

Central Government Act
The Payment of Wages (Mines) Rules, 1956

1 Short title, application and extent.—

(1) These rules may be called the Payment of Wages (Mines) Rules, 1956.

(2) These rules apply in respect of the payment of wages to persons employed, either by the owner or by a contractor engaged by the owner, in any mine to which the Mines Act, 1952 (XXXV of 1952), applies 2[or in any oil field].

(3) They extend to the whole of India 3[***].

The Payment of Wages (Mines) Rules, 1956

1[1A. The provisions of these rules shall apply in relation to oil fields as they apply in relation to mines.]

The Payment of Wages (Mines) Rules, 1956

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

(a) “Act” means the Payment of Wages Act, 1936 (IV of 1936); 1[(aa) “agent” means an agent as defined in clause (c) of section 2 of the Mines Act, 1952 (35 of 1952);]

(b) “authority” means an authority appointed under sub-section (1) of section 15;

(c) “contractor” means a person engaged under a contract, by the owner of the mine for work on the mine and includes a sub-contractor;

(d) “Court” means the Court mentioned in sub-section (1) of section 17;

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

(f) “deduction for damage or loss” means a deduction made in accordance with the provisions of clause (c) of sub-section (2) of section 7; 2[(ff) “Deputy Chief Labour Commissioner (Central)” means an officer appointed as such by the Central Government;] 3[(g) “employer” means the owner of the mine and includes a contractor, an agent, or manager or any other person responsible under section 3 of the Act for payment of wages and includes in the case of a deceased employer, his legal representative;]

(h) “Form” means a Form appended to these rules;

(i) “Inspector” means an Inspector referred to in section 14; 4[(ii) “manager” means the person appointed under section 17 of the Mines Act, 1952 (35 of 1952), to discharge the functions of a manager;]

(j) “mine” means a mine as defined in clause (j) of section 2 of the Mines Act, 1952 (XXXV of 1952); 4[(jj) “oil field” means an oil field as defined in clause (e) of section 3 of the Oil Fields (Regulation and Development) Act, 1948 (53 of 1948);]

(jii) “owner” means the owner as defined in clause (1) of section 2 of the Mines Act, 1952 (35 of 1952);] 3[(k) “person employed” or “employed person” means a person employed in a mine or an oil field to whom the Act applies and includes, in the case of a deceased employed person, his legal representative;] 5[(kk) “Regional Labour Commissioner 6[(Central)]” means an officer appointed as such by the Central Government;]

(l) “section” means a section of the Act; and

(m) words and expressions used in these rules and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act.

The Payment of Wages (Mines) Rules, 1956

1[2A. Notice of opening, abandonment, discontinuance, reopening and change in the ownership and addresses, etc.—

(1) When a mine has been opened, the owner, agent or manager shall forthwith communicate the actual date of opening to the Regional Labour Commissioner 2[(Central)] in Form A.

(2) When it is intended to abandon a mine or seam or to discontinue working thereof for a period exceeding 60 days, the owner, agent or manager shall not, less than 40 days before such abandonment or discontinuance, give to the Regional Labour Commissioner 2[(Central)] a notice stating the reasons for the proposed abandonment or discontinuance and the number of persons likely to be affected thereby: Provided that when on account of unforeseen circumstances a mine is abandoned or discontinued before the said notice has been given or when without previous intimation the discontinuance extends beyond a period of 60 days, the notice shall be given forthwith.

(3) When a mine or seam has been abandoned or the working thereof has been discontinued over a period exceeding 60 days, the owner, agent or manager shall within seven days of the abandonment or the expiry of the said period, give to the Regional Labour Commissioner 3[(Central)], notice in Form A.

(4) When it is intended to re-open a mine or seam after abandonment or after discontinuance for a period exceeding 60 days, the owner, agent or manager shall, not less than 30 days before resumption of mining operations, give to the Regional Labour Commissioner 3[(Central)], notice in Form A.

(5) When a mine has been re-opened, the owner, agent or manager of the mine shall forthwith communicate the actual date of re-opening to the Regional Labour Commissioner 3[(Central)].

(6) When a change occurs in the name or ownership of a mine or in the address of the owner, the owner, agent or manager shall, within seven days from the date of change, give to the Regional Labour Commissioner 3[(Central)], a notice in Form A: Provided that where the owner of a mine is a firm or other association of individuals, a change,—

(i) of any partner in the case of a firm;

(ii) of any member, in the case of an association;

(iii) of any director, in the case of a public company; or

(iv) of any shareholder, in the case of a private company; shall be also intimated to the Regional Labour Commissioner 3[(Central)], within seven days from the date of the change.]

The Payment of Wages (Mines) Rules, 1956

3. Register of fines.—

(1) Every employer who 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, shall maintain a Register of Fines in Form I.

(2) The list of acts and omissions in respect of which fine may be imposed, shall be entered in the Register of Fines, at the beginning.

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

(4) At the end of every month, the amounts realised as fines shall be totalled and carried forward, after deduction of disbursement, if any, as per Part II of Form I.

(5) When any disbursements are made from the amounts of the fines realised a deduct entry of the amount so expended shall be made in the Register of Fines, and a voucher or receipt in respect of the amount shall be affixed to the register. If more than one purpose has been approved, the entry of the disbursement shall also indicate the purpose for which it is made. 1[(6)

The Register of Fines shall be kept at the work spot 2[or where the employer experiences difficulty in keeping it at the work spot, at other suitable place approved by the 3[Regional

Labour Commissioner (Central)] in this behalf] and maintained up-to-date. Where no fine has been imposed on any employee in a wage-period, a 'nil' entry shall be made across the body of the register at the end of the wage-period indicating also in precise terms the wage-period to which the 'nil' entry relates.]

The Payment of Wages (Mines) Rules, 1956

[4.](#) Register of deductions for damage or loss.—The register of deductions for damage or loss referred to in sub-section (2) of section 10 shall be in Form II 1[and shall be kept at the work spot 2[or, where the employer experiences difficulty in keeping it at the work spot, at other suitable place approved by the 3[Regional Labour Commissioner (Central)] in this behalf] and maintained up-to-date. 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 the wage-period, indicating also in precise terms the wage-period to which the 'nil' entry relates.]

The Payment of Wages (Mines) Rules, 1956

[5.](#) Register of Wages.—A Register of Wages in Form III shall be maintained 1[up-to-date] and kept at the work-spot, 2[or, where the employer experiences difficulty in keeping it at the work-spot, at other suitable place approved by the 3[Regional Labour Commissioner (Central) in this behalf] by every employer in proof of payment of wages. The rates of wages for all classes of workers shall be entered at the beginning of the Register.

The Payment of Wages (Mines) Rules, 1956

1[[5A.](#) The register required to be maintained under the Mines Rules, 1955 in Form B in the First Schedule to those rules shall be deemed to be required to be maintained under these rules also.]

The Payment of Wages (Mines) Rules, 1956

1[[5B.](#) Combined form of registers.—2[Notwithstanding anything contained in these rules, where mechanised pay rolls are introduced for better administration or a combined (alternative) form is sought to be used by the employer to avoid duplication of work for compliance with the provisions 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 Central Government.]

The Payment of Wages (Mines) Rules, 1956

1[[6.](#) Preservation and maintenance of registers.—

(1) Every register maintained under the Act or these rules shall be preserved for a period of three years after the date of the last entry made therein 2[at the workspot or where the employer experiences difficulty in keeping them at the work spot, at other suitable place approved by the Regional Labour Commissioner (Central)] in this behalf].

(2) The registers maintained under the Act or these rules shall be maintained in English and in Hindi, or in the language understood by the majority of the persons employed in the mine: Provided that where a register is maintained in Hindi or any other language a true translation thereof in English shall also be maintained.]

The Payment of Wages (Mines) Rules, 1956

1[[6A.](#) Production of registers and other records.—All registers and records required to be maintained by the employer under these rules shall on demand be produced 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.]

The Payment of Wages (Mines) Rules, 1956

7. Places for displaying notices.—The Inspector shall specify such place or places in the mine as he thinks fit (hereinafter referred to as the “specified place or places”) for the display of notices, lists and rules under rules 8, 12 and 16.

The Payment of Wages (Mines) Rules, 1956

8. Notices of dates of payment.—

(1) The employer shall display in a conspicuous place outside the office of the mine and at the specified place or places, notices in English and Hindi or in the language, if that not be Hindi, of the majority of the persons employed at such place or places showing,— 1[(i) the wages period for which the wages are payable;] 2[(ii)] for not less than two weeks in advance, the days on which wages are to be paid; and 2[(iii)] the rates of wages and scales of allowances payable to persons employed in the mines concerned in Form IV; 1[and] 1[(iv) the day or days on which unpaid wages are to be paid, indicating the relevant wage period.]

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

The Payment of Wages (Mines) Rules, 1956

1[8A. Supervision of payment.—Whenever so directed by the Inspector, the employer or his representative at the workspot shall pay wages to the employed persons on the notified date of payment under the supervision of the Inspector.]

The Payment of Wages (Mines) Rules, 1956

9. Prescribed authority.—The 1[Regional Labour Commissioner] 2[(Central)] shall be the prescribed 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 purposes to which the fines realised may be applied.

The Payment of Wages (Mines) Rules, 1956

10. Application in respect of fines.—Every employer desiring to have the power to impose fines in respect of any acts and omissions on the part of employed persons shall send to the 1[Regional Labour Commissioner] 2[(Central)]—

(a) a list, in English in duplicate, clearly defining such acts and omissions;

(b) in cases where the employer himself does not intend to be the sole authority empowered to impose fines, a list, in duplicate, showing by virtue of office or otherwise, such members of his staff as may pass orders imposing fines and the class of establishment on which any such member may impose a fine.

The Payment of Wages (Mines) Rules, 1956

11. Approval of list of acts and omissions.—The 1[Regional Labour Commissioner] 2[(Central)] may, on receipt of the list referred to in clause

(a) of rule 10, and after such inquiry as he considers necessary, pass orders in respect of the said list either—

(a) disapproving the list, or

(b) approving the list in its original form or as amended by him, in which 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 in writing against such order.

The Payment of Wages (Mines) Rules, 1956

12. Posting of the list.—

(1) The employer shall also display outside the office of the mine and at the specified place or places, notice showing the name and complete address of the Inspector who exercises jurisdiction under the Act over that mine.

(2) The employer shall display outside the office of the mine and at the specified place or places, a copy in English, together with a literal translation thereof, in the language of the majority of the persons employed at such mine or place, of the list approved under rule 11.

The Payment of Wages (Mines) Rules, 1956

13. Persons authorised to impose fines.—

(1) No fine may be imposed upon a person employed in a mine by any person other than the employer or by a person included in the list referred to in clause (b) of rule 10.

(2) In the case of persons employed by a contractor, no fine may be imposed by any person other than the contractor: Provided that a contractor who runs more than one establishment in two or more localities, and who employs not less than fifty persons in one locality, may, with the approval of the 1[Regional Labour Commissioner] 2[(Central)], delegate his power to fine to his representative in that locality.

The Payment of Wages (Mines) Rules, 1956

14. Procedure in imposing fines and deductions.—

(1) No fines shall be imposed on and no deductions shall be made from the wages of any person employed in a mine except in accordance with the procedure laid down in the rules and regulations or certified Standing Orders in force in the mine, and no fine shall be imposed or deduction made from the wages until the employed person has been given an opportunity in writing of showing cause against such imposition or deduction.

(2) No fine shall be imposed on and no deduction for damage or loss shall be made for, the wages of a person employed by a contractor until the person authorised to impose the fine or make the deduction has explained 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 or made and the amount of fine and deduction, which it is proposed to impose or make and has heard his explanation in the presence of at least one other employed person.

The Payment of Wages (Mines) Rules, 1956

15. Information to the employer.—The person imposing a fine or directing the making of a deduction for damage or loss shall (unless such person is the employer) at once inform the employer of all particulars necessary for the completion of the register prescribed by rule 3 or rule 4, as the case may be.

The Payment of Wages (Mines) Rules, 1956

16. Deductions under the proviso to sub-section (2) of section 9.—

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

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

(a) there is a provision in writing in the terms of the contract of employment or in the certified Standing Orders of the employer requiring him to give notice of the termination of his employment;

(b) this rule has been displayed in English and in the language of the majority of the employed persons outside the office of the mine, and at the specified place or places concerned, and has been so displayed for not less than one month before the commencement of the absence in respect of which the deduction is made; and

(c) at least one week before such deduction is made, a notice has been displayed outside the office of the mine and at the specified place or places concerned, giving the names of the persons from whom 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 department or section of the mine, it shall be sufficient, in lieu of giving the names of such persons in the department or section of the mine, to specify the department 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 or certified Standing Orders.

(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.

The Payment of Wages (Mines) Rules, 1956

17. Measurement of the amount of work done by piece workers.—

(1) In the case of piece rated work, the employer shall be responsible for arranging, at the end of each day or shift or such longer period not exceeding the wage-period as may be found convenient, for the weighment, measurement or assessment of work done by the workers concerned in their presence or in the presence of their gangman (mistry), if any, and for the recording immediately thereafter of the particulars in register maintained in Form IVA. At the close of the wage-period, the total weighment, measurement or assessment in respect of each worker shall be recorded in a slip and issued to the worker at least a day prior to the disbursement of wages. In case of any dispute regarding weighment, measurement or assessment, the employer shall, as far as possible, have the dispute settled, on the spot in consultation with the worker or his gangman, if any: 1[Provided that where the 2[Deputy Chief Labour Commissioner (Central)] is satisfied that the register or records maintained by an employer will serve the purpose, he may permit such employer to continue to maintain such register or records in lieu of the register required to be maintained in Form IVA.] 3[(1A) The Chief Labour Commissioner (Central) may exempt, from the provisions of sub-rule (1), any mine which has provided weigh-bridge or any other mechanical device for the weighment of the work done by the workers subject to the condition that such weigh-bridge or mechanical device shall be tested and certified by the Inspector or by such other agency and at such intervals as may be specified by the Chief Labour Commissioner (Central).]

(2) All weights, measures and weighing machines which are used for checking or ascertaining the wages of employed persons shall be made available for examination to the Inspector, who may in the event of his not being satisfied with the correctness of the apparatus or the weights, seal and prohibit their future use and report the matter immediately for necessary action to the appropriate authority responsible for the administration of the Standards of Weights and Measures Act, 1956 (89 of 1956).

The Payment of Wages (Mines) Rules, 1956

1[18. Annual Return.—Every employer shall send a return in Form V so as to reach the Regional Labour Commissioner 2[(Central)] not later than the 1st of February following the end of the year to which it relates endorsing simultaneously a copy thereof to the Inspector having jurisdiction under the Act over the mine.]

The Payment of Wages (Mines) Rules, 1956

19. Advances to person employed by an employer.—

(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 circumstances, the amount of such advance may, with the previous sanction of the 1[Regional Labour Commissioner] 2[(Central)], be made to the extent of four calendar months' wages.

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

(3) The amount of all advances sanctioned and repayments thereof shall be entered in a register in Form VI which shall be maintained in English and in the language spoken by the majority of workers.

The Payment of Wages (Mines) Rules, 1956

20. Procedure, costs and court-fees.—The procedure to be followed by the authorities appointed under sub-section

(1) of section 15 and the Courts mentioned in sub-section (1) of section 17, the scales of costs which may be allowed in, and the amount of court-fees payable in respect of proceedings under the Act to which these rules apply shall be such procedure, scales and amounts as are, from time to time, prescribed by the State Government in the exercise of its powers under the Act in that behalf for the authority or Court concerned.

The Payment of Wages (Mines) Rules, 1956

21. Abstracts.—The abstracts of the Act and of the rules made thereunder to be displayed under section 25 shall be in Form VII.

The Payment of Wages (Mines) Rules, 1956

1[22. Penalties.—Whoever, being required under these rules to maintain any register or records or to furnish an information or return fails to maintain such register or record or to furnish such information or return or fails to observe provisions of any of these rules shall, for each such offence, be punishable with fine which may extend to five hundred rupees: Provided that an employer who maintains the required register or record or furnishes the required return without making up-to-date entries therein, or fails to display notices shall be punishable with fine which may extend to two hundred rupees: 2[Provided further that no penalty shall be imposed on any person under this rule without giving him a reasonable opportunity, of being heard.]

The Payment of Wages (Mines) Rules, 1956

23. Rescission and savings.—The Payment of Wages (Mines) Rules, 1949, are hereby rescinded but all acts done and orders issued under the rules so rescinded shall so far as they are not inconsistent with these rules, be deemed to have been respectively done and issued under these rules.

The Payment of Wages (Mines) Rules, 1956 Form VII (See rule 21) Abstract of the Payment of Wages Act, 1936 and the rules made thereunder Whom the Act affects 1. The Act applies to the payment of wages to persons in mines receiving less than Rs. 1600 a month. 2. No employed person can give up by contract or agreement, his rights under the Act. Definition of wages 3. 'Wages' means all remuneration (whether by way of salary, allowances or otherwise) expressed in terms of money or capable of being so expressed which, would, if the terms of employment, express or implied, were fulfilled, be payable to a person employed in respect of his employment or of work done in such employment, and includes— (a) any remuneration payable under any award or settlement between the parties or order of a Court; (b) any remuneration to which the person employed is entitled in respect of overtime work or holidays or any leave period; (c) any additional remuneration payable under the terms of employment (whether called a bonus or by any other name); (d) any sum which by reason of the termination of employment of the person employed is payable under any law, contract or instrument which provides for the payment of

such sum, whether with or without deductions but does not provide for the time within which the payment is to be made; (e) any sum to which the person employed is entitled under any scheme framed under any law for the time being in force. but does not include— (1) any bonus (whether under a scheme of profit sharing or otherwise) which does not form part of the remuneration payable under the terms of employment or which is not payable under any award or settlement between the parties or order of a Court; (2) the value of any house-accommodation, or of the supply of light, water, medical attendance or other amenity or of any service excluded from the computation of wages by a special or general order of the State Government; (3) any contribution paid by the employer to any pension or provident fund, and the interest which may have accrued thereon; (4) any travelling allowance or the value of any travelling concessions; (5) any sum paid to the employed person to defray special expenses entailed on him by the nature of his employment; or (6) any gratuity payable on the termination of employment in cases other than those specified in sub-clause (d).

Responsibility for and method of payment 4. The employer is responsible for the payment under the Act of wages to persons employed under him, and any contractor employing persons is responsible for payment to the persons he employs. 5. Wage-periods shall be fixed for the payment of wages at intervals not exceeding one month. 6. Wages shall be paid on a working day within 7 days of the end of the wage-period (or within ten days if 1,000 or more persons are employed). The wages of a person discharged shall be paid not later than the second working day after his discharge. 7. Payment in kind is prohibited. Fines and Deductions 8. No deductions shall be made from wages except those authorised under the Act (See paragraphs 9-15 below). 1[9. (1) Fines can be imposed only for such acts and omissions as the employer may, with the previous approval of the Inspector, specify by a notice displayed at or near the main entrance of the work-place or places at the mine and after giving the employed person an opportunity for explanation. (2) Fines,— (a) shall not exceed three paise in the rupee; (b) shall not be recovered by instalments, or later than sixty days of the date of imposition; (c) shall be recorded in a register and applied to such purposes beneficial to the employed persons as are approved by the Inspector; and (d) shall not be imposed on any employed person who is under the age of fifteen years.] 10. (a) Deductions for absence from duty can be made only on account of the absence of the employed person at times when he should be working and such deductions must not exceed an amount which is in the same proportion to his wages for the wage-period as the time he was absent in that period is to the total time he should have been at work. (b) If ten or more employed persons, acting in concert, absent themselves without reasonable cause and without due notice, the deduction for absence can include wages for eight days in lieu of notice, but— (1) No deduction for breaking contract can be made from a person under 15 or a woman; (2) There must be a provision in writing which forms part of the contract of employment or the certified Standing Orders, requiring that a specific period of notice of intention to cease work not exceeding 15 days or the period of notice which the employer has to give to discharge a worker, must be given to the employer and that wages may be deducted in lieu of such notice; (3) The above provision must be displayed at or near the main entrance of the work place or places at the mine or work place; (4) No deduction of this nature can be made until

a week's notice that this deduction is to be made has been posted at or near the main entrance of the work place or places at the mine or work place; (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 have given under his contract. 11. Deductions can be made for damage to or loss of goods expressly entrusted to an employed person or for loss of money for which he is required to account, where such damage or loss is due to his neglect or default. Such deductions cannot exceed the amount of the damage or loss caused and can be made only after giving the employed persons an opportunity for explanation. 12. Deductions can be made, equivalent to the value thereof for house accommodation supplied by the employer or by the Government or any housing board set up under any law for the time being in force (whether the Government or the board is employer or not) or any other authority engaged in the business of subsidizing house accommodation which may be specified in this behalf by the Central Government, amenities and services (other than tools and raw materials) supplied by the employer: provided these are accepted by the employed person as a part of the terms of his employment and have in the case of amenities and services been authorised by order of the Central Government. 13. (a) Deductions can be made for the recovery of advances or for adjustment of over-payment of wages. (b) Advances made before the employment began can only be recovered from the first payment of wages for a complete wage period but no recovery can be made of advances given for travelling expenses before employment began. (c) Advances of unearned wages can be made at the employer's discretion during the employment. 14. Deductions can be made for subscription to and for repayment of advances from any recognised provident fund. 15. Deductions can be made for payments to co-operative societies approved by the Central Government or to the postal insurance, subject to any conditions imposed by the Central Government. Deductions can also be made with the written authorisation of the person employed for payment of any premium on his life insurance policy to the Life Insurance Corporation of India or for the purchase of securities of the Government of India or of any State Government or for being deposited in any Post Office Savings Bank in furtherance of any savings scheme of any such Government. 15A. Any loss of wages resulting from withholding of increment or promotion, reduction to a lower post or time scale or to a lower stage in the time scale or suspension does not constitute deduction from wages within the meaning of the Act. For this purpose the rules framed by an employer in relation to his employees in mines for the purpose of any of the aforesaid penalties shall provide that:— (i) any such penalty as aforesaid, except the penalty of suspension, shall not be imposed unless the person concerned,— (a) has been informed of the charges in respect of which it is proposed to impose the penalty; (b) has been given a reasonable opportunity of showing cause why the proposed penalty should not be imposed. (ii) the person concerned is given a right of appeal against any order imposing the penalty. Inspections 16. An Inspector can enter on any premises and can exercise the powers of inspection (including examination of documents and taking of evidence) as he may deem necessary for carrying out the purposes of the Act. Complaints of Deductions or Delays 17. (1) Where irregular deductions are made from wages, or delays in payment take place, an employed

person can make an application in the prescribed form within 6 months to the Authority appointed by the State Government for the purpose. An application delayed beyond this period may be rejected unless sufficient cause for the delay is shown. (2) Any legal practitioner, official of a registered trade union, Inspector under the Act or other person acting with the authority can make the complaint on behalf of an employed person. (3) A single application may be presented by or on behalf of any number of persons belonging to the same mine the payment of whose wages has been delayed. Action by the 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 against an order dismissing either wholly or in part an application or against a direction may be preferred within thirty days in Calcutta to the Chief Judge, Court of Small Causes and elsewhere to the District Court,— (a) by the employer if the total amount directed to be paid exceeds Rs. 300; (b) by an employed person or any official of a registered trade union authorised in writing to act on his behalf, if the total amount of wages withheld from him or his co-workers, exceeds rupees fifty; (c) by a person directed to pay a penalty for a malicious or vexatious application. Punishments for breaches of the Act 20. Any one tried for delaying the payment of wages beyond the due date, or making any unauthorised deductions from wages is liable to a fine upto Rs. 500, but only if prosecuted with the sanction of the Authority of the Appellate Court. 21. The employer who,— (1) does not fix a wage-period, or (2) makes payment in kind, or (3) fails to display at or near the main entrance of the work place or places at the mine or work place this abstract in English and in the language of the majority of the employed persons, or (4) breaks certain rules made under this Act, is liable to fine not exceeding Rs. 200. A complaint to this effect can be made only by the Inspector, or with his sanction. The Payment of Wages (Mines) Rules, 1956 1[Form A (See rule 2A) Notice of opening, abandonment, discontinuance, re-opening and change in the ownership, address, etc. From To The Regional Labour Commissioner (Central), Sir, I have to furnish the following particulars in respect of* at..... mine of..... (owner). 1. In the case of change of name of mine: Old name of mine Date of change 2. (a) Situation of the mine: Village Police Station Sub-division (Taluk) District State (b) In the case of new mine, particulars of situation of mine: Post Office Telegraph Office Railway Station Rest House (Give distance therefrom) Means of travelling 3. (a) Name and Postal address of Present/Previous** (i) Owner (ii) Managing Agent, if any (iii) Agent, if any (iv) Manager (v) In case of change, date of change 4. Date on which it is intended to open/reopen/abandon/ discontinue*** the mine. 5. Actual date of opening/reopening/abandonment/discontinuance*** of the mine. 6. 2[No. of persons affected.] Yours faithfully, Signature Designation: Owner/ Agent/Manager Date..... Instructions * Mention the matter to which the notice refers. ** To be filled in only when the notice refers to a change, and only against the item in respect of which

notice is given. *** Delete whatever is not applicable. ————— 1. Ins. by S.O. 794, dated 24th February, 1964. 2. Ins. by S.O. 3844, dated 18th November, 1970.