If any question arises whether a disqualification has been incurred under sub-rule (1), the decision of the Government of Arunachal Pradesh thereon shall be final.

12. **Meetings** : The Chairman may, subject to the provisions of rule 13, call a meeting of the Committee or the Board, at any time he thinks fit :

Provided that on a requisition in writing from not less than one half of the members, the Chairman shall call a meeting within fifteen days from the date of the receipt of such requisition.

13. **Notice of meetings** : The Chairman shall fix the date, time and place of every meeting and a notice in writing containing the aforesaid particulars alongwith a list of business to be conducted at the meeting shall be sent to each member by registered post at least fifteen days before the date fixed for such meeting :

Provided that in the case of an emergent meeting notice of seven days only may be given to every member.

14. **Conduct of meetings** : (1) The Chairman shall preside at the meetings of the Committee or the Board, as the case may be ;

(2) In the absence of the Chairman at any meeting the members shall elect from amongst themselves by a majority of votes, a member who shall preside at such meeting.

15. **Quorum** : No business shall be transacted at any meeting unless at least one third of the members and at least one representative each of both the employers and the employees are present :

Provided that, if at any meeting less than one-third of the members are present or not even one representative each of both the employers and employees are present, the Chairman may adjourn the meeting to a date not later than seven days from the date of the original meeting and it shall thereupon be lawful to dispose of the business at such adjourned meeting irrespective of the member or class of members present :

Provided further that the date, time and place of each adjourned meeting shall be intimated to all the members by telegram or by written communication.

16. **Disposal of business** : All business shall be considered at a meeting of the Committee or the Board, as the case may be, and shall be decided by a majority of the votes of members present and voting. In the event of an equality of votes the Chairman shall have a casting vote :

Provided that the Chairman may, if he thinks fit., direct that any matter shall be decided by the circulation of necessary papers and by securing written opinion of the members :

17. **Method of voting** : Voting shall ordinarily be by show of hands, but if any member asks for voting by ballot, or if the Chairman so decides, the voting shall be by secret ballot and shall be held in such manner as the Chairman may decide.

18. **Proceeding of the meeting** : (1) The proceedings of each meeting showing inter alia the names of the members present there shall be forwarded to each member and to the Government of Arunachal Pradesh as soon as possible after the meeting and in any case, not less than seven days before the next meeting.

(2) The proceedings of each meeting shall be confirmed with such modification, if any, as may be considered necessary at the next meeting.

### CHAPTER - III

#### SUMMONING OF WITNESS BY THE COMMITTEE AND THE BOARD AND PRODUCTION OF DOCUMENTS

19. **Summoning of witness and production of documents** : (1) The Committee or the Board may summon any person to appear as witness in the course of an enquiry. Such summons may require a witness to appear it on a date specified therein and to produce any books, papers or other documents and things in his/her possession or under his/her control relating, in any manner, to the enquiry.

(2) A summon under sub-rule (1) may be addressed to an individual or an organisation of employers or a registered trade union of workers.

(3) A summon under this rule may be served -

- (i) in the case of an individual, being delivered or sent to him/her by registered post ;

- (ii) in the case of an employers' organisation or a registered trade union of workers, by being delivered or sent by registered post to the Secretary or other principal officer of the organisation or union, as the case may be.

(4) The provision of the Code of Civil Procedure, 1908 (5 of 1908), relating to the summoning and enforcement of the appearance of witnesses and the production of documents shall, so far as may be, apply to proceedings before the Committee or the Board.

(5) All books, papers and other documents or things produced before the Committee or the Board in pursuance of a summon issued under sub-rule (1) may be inspected by the Chairman and independent members and also by such parties as the Chairman may allow with the consent of other party, but the information so obtained shall be treated as "Confidential" and the same shall be made public only with the consent in writing of the party concerned :

Provided that nothing contained in this rule shall apply to disclosure of any such information for the purpose of a prosecution under Section 193 of the Indian Penal Code, 1860 (45 of 1860).

20. **Expenses of witness** : Every person who is summoned and appears as a witness before the Committee or the Board shall be entitled to an allowance for expenses by him/her in accordance with the scale for the time being in force for payment of such allowances to witnesses appearing in Civil Court in the State.

#### CHAPTER - IV

#### COMPUTATION OF PAYMENT OF WAGES, HOURS OF WORK AND HOLIDAYS

21. **Mode of computation of the case value of wages** : The retail prices at the nearest market shall be taken into account in computing the case value of wages paid in kind of essential commodities supplied at concession rates. The computation shall be made in accordance with such directions as may be issued by the Government of Arunachal Pradesh from time to time.

22. **Time and conditions of payment of wages and the deductions permissible from wages** : (1) The wages of a worker in any scheduled employment shall be paid on a working day--

- (i) in the case of establishments in which less than one thousand person are employed, before the expiry of the seventh day ; and
- (ii) in the case of other establishments, before the expiry of the tenth day, after the last day of the wage period in respect of which the wages are payable.

(2) Where the employment of any person is terminated by or on behalf of the employer, the wages earned by him/her shall be paid before the expiry of the second working day after the day on which his/her employment is terminated.

(3) The wages of an employed person shall be paid to him without deduction of any kind except those authorized by or under these rules.

*Explanation* : Every payment made by the employed person to the employer or his/her agent shall for the purposes of these rules be deemed to be as deduction from wages.

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

- (i) fine in respect of such acts or omissions on the part of employed person as may be specified by the Government of Arunachal Pradesh by general or special order in this behalf ;
- (ii) deduction for absence from duty ;
- (iii) deductions for damage to or loss of goods expressly entrusted to the employed person for custody, or for loss of money for which he/she is required to account, where such damage or loss is directly attributable to his/her neglect or default ;
- (iv) deductions for house accommodation supplied by the employer ;
- (v) deductions for such amenities and services supplied by the employer as the Government of Arunachal Pradesh may, by general or special order, authorize.

*Explanation* : The words "amenities and service" in the clause do not include the supply of tools and protectives required for the purposes of employment.

- (vi) deductions for recovery of advances or for adjustment of over payments of wages :

Provided that such advances do not exceed an amount equal to wages for two calendar months of the employee person and, in no case, shall the monthly instalment of deduction exceed one-fourth of the wages in that month.

(150)

- (vii) deductions of income-tax payable by the employed person ;
- (viii) deductions required to be made by order of a court or other competent authority ;
- (ix) deductions for subscriptions to, and for repayment of advances from any provident fund to which the Provident Fund Act, 1952 (19 of 1952), applies or any recognised provident fund as defined in Section 8 A of the Indian Income Tax, 1961 or any other provident fund approved in this behalf by the Government of Arunachal Pradesh during continuous of such approval ;
- (x) deductions for payment to Co-operative Society or deductions for recovery of loans advances by an employer from out of a fund maintained for the purpose by the employer and approved in this behalf by the Government of Arunachal Pradesh or deductions made with the written authorization of the person employed for payment of any premium in his/her life insurance policy to the Life Insurance Corporation of India established under the Life Insurance Act, 1956 (31 of 1956) ;
- (xi) deduction for recovery or adjustment of amounts other than wages paid to the employed person in error or in excess of what is due to him/her ;
- (xii) deductions made with the written authorization of the employed persons (which may be given once generally and not necessarily every time a deduction is made), for the purchase of securities of the Government of India or of any State Government or for being deposited in any Post Office Savings Bank in furtherance of any savings scheme of any Government ;
- (xiii) deductions made with the written authorization of the employed person for the contributions to the National Defence Fund or the Prime Minister's National Relief Fund or to any Defence Savings Scheme approved by the Government of Arunachal Pradesh or to such other fund as the Government of Arunachal Pradesh may, by notification in the official Gazette, specify in this behalf ;
- (xiv) deductions for recovery of loans granted for house building or other purposes approved by the Government of Arunachal Pradesh and for the interest due in respect of such loans, subject to any rules made or approved by the Government of Arunachal Pradesh regulating the extent to which such loans may be granted and the rate of interest payable thereon :

Provided that prior approval of the Inspector or any other officer authorized by the Government of Arunachal Pradesh in this behalf is obtained in writing before making the deduction unless the employee gives his/her consent in writing to such deductions :

(5) Notwithstanding anything contained in these rules, the total amount of deductions which may be under sub-rule (4) in any wage period, from the wages of an employee shall not exceed :-

- (i) 75 per cent of such wages in cases where such deductions are wholly or partly made for payments to consumer co-operative stores run by any co-operative society under Clause (x) of sub-rule (4) ; and
- (ii) 50 per cent of such wages in any other case :

Provided that where the total amount of deductions which have to be made under sub-rule (4) in any wage period form the wages of any employee exceeds the limit specified in Clause (i), or as the case may be, Clause (ii) of this sub-rule, the excess shall be carried forward and recovered from the wages of succeeding wages period or wages periods as the case may be in such number of instalments as may be necessary.

(6) Any person desiring to impose a fine on an employed person or to make a deduction for damage or loss caused by him/her shall explain to him/her personally and also in writing the act or omission or the damage or loss, in respect of which the fine or deduction is proposed to be imposed or made and give him/her an opportunity to offer an explanation in the presence of another person. The amount of the said fine or deduction shall also be intimated to him/her.

(7) The amount of fine or deduction for damage or loss mentioned in sub-rule (6) shall be subject to such limits as may be specified in this behalf by the state Government. All such fines imposed and deductions made shall be recorded in the registers maintained in Forms I and II, respectively. These registers shall be kept at the work spot and maintained up-to-date. Where no fine or deduction has been imposed or made on or from any employee in a wage period a "nil" entry shall be made across the body of the relevant register at the end of the wage period, indicating also in precise terms the wage-period to which the "nil" entry relates.

(8) Every employer shall send annually a return in Form III so as to reach the Inspector not later than the 1st February following the end of the year to which it relates.

(9) The amount of fine imposed under sub-rule (6) shall be utilised only for such purposes beneficial to employees, as are approved by the Government of Arunachal Pradesh.

(10) Nothing in this rule shall be deemed to affect the provisions of the Payment of Wages Act, 1936 (4 of 1936).

23. **Publicity to the minimum wages fixed under the act :** Notices in Form X containing the minimum rates of wages fixed together with abstracts of the Act, the Rules made thereunder and the name and address of the Inspector shall be displayed in English and in a language understood by the majority of the workers in the employment at the main entrance to the establishment and at its office and shall be maintained in a clean and legible condition.

24. **Weekly day of rest :** (1) Subject to the provisions of this rule, an employee in a scheduled employment in respect of which minimum rates of wages have been fixed under the Act, shall be allowed a day of rest every week (hereinafter referred to as "the rest day") which shall ordinarily be Sunday, but the employer may fix any other day of the week as the rest day for any employee or class of employees in that schedule employment :

Provided that the employee has worked in the scheduled employment under the same employer for a continuous period of not less than six days :

Provided further that the employee shall be informed of the day fixed as the rest day and of any subsequent change in the rest day before the change is effected, by display of a notice to that effect in the place of employment at the place specified by the Inspector in this behalf.

*Explanation :* For the purpose of computation of the continuous period of not less than six days specified in the first proviso in this sub-rule :

- (a) any day on which the employee is required to attend for work but is given only an allowance for attendance and is not provided with work ;
- (b) any day on which an employee is laid off on payment of compensation under the Industrial Disputes Act, 1947 ; and
- (c) any leave or holiday, with or without pay, granted by the employer to an employee in the period of six days immediately preceding rest day shall be deemed to be days on which the employee has worked.

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

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

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

(4) An employee shall be granted for the rest day wages calculated at the rate applicable to the next preceding day and in case he/she works on the rest day and had been given a substituted rest day, he/she shall be paid wages for the rest day on which he/she worked, at the overtime rate and wages for the substituted rest day at the rate applicable to the next preceding day :

Provided that where the minimum rate of wages of the employee as notified under the Act has been worked out by dividing the minimum monthly rate of wages by twentysix, or where the actual daily rate of wages of the employee has been worked out by dividing the monthly rate of wages by twentysix and such actual daily rate of wages of the employee no wages for the rest day shall be payable, and in case the employee works on the rest day and has been given a substituted rest day, he/she be paid, only for the rest day on which he/she worked, an amount equal to the wages payable to him/her at the overtime rate and if any dispute arises whether the daily rate of wages has been worked out as aforesaid the Labour Commissioner/Deputy Labour Commissioner may on application made to him in this behalf, decide the same, after giving an opportunity to the parties concerned to make written representations.

Provided further that in the case of an employee governed by a piece-rate scheme, the wages for the rest day, or as the case may be, the rest day and the substituted rest day, shall be such as the Government of Arunachal Pradesh may, by notification in the official Gazette, prescribe having regard to the minimum rate of wages fixed under the Act, in respect of the scheduled employment.

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

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

*Explanation :* For the purpose of this rule "week" shall mean a period of seven days beginning at midnight on Saturday night.

25. **Number of hours of work which shall constitute a normal working day :** (1) The number of hours which shall constitute a normal working day shall be 9 hours.

(2) The working day of a worker shall be so arranged and inclusive of intervals for rest, if any, it shall not spread over more than twelve hours on any day.

(3) The number of hours of work in the case of an adolescent shall be the same as that of an adult if he/she is certified to work as an adult by a competent medical practitioner approved by the Government of Arunachal Pradesh.

(4) The provisions of sub-rules (1) to (3) shall in case of workers in agricultural employment, be subject to such modifications as may, from time to time, be notified by the Government of Arunachal Pradesh.

(5) Nothing in this rule shall be deemed to affect the provisions of the Factories Act, 1948 (63 of 1948).

26. **Night shifts :** Where a worker in a scheduled employment works on shift which extends beyond midnight :

(a) a holiday for the whole day for the purpose of rule 24 shall, in his case, mean a period of twenty-four consecutive hours beginning from the time when his/her shift ends ; and

(b) the following day in such a case shall be deemed to be the period of twenty four hours beginning from the time when such shift ends, and the hours after midnight during which such worker was engaged in work shall be counted towards the previous day.

27. **Extra wages for overtime :** (1) When a worker works in an employment for more than nine hours on any day or for more than forty-eight hours in any week, he/she shall, in respect of overtime work, be entitled to wages.

(i) in the case of employment in agriculture, at one and a half time the ordinary rate of wages ; and

(ii) in the case of any other scheduled employment, at double the ordinary rate of wages.

*Explanation :* The expression "ordinary rate of wages" means the basic wages plus such allowances including the cash equivalent of the advantages accruing through the concessional sale to the person employed of food grains and other articles as the person employed is for the time being entitled to but does not include bonus.

(2) A register of overtime shall be maintained by every employer in Form IV in which entries under the columns specified therein shall be made as and when overtime is worked in any establishment. The register shall be kept at the workspot and maintained up-to-date. Where no overtime has been worked in any wage period, a "nil" entry shall be made across the body of the register at the end of the wage period indicating also in precise terms the wage period to which the "nil" entry relates.

(3) Nothing in this rule shall be deemed to affect the provisions of the Factories Act, 1948 (63 of 1948).

28. **Form or registers and records :** (1) A register of wages shall be maintained by every employer at the workspot in Form XI.

(2) Every employer shall in respect of each person employed in the establishment, complete the entries pertaining to a wage period.

(a) in columns 1 to 15 of Form XI before the date on which the wages for such wage period fall due ; and

(b) in columns 16 and 17 of the said Form, on the date when payment is made and obtain the signature or thumb impression of the employees in column 18 of the said Form.

(3) A wage slip in Form XII shall be issued by every employer to every person employed by him at least a day prior to the disbursement of wages.

(4) Every employer shall get the signature or thumb impression of every person employed on the register of wages and wage slip.

(5) Entries in the register of wages and wages slip shall be authenticated by the employer or any person authorised by him in this behalf.

(6) a muster roll shall be maintained by every employer at the workspot in Form V and the attendance of each person employed in the establishment shall be recorded daily in that form within three hours of the commencement of the work shift or delay for the day, as the case may be.

29. **Preservation of registers :** (1) A register required to be maintained under rules 22(4), 27(2) and 28(1) and the muster roll required to be maintained under rule 28(6) shall be preserved for a period of three years after the date of last entry made therein.

30. **Production of registers and other records :** (1) All registers and records required to be maintained by an employer under these rules shall be produced on demand before the inspector during the course of inspection of the establishment :



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

(2) Any infringement of the provisions of the Act or these rules noticed by the Inspector and communicated to the employer during the course of an inspection or otherwise shall be rectified by the employer and compliance report in respect thereof shall be submitted to the Inspector on or before the date specified by him in this behalf :

Provided that the Inspector may, if it is necessary, demand the registers and records in his office or such other public place as may be nearer to the employer.

31. Notwithstanding anything contained in these rules, where a combined (alternative) form is sought to be used by the employer to avoid duplication of work for compliance with the provision of any other Act or the rules framed thereunder, an alternative suitable form in lieu of any of the forms prescribed under these rules may be used with the previous approval of the Government of Arunachal Pradesh.

#### CHAPTER - V

32. **Application** : (1) An application under sub-section (2) of Section 20 or sub-section (1) of Section 21 by or on behalf of an employed person or group of employed persons, shall be made in duplicate in Forms VI and VI A. as the case may be, one copy of which shall bear the prescribed court fee.

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

33. **Authorization** : The authorisation to act on behalf of an employed person or persons, under sub-section (2) of section 20 or of sub-section (1) of Section 21 shall be in Form VIII by an instrument which shall be presented to the authority hearing the application and shall form part of the record.

34. **Appearance of parties** : (1) If an application under sub-section (2) of Section 20 or Section 21 is entertained, the authority shall serve upon the employer by registered post a notice in Form IX to appear before him on a specified date with all relevant documents and witness, if any, and shall inform the applicant of the date so specified.

(2) If the employer or his representative fails to appear on the specified date, the authority may hear and determine the application ex-parte.

(3) If the applicant or his/her representative fails to appear on the specified date, the authority may dismiss the application.

(4) An order under sub-rule (2) or sub-rule (3) may be set aside on sufficient cause being shown by the defaulting party within one month of the date of the said order, and the application shall then be reheard after service of notice on the opposite party of the date fixed for re-hearing in the manner specified in sub-rule (1).

#### CHAPTER - VI

#### SCALE OF COST IN PROCEEDINGS UNDER THE ACT

35. **Costs** : (1) The authority, for reasons to be recorded in writing may direct that the cost of any proceeding pending before it shall not follow the event.

(2) The costs which may awarded shall include :

(i) expenses incurred on account of court fees ;

(ii) expenses incurred on subsistence money to witness ;

(iii) pleader's fees to the extent of hundred rupees, provided that the authority in any proceeding may reduce the fees to a sum not less than fifty rupees or for reasons to be recorded in writing increase it to a sum not exceeding two hundred fifty rupees.

(3) Where there are more than one pleader or more than one applicant or opponent the authority may, subject as aforesaid, award to the successful party or parties such costs as it may deem proper.

36. **Court fees** : The court fee payable in respect of proceedings under Section 20 shall be--

(i) for every application to summon a witness five rupees in respect of each witness.

(ii) for every application made by or on behalf of an individual five rupees ;

(iii) for every application made on behalf or in respect of a number of employees -- five rupees per employee subject to a maximum of fifty rupees :

Provided that the authority may, if in its opinion applicant is pauper, exempt him/her wholly or partly from the payment of such fees :

Provided further that no fee shall be chargeable --

(a) from persons employed in agriculture ; or

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

(163)

CHAPTER - VII  
MISCELLANEOUS

37. **Savings :** These rules shall not apply in relation to any schedule employment in so far as there are any provisions applicable to such employment, which in the opinion of the Government of Arunachal Pradesh make satisfactory provisions for the matters dealt with these rules.

FORM 1  
(Rule 22 (7))  
REGISTER OF FINES

.....Employer.....

Sl. No.	Name	Father's/Husband's name	Sex	Department/Section	Nature and date of the offence for which fine imposed
1	2	3	4	5	6

Whether workman showed cause against fine or not, if so, enter	Rate of wages	Date and amount of fine imposed	Date on which fine realized	Remarks
7	8	9	10	11

165

FORM II  
(Rule 22 (7))

REGISTER OF DEDUCTIONS FOR DAMAGE OR LOSS CAUSED TO THE EMPLOYER BY THE  
NEGLECT OR DEFAULT OF THE PERSONS EMPLOYED

Serial No.	Name	Father's/Husband's name	Sex	Department/Section	Damage or loss caused with date
1	2	3	4	5	6

Whether worker showed cause against deduction, if so, enter date	Date and amount of deduction imposed	Number of instalments, if any	Date on which total amount realized	Remarks
7	8	9	10	11

FORM III  
(Rule 22 (8))  
ANNUAL RETURN

Return for the year ending the 31st December

1. (a) Name of the establishment and its postal address :
- (b) Name and residential address of the owner/contractor :
- (c) Name and residential address of the Managing agent/  
        Director/Partner in charge of the day to day affairs of  
        the establishment owned by a company, body cor-  
        porate or association. :
2. Number of days worked during the year :
3. Number of man-days worked during the year :
4. Average daily number of person employed during the year :
- (i) Adults :
- (ii) Children :
5. Total wages paid in cash. :
6. Total cash value of the wages paid in kind :
7. Deductions. :

	Number of cases	Total amount	
		Rs.	P.
(a) Fines			
(b) Deductions for damages or loss			
(c) Deduction for breach of contract			

8. Disbursement from fines

Purpose	Amount	
	Rs.	P.
(a)		
(b)		
(c)		
(d)		

9. Balance of fine in hand at the end of the year :

Dated .....

Signature .....

Designation .....



168

FORM VI

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

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

for..... area

Application No..... of 19

(1)..... Applicant (Through.....  
..... a legal practitioner/an official of..... which is registered  
trade union).

Address.....

VERSUS

(2)..... Opponent (s)

(3).....

The applicant above named states as follows :

(1) The applicant was/has been employed from..... to..... as.....  
(category) in..... (establishment) of Shri/Messrs.....  
engaged in..... (nature of work) which is a scheduled employment within the  
meaning of Section 2 (e) of the Minimum Wages Act, 1948.

(2) The opponent (s) is/are the employer (s) within the meaning of Section 2 (e) of the Minimum Wages Act.

(3) \*(a) The applicant has been paid wages at less than the minimum rate of wages fixed for his/her category  
of employment under the Act by Rs..... per day for the period from.....  
..... to.....

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

\*(c) The applicant estimates the value of relief sought by him on each account as under :

(4) The applicant estimates the value of relief sought by him on each account as under :

(a) Rs.....

(b) Rs.....

(c) Rs.....

Total Rs.....

170-169

(5) The applicant, therefore, prays that a direction may be issued under Section 20(3) of the Act for :--

- \* (a) Payment of the difference between the wages payable under the Minimum Wages Act and the wages actually paid.
- \* (b) Payment of remuneration for the days of rest.
- \* (c) Payment of wages at the overtime rate.
- \* (d) Compensation amounting to Rs. . . . . .

The applicant begs leave to amend or add to or make alteration in the application, if and when necessary, with the permission of the Authority.

The applicant does solemnly declare that the facts stated in this application are true to the best of his/her knowledge, belief and information.

Dated. . . . .

Signature or thumb impression of the employed person, or legal practitioner, or official of a registered trade union duly authorized.

\*Delete the portions not required.

(177)

FORM VI A

FORM OF GROUP APPLICATION UNDER SECTION 21 (1)

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

for . . . . . area

Application No . . . . . of 19

Between A,B,C and (state the number) . . . . . other. . . . .

Applicants. (through . . . . . a legal practitioner/an official of . . . . . which is a registered trade union).

Address . . . . . and X,Y,Z. . . . . opposite party  
Address. . . . .

The applicants state as follows :

- (1) The applicants whose names appear in the attached schedule were/have been employed from . . . . . to . . . . . as . . . . . categories in . . . . . (establishment) Shri/Messrs. . . . . engaged in . . . . . (nature of work) which is/are scheduled employment (s) within the meaning of Section 2 (g) of the Minimum Wages Act.
- (2) The opponent (s) is/are the employer (s) within the meaning of Section (2) (e) of the Minimum Wages Act.
- (3) \*(a) The applicants have been paid wages at less than the minimum rate of wages fixed for their category (categories) of employment (s) under the Act by Rs. . . . . per day for the period (s) from . . . . . to . . . . .  
 \*(b) The applicants have not been paid wages at Rs. . . . . per day for the weekly days of rest from . . . . . to . . . . .  
 \*(c) The applicants have not been paid wages at overtime rate (s) for the period from . . . . . to . . . . .
- (4) The applicants estimate the value of relief sought by them on each account as under :  
 (a) Rs. . . . .  
 (b) Rs. . . . .  
 (c) Rs. . . . . Total Rs. . . . .
- (5) The applicants, therefore, pray that a direction may be issued under Section 20 (3) of the Act for :--  
 \*(a) Payment of the difference between the wages payable under the Minimum Wages Act and the wages actually paid.  
 \*(b) Payment of remuneration for the days of rest.  
 \*(c) Payment of wages at the overtime rates.  
 (d) Compensation amounting to Rs. . . . .
- (6) The applicants beg leave to amend or add to or make alteration, if and when necessary, with the permission of the Authority.
- (7) The applicants do solemnly declare that the facts stated in this application are true to the best of their knowledge, belief and information.

Date. . . . .

signature or thumb impression of the employed persons, or legal practitioner, or official of a registered trade union duly authorized.

\*Delete the portion not required.



177

FORM VII

FORM OF APPLICATION BY INSPECTOR OR PERSON ACTING WITH THE PERMISSION OF THE AUTHORITY UNDER SECTION 23 (2)

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

for . . . . . area

Application No . . . . . of 19

(1) . . . . . Applicant  
Address . . . . .

Versus

(1) . . . . . Opponent (s)  
Address . . . . .

The applicant above named states as follows :

(1) The opponent (s) has/have--

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

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

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

(2) The applicant estimates the value of relief sought for the employees on each account as under :

(a) Rs. . . . .

(b) Rs. . . . .

(c) Rs. . . . .

Total Rs. . . . .

(3) The applicant, therefore, prays that a direction may be issued under Section 20 (3) of the Act for--

\*(a) payment of the difference between the wages payable under the Minimum Wages Act and the wages actually paid.

\*(b) payment of remuneration for the days of rest.

\*(c) payment of wages at the overtime rate.

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

(4) The applicant begs leave to amend or to add to or make alteration in the application, if and when necessary, with the permission of the Authority.

(5) The applicant does solemnly declare that the facts stated in this application are true to the best of his/her knowledge, belief and information.

Dated . . . . .

Signature

\*Delete the portions not required.

7

FORM VIII

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

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

for . . . . . area

Application . . . . . of 19

(1) . . . . .

(2) . . . . .

Applicant (s)

(3) . . . . .

Versus

(1) . . . . .

(2) . . . . .

Opponent (s)

(3) . . . . .

I hereby authorize Mr. . . . . ., a legal practitioner, an official of the registered trade union of . . . . . to appear and act on my behalf in the above described proceeding and acting.

Dated. . . . .

Signature or thumb impression of the employee.

FORM IX

FORM OF SUMMONS OF THE OPPONENT TO APPEAR BEFORE THE AUTHORITY WHEN AN APPLICATION UNDER SUB-SECTION (1) OF SECTION 20 OR UNDER SECTION 21 IS ENTERTAINED

(Title of the application)

To

(Name, description and place of residence)

Whereas . . . . . has made the above said application to me under the Minimum Wages Act, 1948, you are hereby summoned to appear before me in person or by a duly authorised agent, and able to answer all material questions relating to the application, or who shall be accompanied by some persons able to answer all such questions on the . . . . . day of . . . . . 19 . . . . . at . . . . . o'clock in the . . . . . noon, to answer the claim and as the day fixed for the appearance is appointed for the final disposal of the application, you must be prepared to produce on that day all the witnesses upon whose evidence and the documents upon which you intend to rely in support of your defence.

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

Date. . . . .

173

FORM - X

(Rule 23)

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

I. Whom the Act affects

1. (a) The Act applies to persons engaged on scheduled employments on specified class of work in respect of which minimum wages have been fixed.
- (b) No employee can give up by contract or agreement his rights in so far as it purports to reduce the minimum rates of wages fixed under the Act.

II. Definition of Wages

2. "Wages" means all remuneration payable to an employed person on the fulfilment of his contract of employment and includes house rent allowance. It excludes --
  - (i) the value of any house-accommodation, supply of light, water, medical attendance or any other amenity or any service extended by general or special order of the appropriate Government ;
  - (ii) contribution paid by the employer to any pension fund or provident fund or under any scheme of social insurance ;
  - (iii) the travelling allowance or the value of any travelling concession ;
  - (iv) the sum paid to the person employed to defray special expenses entailed on him by the nature of his employment ;
  - (v) gratuity payable on discharge.
3. The minimum rate of wages may consist of --
  - (i) a basic rate of wages and a special allowance called the cost of living allowance ;
  - (ii) a basic rate of wages with or without a cost of living allowance and the cash value of any concession, like supplies of essential commodities at concession rates ;
  - (iii) an all inclusive rate comprising of basic rate, cost of living allowance and cash value of concession, if any.

(3) the minimum wages payable to employees of scheduled employments, notified under section 5 read with Section 3 or as revised from time to time under Section 10 read with Section 3 may be--

- (a) a minimum time rate ;
- (b) a minimum piece rate ;
- (c) guarantee time rate ;
- (d) an overtime rate ;

differing with (1) different schedule employments, (2) different classes of work, (3) different localities, (4) different wage-periods, and (5) different age group.

III. Computation and Conditions of payment

The employer shall pay to every employee engaged in scheduled employment under him wages at rate not less than the minimum rate of wages fixed for that class of employee.

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

Wage-period shall be fixed for the payment of wages at intervals not exceeding one month for such other larger period as may be prescribed.

Wage shall be paid on a working day within seven days of the end of the wage-period or within ten days if 1000 or more persons are employed.

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

In an employee employed on any day for a period less than normal working day he shall be entitled to receive wages for a full normal working day provided his/her failure work is not caused by his/her unwillingness to work but by the omission of the employer to provide him/her work for that period.

(175)

Where an employee does two or more classes of work to each of which a different minimum rate of wages is applicable, the employer shall pay to such employee in respect of the time respectively occupied in each such class of work wages at not less than the minimum rate in force in respect of each such class.

Where an employee on piece work for which minimum time rate and not a minimum piece-rate has been fixed, the employer shall pay to such employee wages at not less than the minimum time rate.

#### IV. Hours of Work and Holidays

The number of hours which shall constitute a normal working hours shall be--

- (a) in the case of an adult, 9 hours,
- (b) in the case of a child, 4 hours.

The working of an adult worker inclusive of the interval of rest shall not exceed twelve hours on any day.

The employer shall allow a day of rest with wages to the employees every week. Ordinarily, Sunday will be the weekly day of rest, but any other day of the week may be fixed as such rest day. No employee shall be required to work on a day fixed as rest day, unless he/she is paid wages for that day at the overtime rate and is also allowed a substituted rest day with wages (*see rule 24*).

When a worker works in an employment for more than nine hours on any day for more than fortyeight hours in any week, he/she shall in respect of overtime worked be entitled to wages scheduled employment other than agriculture at double the ordinary rate of wages.

#### V. Fines and Deductions

No deductions shall be made from wages except those authorised by or under the rules.

Deductions from the wages shall be one or more of the following kinds, namely--

- (i) Fines : An employed person shall be explained personally and also in writing the act or omission in respect of which the fine is proposed to be imposed and given an opportunity to offer any explanation in the presence of another person ; the amount of the said fine shall also be intimated to him/her. It shall be subject to such limits as may be specified in this behalf by the Government of Arunachal Pradesh. It shall be utilised in accordance with the directions of the Government of Arunachal Pradesh ;
- (ii) deductions for absence from duty ;
- (iii) deductions for damage to or loss of goods entrusted to the employee for custody, or loss of money for which he is required to account, where each damage or loss is directly attributable to his neglect or default, the employed person shall be explained personally, and also in writing the damage or loss in respect of which the deduction is proposed to be made and given an opportunity to offer any explanation in the presence of another person. The amount of the said deduction shall also be intimated to him/her. It shall be subject to such limits as may be specified in this behalf by the Government of Arunachal Pradesh ;
- (iv) deductions for house accommodation supplied by the employer or the Government of Arunachal Pradesh or any authority constituted by the Government of Arunachal Pradesh for providing house accommodation ;
- (v) deductions for such amenities and service supplied by the employer as the Government of Arunachal Pradesh may by general or special order authorise. These will not include the supply of tools and protectives required for the purposes of employment ;
- (vi) deductions for recovery of advances or for adjustment of over-payment of wages ; such advance shall not exceed an amount equal to wages for two calender months of the employed person and the monthly instalment of deduction shall not exceed one-fourth of the wages earned in that month ;
- (vii) deductions of income tax payable by the employed person ;
- (viii) deductions required to be made by order of a court or other competent authority ;
- (ix) deduction for subscription to and for repayment of advances from any provident fund ;
- (x) deductions for payment to co-operative societies or deduction for recovery of loans advanced by an employer from out of a fund maintained for the purpose by the employer and approved in this behalf by the Government of Arunachal Pradesh or deductions made with written authorization of the person employed, for payment of any premium on his/her life insurance policy to the Life Insurance Corporation of India established under the Life Insurance Act, 1956 (31 of 1956) ;
- (xi) deductions for recovery or adjustment of amount other than wages paid to the employed person in error or in excess of what is due to him/her ;

Provided that prior approval of the Inspector or any other officer authorised by the Government of Arunachal Pradesh in this behalf obtained in writing before making the deductions, unless the employer gives his consent in writing to such deduction.

- (xii) deductions made with the written authorization of the employed person (which may be given once generally and not necessarily every time a deduction is made) for the purchase of securities of the Government of India or any State Government or for being deposited in any post office savings bank in furtherance of any savings schemes of any such government.

Every employer shall send annually return in Form III showing the deduction from wages so as to reach the Inspector not later than the 1st February following the end of the year to which it relates.

#### VI. Maintenance of registers and records

Every employer shall maintain at the workspot a register of wages in the form prescribed specifying the following particulars for each period in respect of each employed person ;

- (a) the minimum rates of wages payable ;
- (b) the number of days on which overtime was worked ;
- (c) the gross wages ;
- (d) all deductions made from wages ;
- (e) the wages actually paid and the date of payment.

Every employer shall issue wage slips in the form prescribed containing prescribed particulars to every person employed.

Every employer shall get the signature or the thumb impression of every person employed on the wage-book and wage slips.

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

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

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

- (a) Minimum rates of wages ;
- (b) abstract of the Act and the rules made thereunder ;
- (c) name and address of the Inspector.

Register of wages, muster roll, register of fines register of deductions for damage or loss and register of overtime shall be preserved for a period of three years after the date of last entry made therein.

All registers and records required to be maintained by an employer under the rules shall be produced on demand before the Inspector provided that where an establishment has been closed, the Inspector may demand the production of the registers and records in his office or such other public place as may be nearer to the employer.

#### VII. Inspectors

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

#### VIII. Claims or Complaints

Where an employee is paid less than the minimum rate of wages fixed for his/her class of work or less than the amount due to him/her under the provisions of the Act, he/she can make an application in the prescribed form within six month to the authority appointed for the purpose. An application delayed beyond the period may be admitted if the authority is satisfied that the applicant has sufficient cause for not making the application within such period.

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

A single application may be presented on behalf of or in respect of a group of employed persons whose wages have been delayed, if they are borne on the same establishment and their claim relates to the same wage period or periods.

178

A complaint under Section 22 (a) relating to payment of less than the minimum rates of wages or less than the minimum rates of wages or less than the amount due to an under the provisions of the employee Act can be made to the Court only after an application in respect of the facts constituting the offence has been presented under Section 20 and has been granted wholly or in part and the appropriate Government or an officer authorized by it in this behalf has sanctioned the making of the complaint.

A complaint under Section 22 (b) or Section 22-A regarding contravention of the provisions relating to hours of work and weekly day of rest or other miscellaneous offences relating to maintenance of registers, submission of returns, etc. can be made to the Court by or with the sanction of an Inspector. The time limit for making such complaint is one month from the date of grant of sanction by the Inspector, in the case of offences under Section 22 (b) and six months from the date on which the offence is alleged to have been committed, in the case of offences falling under Section 22-A.

**IX. Action by the Authority**

The authority may direct the payment of the amount by which the minimum wages payable exceed the amount actually paid together with the payment of compensation not exceeding ten times the amount of such excess. The authority may direct payment of compensation in cases where the excess is paid before the disposal of the application.

If malicious or vexatious complaint is made, the authority may impose a penalty not exceeding Rs. 100.00 on the applicant and order that it be paid to the employer.

Every direction of the authority shall be final.

**X. Penalties for offences under the Act**

Any employer who pays to an employee less than the amount due to him/her under the provisions of this Act or infringes any order or rules in respect of normal working day, weekly holiday shall be punishable with imprisonment of either description for a term which may extend to six months, or with fine which may extend to five thousand rupees, or with both.

Any employer who contravenes any provision of the Act or of any rule or order made there under shall, if no other penalty is provided of such contravention by the Act, be punishable with fine which may extend to five thousand rupees. If the person committing any offence under the Act is a company, every person who at the time the offence was committed was in charge of and was responsible to the company in the conduct of the business of the company as well as the company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly. No such person will be liable to punishment, if he/she proves that the offence was committed without his/her knowledge or that he/she exercised all due diligence to prevent the commission of such offence.

Any director, manager, secretary or other officer of the company with whose consent or convenience an offence has been committed is liable to be proceeded against and punished under the Act.

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

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

**XI. Minimum Rates of Wages Fixed**

Name of undertaking. . . . .

Serial No.	Categories of employees	Minimum wages
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**XII. Name and address of the Inspector (s)**

Name	Address
------	---------

178

FORM XI

(Rule 28 (1))

REGISTER OF WAGES

Wages period from ..... to .....

Name of establishment ..... place .....

- 1. Sl.No. :
- 2. Name of the employee :
- 3. Father's/Husband's name :
- 4. Designation :
- 5. Basic } Minimum rate of wages payable :
- 6. D.A. } :
- 7. Basic } Rates of wages actually paid :
- 8. D.A. } :
- 9. Total attendance/units of work done :
- 10. Overtime worked :
- 11. Gross wages payable :
- 12. Employee's contribution to P.F. } Deductions :
- 13. House Rent } :
- 14. Other deductions } :
- 15. Total deductions } :
- 16. Wages paid :
- 17. Date of payment :
- 18. Signature or thumb-impression of the employee :

FORM XII

(Rule 28 (2))

WAGE SLIP

Name of establishment .....

Place .....

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

Pay-in-charge

Employee's signature  
thumb impression.

G. K. Marwah,  
Secretary to the  
Government of Arunachal Pradesh,  
Department of Labour and Employment,  
Itanagar.



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## GOVERNMENT OF ARUNACHAL PRADESH DEPARTMENT OF LABOUR AND EMPLOYMENT NAHARLAGUN

### NOTIFICATION

The 26th June, 1995

No. LAB (LAW)-160/93/2.—In exercise of the powers conferred by sub-section (1) of section 19 of the Minimum Wages Act, 1948 (XI of 1948), the Government of Arunachal Pradesh is pleased to appoint the Officers mentioned in column (2) of the table below to be the Inspectors for the purposes of the said Act within the local limits of their respective jurisdiction specified in the corresponding entries of column (3) of the said table, namely :—

TABLE

Sl. No.	Officers	Area
1	2	3
1.	Assistant Labour Commissioner and Labour Officer, Naharlagun	Whole of Arunachal Pradesh
2.	Labour Officer, Khonsa	Tirap District
3.	Labour Officer, Tezu	Lohit District
4.	Labour Officer, Ziro	Lower Subansiri District and Upper Subansiri District
5.	Labour Officer, Bomdila	East Kameng, West Kameng and Tawang District
6.	Labour Officer, Pasighat	East Siang District
7.	Labour Officer, Along	West Siang District
8.	Labour Officer, Changlang	Changlang District
9.	Assistant Employment Officer, Roing	Dibang Valley District
10.	Labour Inspectors, Naharlagun	Papum Pare District.

This order shall come into force with immediate effect.

Chief Secretary,  
Government of Arunachal Pradesh  
Itanagar.