



## The Payment of Wages (Bombay Amendment) Act, 1953

Act 62 of 1953

### Keyword(s):

Central Act Amendment, The Payment of Wages Act, 1936

Amendments appended: 70 of 1954, 48 of 1955, 37 of 1956, 8 of 1960, 13 of 1961, 42 of 1961, 26 of 2010

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**THE PAYMENT OF WAGES (BOMBAY AMENDMENT) ACT, 1953.**

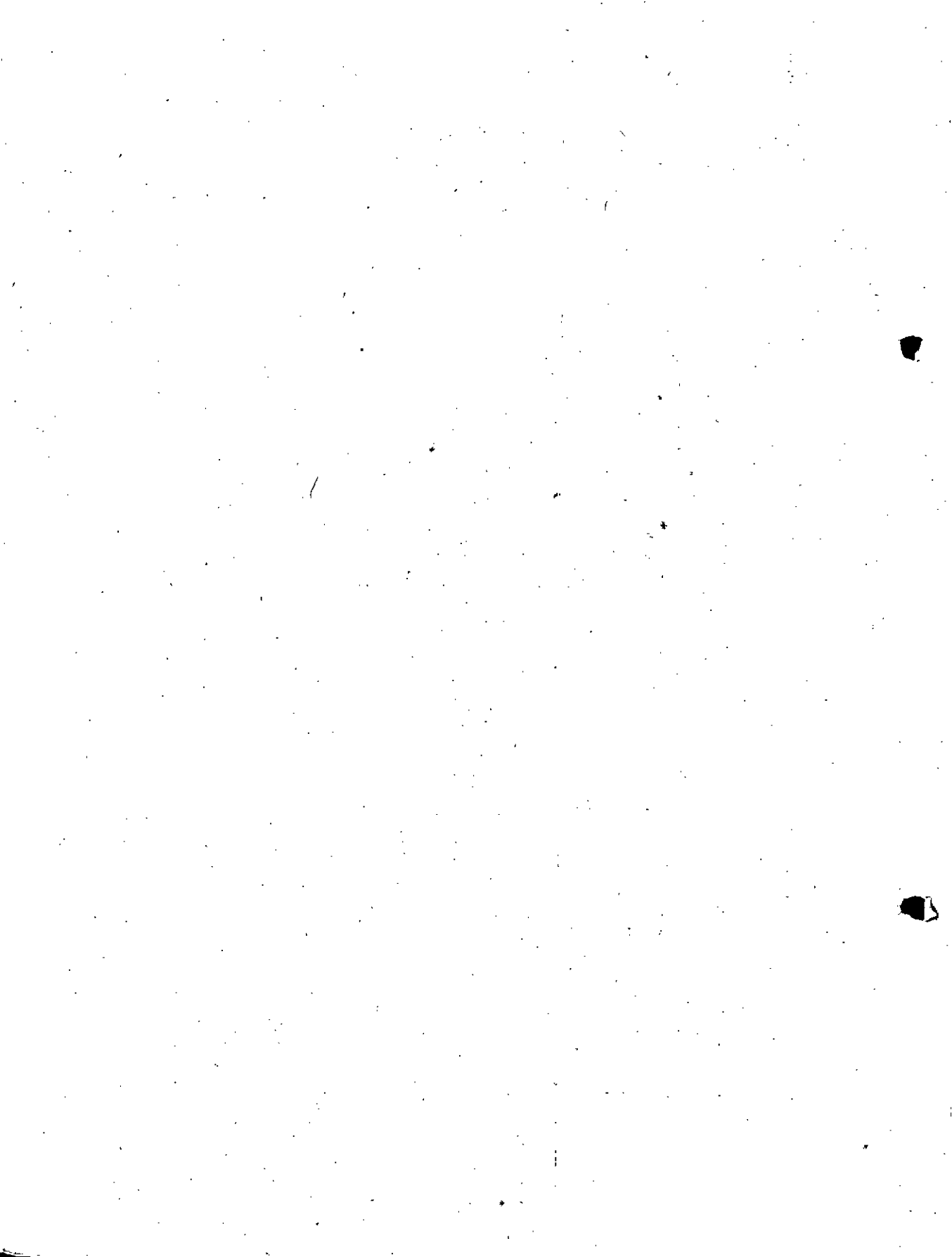
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**CONTENTS.**

**PREAMBLE.**

**SECTIONS.**

1. Short title and commencement.
2. Amendment of section 3 of Act IV of 1936.
3. Amendment of section 5 of Act IV of 1936.
4. Amendment of section 15 of Act IV of 1936.
5. Insertion of new section 15A in Act IV of 1936.
6. Amendment of section 17 of Act IV of 1936.
7. Amendment of section 20 of Act IV of 1936.
8. Amendment of section 21 of Act IV of 1936.
9. Amendment of section 26 of Act IV of 1936.



BOMBAY ACT No. LXII OF 1953.<sup>1</sup>

[THE PAYMENT OF WAGES (BOMBAY AMENDMENT) ACT, 1953.]

[27th November 1953]

An Act to amend the Payment of Wages Act, 1936, in its application to the State of Bombay.

IV of 1936. WHEREAS it is expedient to amend the Payment of Wages Act, 1936, in its application to the State of Bombay ; It is hereby enacted as follows :—

1. (1) This Act may be called the Payment of Wages (Bombay Amendment) Act, 1953. Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

IV of 1936. 2. In section 3 of the Payment of Wages Act, 1936 (hereinafter referred to as the said Act), for the proviso the following shall be substituted, namely :— Amendment of section 3 of Act IV of 1936.

“ Provided that, in the case of persons employed (otherwise than by a contractor)—

LXIII of 1948.

(a) in factories, if a person has been named as the manager of the factory under clause (f) of sub-section (1) of section 7 of the Factories Act, 1948, then the person so named and the employer jointly and severally ;

(b) in industrial establishments, if there is a person responsible to the employer for the supervision and control of the industrial establishment, then the person so responsible and the employer jointly and severally ;

(c) upon railways (otherwise than in factories), if the employer is the railway administration and the railway administration has nominated a person in this behalf for the local area concerned, then the person so nominated ;

shall be responsible for such payment.”

3. In section 6 of the said Act, the following proviso shall be added, namely :— Amendment of section 6 of Act IV of 1936.

“ Provided that when the amount of any bonus payable to an employed person exceeds an amount equal to one-fourth of his earnings (exclusive of dearness allowance) for the year to which the bonus relates, such excess shall be paid or invested in the manner prescribed.”

4. In section 15 of the said Act,—

Bom. XI of 1947.

(1) in sub-section (1), after the words “ Civil Court ” the words and figures “ or of a Labour Court constituted under the Bombay Industrial Relations Act, 1946,” shall be inserted ; Amendment of section 15 of Act IV of 1936.

(2) in sub-section (2), in both the provisos, for the words “ six months ” the words “ one year ” shall be substituted ;

(3) in sub-section (3), for the words “ ten rupees ” the words “ twenty-five rupees ” shall be substituted ;

<sup>1</sup>For Statement of Objects and Reasons, see *Bombay Government Gazette* 1953, Part V, pages 351-352.

(4) after sub-section (3) the following shall be inserted, namely :—

“(3A) Where at any stage of an application under sub-section (2) the authority, upon report made to it and after hearing such employer or other person is satisfied that it is necessary so to do in order that the satisfaction of any direction that may be given under sub-section (3) is not delayed or defeated, the authority may order the conditional attachment of the property which may be liable for the satisfaction of such directions, unless such employer or other person either deposits with the authority an adequate sum sufficient to satisfy the claim or gives security for a like amount.

An attachment made under this sub-section shall have the same effect as if made by a competent Civil Court.” ;

(5) for sub-section (4), the following shall be substituted, namely :—

(4) If the authority hearing any application under this section is satisfied,—

(a) that the application was either malicious or vexatious, the authority may direct that a penalty not exceeding fifty rupees be paid to the employer or other person responsible for the payment of wages by the person presenting the application ; or

(ii) that, in any case in which compensation is directed to be paid under sub-section (3), the applicant ought not to have been compelled to seek redress under this section, the authority may direct that a penalty not exceeding fifty rupees be also paid by the employer or other person responsible for the payment of wages. The amount of such penalty when paid or recovered shall be credited to the State Government.”

Insertion of  
new section  
15A in Act  
IV of 1936.

5. After section 15 of the said Act, the following section shall be inserted, namely :—

Liability for  
payment of  
court-fees.

“ 15A. (1) In any proceedings under section 15, the applicant shall not be liable to pay any court-fees (other than fees payable for service of process) in respect of such proceedings :

Provided that when the application is presented by an Inspector he shall not be liable to pay the process fees also.

(2) Where the applicant succeeds in such proceedings, the authority hearing the application shall calculate the amount of court-fees which would have been payable by the applicant but for sub-section (1) and direct the employer or other person responsible for the payment of wages under section 3 to pay such amount to the State Government. Such amount shall, without prejudice to any other mode of recovery, be recoverable as an arrear of land revenue.”

Amendment  
of section  
17 of  
Act IV of  
1936.

6. In section 17 of the said Act,—

(1) to sub-section (1), the following proviso shall be added, namely :—

“ Provided that no appeal by an employer or other person responsible for the payment of wages under section 3, under clause (a) shall lie unless the memorandum of appeal is accompanied by a certificate by the authority, to the effect that the appellant has deposited with it the amount payable under the order appealed against.”

(2) in sub-section (2), after the brackets and figure “(4)” the words, brackets figure and letter “, or any order made under sub-section (3A)” shall be inserted ;

(3) after sub-section (2), the following sub-section shall be added, namely :—

IX of 1908. “(3) The provisions of section 5 of the Indian Limitation Act, 1908, shall be applicable to appeals under this section.”

7. In section 20 of the said Act, in sub-section (1), for the words “five hundred rupees” the words “two thousand rupees” shall be substituted.

Amendment of section 20 of Act IV of 1936.

8. In section 21 of the said Act,—

(1) in sub-section (1), for the words “and the authority empowered under the latter section or the appellate Court granting such application” the words “by the authority or the appellate Court and the State Government or any officer authorised by it in this behalf” shall be substituted ;

Amendment of section 21 of Act IV of 1936.

(2) in sub-section (2),—

(i) for the words and figures “the authority empowered under section 15 or the appellate Court,” the words “the State Government or the officer authorised by it in this behalf,” shall be substituted ;

(ii) for the words “the authority or Court” the words “the State Government or the authorised officer” shall be substituted.

9. In section 26 of the said Act, in sub-section (3),—

(1) after clause (d) the following shall be inserted, namely :—

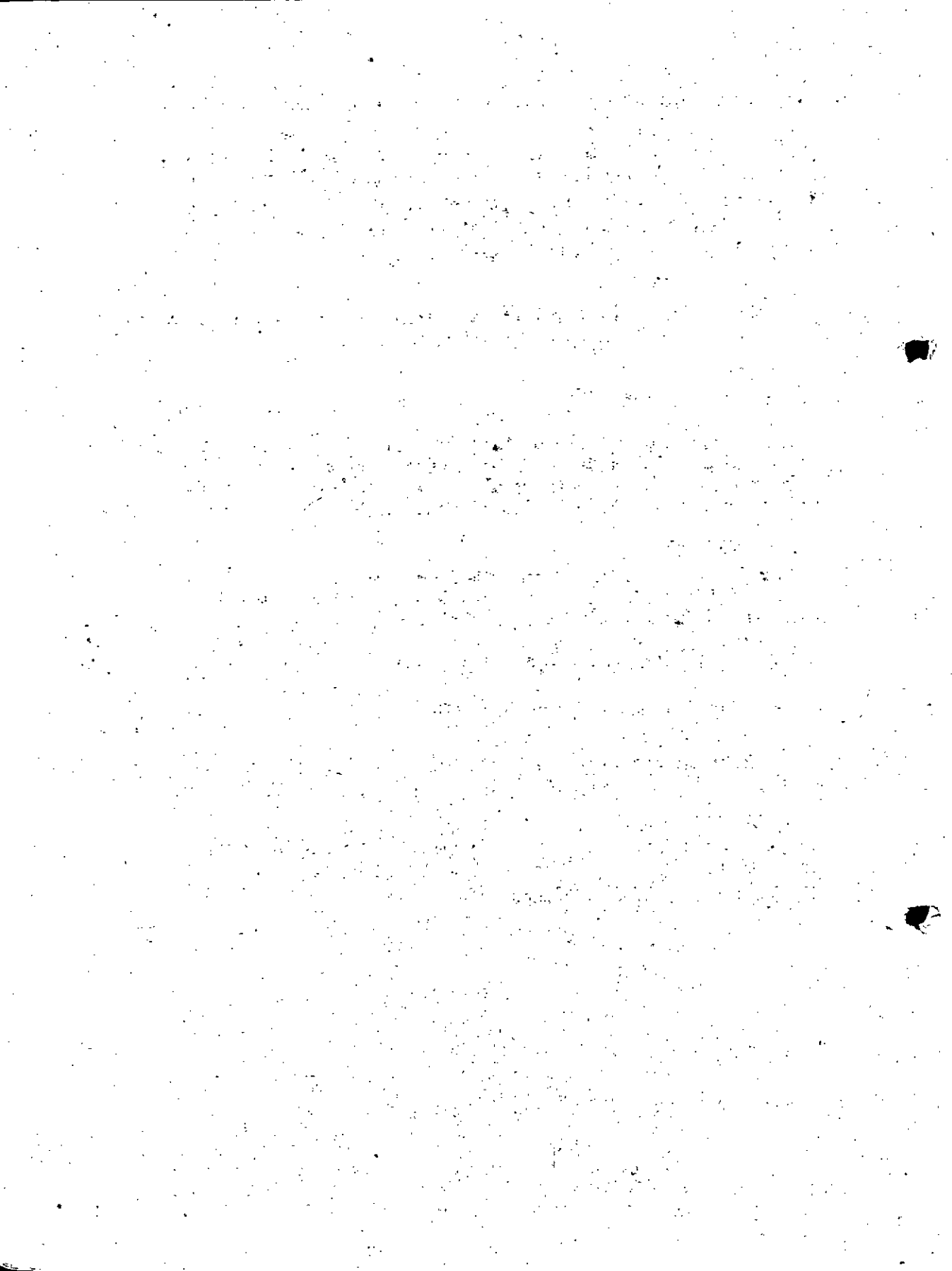
“(da) prescribing the manner in which the excess amount of the bonus shall be paid or invested under section 6 ;”

Amendment of section 26 of Act IV of 1936.

(2) in clause (k),—

(a) for the word “court-fees” the words “*ad valorem* or fixed court-fees” shall be substituted ;

(b) the word “and” shall be deleted.



**THE PAYMENT OF WAGES (BOMBAY AMENDMENT) ACT, 1954.**

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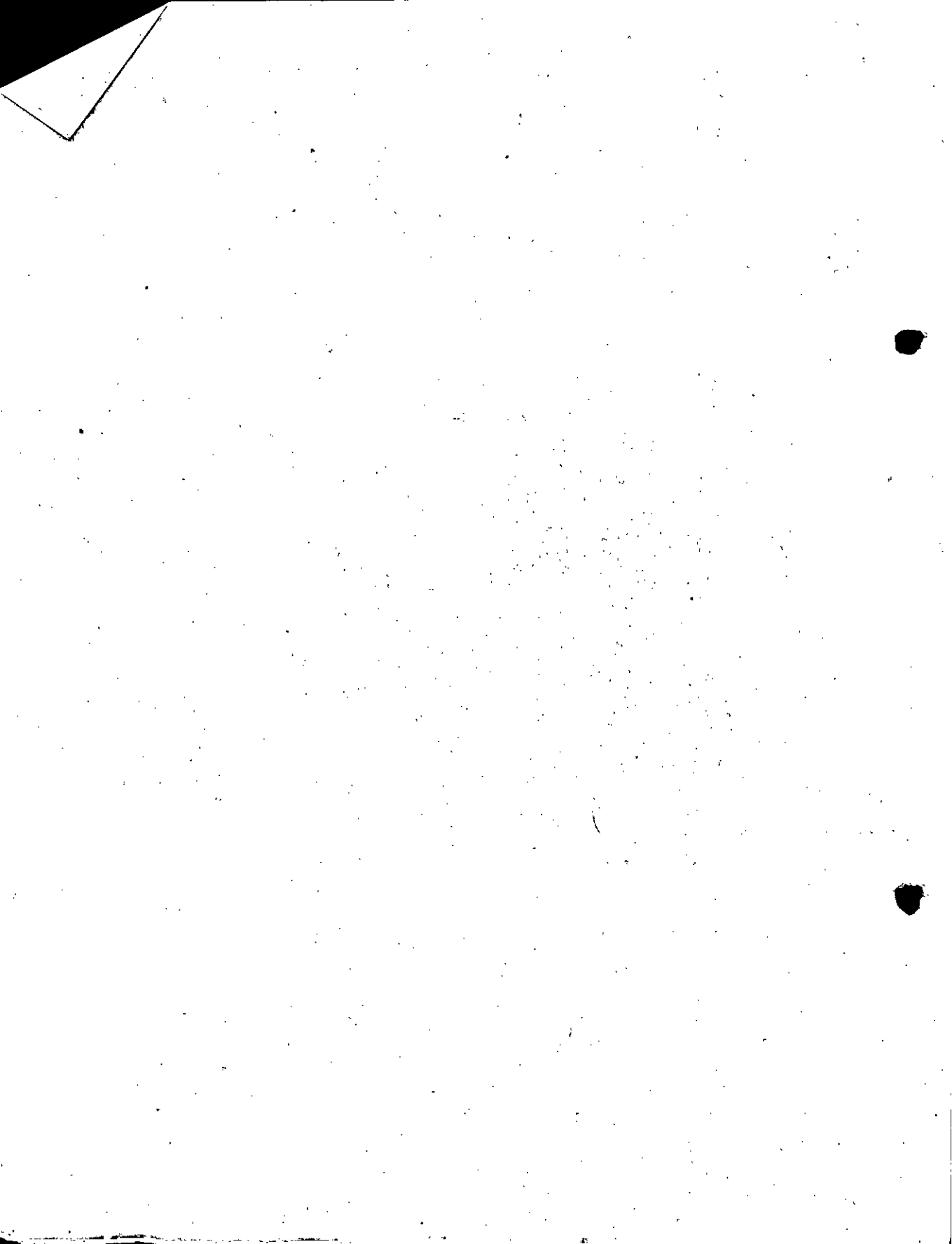
**CONTENTS.**

**PREAMBLE.**

**SECTIONS.**

1. Short title.
2. Amendment of section 15 of Act IV of 1936.
3. Insertion of new section 17A in Act IV of 1936.





BOMBAY ACT No. LXX OF 1954.<sup>1</sup>

[THE PAYMENT OF WAGES (BOMBAY AMENDMENT) ACT, 1954.]

[15th November 1954]

An Act further to amend the Payment of Wages Act, 1936, in its application to the State of Bombay.

IV of 1936. WHEREAS it is expedient further to amend the Payment of Wages Act, 1936, in its application to the State of Bombay, for the purposes hereinafter appearing; It is hereby enacted in the Fifth Year of the Republic of India as follows :—

1. This Act may be called the Payment of Wages (Bombay Amendment) Act, Short title. 1954.

IV of 1936. 2. In section 15 of the Payment of Wages Act, 1936, hereinafter referred to as the said Act, for sub-section (5) the following shall be substituted, namely :— Amendment of section 15 of Act IV of 1936.

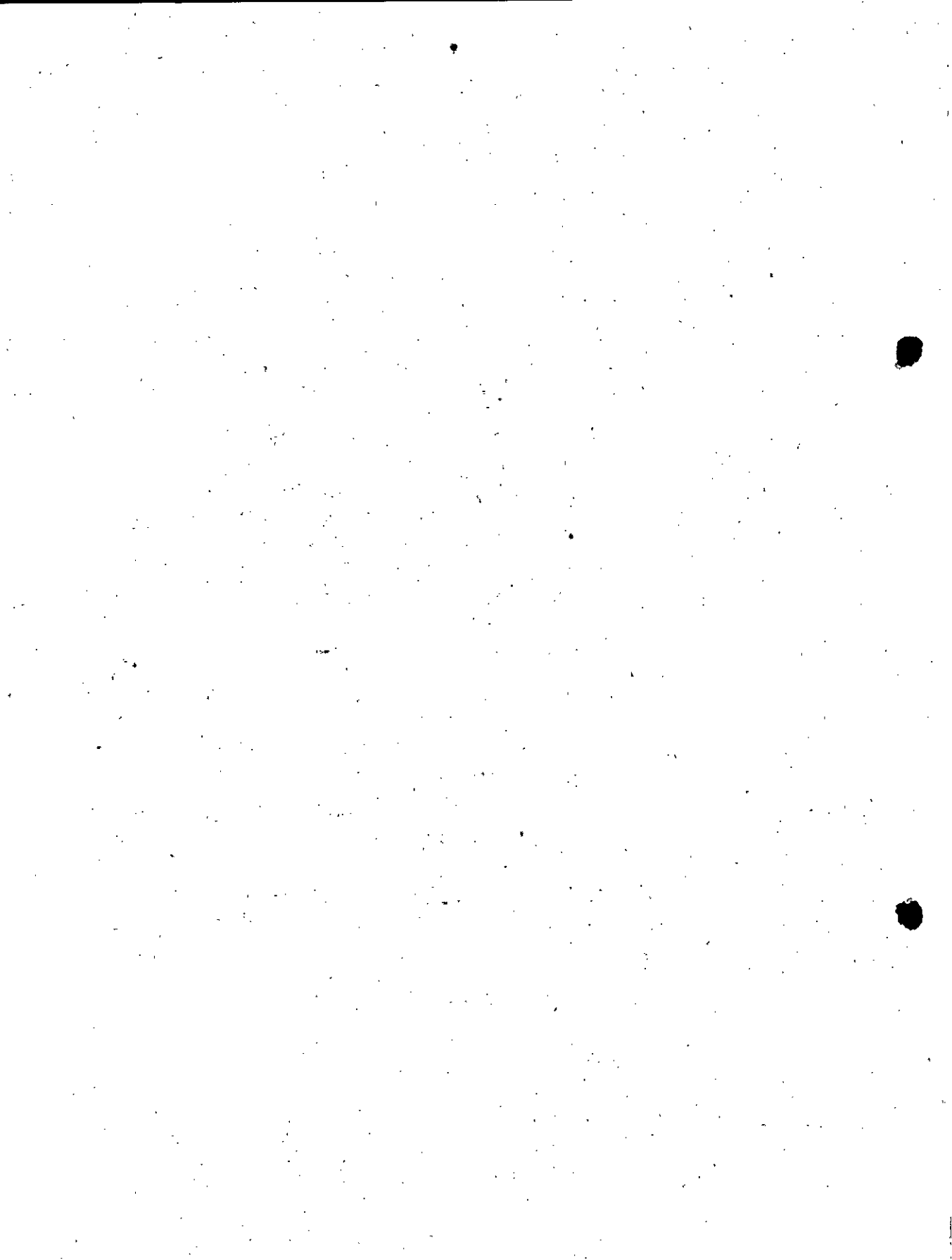
“(5) Any amount directed to be paid under this section may be recovered by the authority as an arrear of land revenue and the authority shall for that purpose be deemed to be a public officer within the meaning of section 5 of the Revenue Recovery Act, 1890.”

I of 1890.

3. After section 17 of the said Act, the following section shall be inserted, namely :— Insertion of new section 17A in Act IV of 1936.

“17A. When an appeal is preferred under section 17 by a person making an application under section 15, the provisions of section 15A shall *mutatis mutandis* apply, with the modification that such person, not being an Inspector, shall d.d. court-fees of an amount of five rupees, but that such amount shall be refunded to him in the event of his succeeding in the appeal.” Provisions of section 15A to apply to appeals preferred under section 17 with modification.

<sup>1</sup>For Statement of Objects and Reasons, see *Bombay Government Gazette*, Part V, p. 250.



**THE PAYMENT OF WAGES (BOMBAY AMENDMENT) ACT, 1955.**

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**CONTENTS.**

**PREAMBLE.**

**SECTIONS.**

1. Short title and commencement.
2. Amendment of section 2 of Act IV of 1936.
3. Amendment of section 15 of Act IV of 1936.
4. Amendment of section 17 of Act IV of 1936.
5. Amendment of section 21 of Act IV of 1936.

BOMBAY ACT No. XLVIII OF 1955<sup>1</sup>.

[THE PAYMENT OF WAGES (BOMBAY AMENDMENT) ACT, 1955.]

[5th December 1955]

An Act to amend the Payment of Wages Act, 1936, in its application to the State of Bombay.

IV of 1936. WHEREAS it is expedient further to amend the Payment of Wages Act, 1936, in its application to the State of Bombay, for the purposes hereinafter appearing; It is hereby enacted in the Sixth Year of the Republic of India as follows :—

1. (1) This Act may be called the Payment of Wages (Bombay Amendment) Act, 1955. Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

IV of 1936. 2. In section 2 of the Payment of Wages Act, 1936, in its application to the State of Bombay (hereinafter referred to as the said Act),— Amendment of section 2 of Act IV of 1936.

(a) after clause (ii) the following new clause shall be inserted, namely :—

“(iia) ‘legal representative’ means the person who in law represents the estate of a deceased employed person ;” ;

(b) for clause (iii) the following shall be substituted, namely :—

“(iii) ‘plantation’ means—

(a) any estate which is maintained for the purpose of growing cinchona rubber, coffee or tea, or

(b) any farm which is maintained for the purpose of growing sugarcane and attached to a factory established or maintained for the manufacture of sugar :

Provided that on such estate or farm twenty-five or more persons are engaged for the purpose ;”

3. In section 15 of the said Act,—

(a) in sub-section (1) for the words and figures beginning with the words “appoint any” and ending with the words “to be the authority” the words “appoint one or more persons to be the authority or authorities” shall be substituted ; Amendment of section 15 of Act IV of 1936.

(b) after sub-section (1), the following new sub-sections shall be inserted, namely :—

“(1A) A person shall not be qualified for appointment as an authority under this Act unless, he is a Commissioner for Workmen’s Compensation or any other officer with experience as a Judge of a Civil Court or of a Labour Court constituted under the Bombay Industrial Relations Act, 1946, or as a stipendiary Judicial Magistrate.

(1B) Where more than one person are appointed for any specified area as authorities under sub-section (1), the State Government may by general or special order make such arrangements as it thinks fit for the distribution of the work among the authorities so appointed.” ;

Bom.  
XI of  
1955.

<sup>1</sup> For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1955, Part V, pages 244-245.

(c) in sub-section (2),—

(i) after the words "to act on his behalf" the words and figures "or a representative union registered as such under the Bombay Industrial Relations Act, 1946," shall be inserted;

Bom.  
XI of  
1947.

(ii) after the word, brackets and figure "sub-section (3)" the following shall be inserted, namely :—

"and in case of death of the employed person, it shall be lawful for his legal representative to make an application for such direction";

(d) in sub-section (3),—

(i) for the words "refund to the employed person" the words "refund to the employed person or his legal representative, as the case may be," shall be substituted;

(ii) after the words "twenty-five rupees in the latter" the following shall be inserted, namely :—

"and the authority may direct the payment of such compensation in cases, where the amount deducted or the delayed wages are paid by the employer to the employed person or his legal representative before the disposal of the application";

(iii) in the proviso, after the words "employed person", at both the places where they occur, the words "or his legal representative" shall be inserted;

(e) after sub-section (5), the following shall be added, namely :—

"(6) Where a question arises as to whether any person is or is not a legal representative of the deceased employed person, such question shall be determined by the authority and the decision of the authority shall be final."

Amendment  
of section 17  
of Act IV  
of 1936.

4. In section 17 of the said Act, in sub-section (1), in clause (b),—

(i) after the words "an employed person" the following shall be inserted, namely :—

"or any legal practitioner or any official of a registered trade union authorised in writing to act on his behalf or a representative union registered as such under the Bombay Industrial Relations Act, 1946, or any Inspector under this Act or any other person authorised by an authority to make an application under sub-section (2) of section 15 and in the case of death of the employed person, his legal representative, as the case may be,";

Bom.  
XI of  
1947.

(ii) for the words "him" and "he" the words "the employed person" shall be substituted.

Amendment  
of section 21  
of Act IV  
of 1936.

5. In section 21 of the said Act, in sub-section (2), after the words "employed person", at both the places where they occur, the words "or his legal representative" shall be inserted.

**THE PAYMENT OF WAGES (BOMBAY AMENDMENT) ACT, 1956.**

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**CONTENTS.**

**PREAMBLE.**

**SECTIONS.**

1. Short title.
2. Amendment of section 7 of Act IV of 1936.

BOMBAY ACT No. XXXVII OF 1956<sup>1</sup>.

[THE PAYMENT OF WAGES (BOMBAY AMENDMENT) ACT, 1956.]

[19th June 1956]

An Act further to amend the Payment of Wages Act, 1936, in its application to the State of Bombay.

IV of 1936. WHEREAS it is expedient further to amend the Payment of Wages Act, 1936, in its application to the State of Bombay, for the purpose hereinafter appearing ; It is hereby enacted in the Seventh Year of the Republic of India as follows :—

1. This Act may be called the Payment of Wages (Bombay Amendment) Act, short title, 1956.

IV of 1936. 2. In section 7 of the Payment of Wages Act, 1936, in sub-section (2), in Amendment of section 7 of Act IV of 1936. clause (d), after the word "employer" the following shall be added, namely :—

Bom. LXIX of 1948. "or the State Government, or the Bombay Housing Board constituted under the Bombay Housing Board Act, 1948, or such other agency as the State Government may, by notification in the *Official Gazette*, direct".

<sup>1</sup> For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1956, Part. V, p. 60.



**THE PAYMENT OF WAGES (BOMBAY AMENDMENT AND VALIDATION)  
ACT, 1959.**

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**CONTENTS.**

**PREAMBLE.**

**SECTIONS.**

1. Short Title.
2. Amendment of section 6 of Act IV of 1936.
3. Validation of payment of bonus in manner other than in current coin or currency notes or in both.

BOMBAY ACT No. VIII OF 1960.<sup>1</sup>

[THE PAYMENT OF WAGES (BOMBAY AMENDMENT AND VALIDATION) ACT, 1959.]

[29th January 1960].

An Act further to amend the Payment of Wages Act, 1936, in its application to the State of Bombay and to validate certain payments of bonus.

IV of 1936. WHEREAS it is expedient further to amend the Payment of Wages Act, 1936, in its application to the State of Bombay for the purpose hereinafter appearing and to validate certain payments of bonus; It is hereby enacted in the Tenth Year of the Republic of India as follows:—

1. This Act may be called the Payment of Wages (Bombay Amendment and Validation) Act, 1959. Short title.

IV of 1936. 2. In section 6 of the Payment of Wages Act, 1936, in its application to the State of Bombay (hereinafter referred to as the principal Act) for the proviso, the following proviso shall be, and shall be deemed to have been, substituted on and from the 1st day of April 1958, namely:— Amendment of section 6 of Act IV of 1936.

“Provided that where the amount of any bonus payable to an employed person under the terms of employment or under any award or settlement or order of a court, exceeds an amount equal to one-fourth of his earnings (exclusive of dearness allowance) for the year to which the bonus relates, such excess shall be paid or invested in the manner prescribed.”

3. The amount of any bonus paid to any employed person in a manner other than in current coin or currency notes or in both, during the period commencing on the 1st day of April 1958 and ending on the date of the commencement of this Act, which would have been validly paid if the amendment to section 6 of the principal Act by this Act were in force on the date of such payment shall be deemed to have been validly paid, and such payment shall not be called in question on the ground only that the payment was not made in current coin or currency notes or in both; and accordingly no suit or proceedings shall be entertained or continued before any authority constituted under the principal Act or in any court or tribunal on such ground. Validation of payment of bonus in manner other than in current coin or currency notes or in both.

<sup>1</sup> For Statement of Objects and Reasons, see *Bombay Government Gazette, 1959, Part V, page 814.*

**THE PAYMENT OF WAGES (MAHARASHTRA PROVISION FOR UNIFORM  
APPLICATION AND AMENDMENT) ACT, 1960.**

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**CONTENTS.**

**PREAMBLE.**

**SECTIONS.**

1. Short title.
2. Extension of certain enactments amending Act IV of 1936 to whole State.
3. Deletion of section 15 (3A) from Act IV of 1936.
4. Amendment of section 6 of Act IV of 1936.
5. Amendment by section 7 of Act IV of 1936.
6. Amendment of section 15 of Act IV of 1936.
7. Amendment of section 17 of Act IV of 1936.
8. Amendment of section 17A of Act IV of 1936 inserted by Act LXVIII of 1957.
9. Repealing of section 17A of Act IV of 1936 inserted by Bom. LXX of 1954.

**SCHEDULE.**

## MAHARASHTRA ACT No. XIII OF 1961.

[THE PAYMENT OF WAGES (MAHARASHTRA PROVISION FOR UNIFORM APPLICATION AND AMENDMENT) ACT, 1960.]

[4th March 1961.]

**An Act to provide for uniformity in the provisions of the Payment of Wages Act, 1936, in its application to the State of Maharashtra, and further to amend that Act as so uniformly applied.**

IV of  
1936.

WHEREAS it is expedient to provide for uniformity in the provisions of the Payment of Wages Act, 1936 (in this Preamble called "the principal Act"), in its application to the State of Maharashtra, and for that purpose to extend to the rest of the State certain enactments which amend in their application to a part of the State, the principal Act;

AND WHEREAS it is also expedient further to amend for the purposes hereinafter appearing the principal Act as so uniformly applied to the whole State; It is hereby enacted in the Eleventh Year of the Republic of India as follows:—

1. This Act may be called the Payment of Wages (Maharashtra Provision for Short title. Uniform Application and Amendment) Act, 1960.

IV of  
1936.

2. For the purpose of providing for the uniform application of the Payment of Wages Act, 1936, throughout the State of Maharashtra, the enactments mentioned in the Schedule which amend that Act in its application to the State of Bombay are hereby extended to, and shall by virtue of such extension be in force in, those parts of the State of Maharashtra to which the enactments did not extend immediately before the commencement of this Act; and accordingly, the Payment of Wages Act, 1936 shall on the commencement of this Act be deemed to be amended also in those parts of the State.

IV of  
1936.

IV of  
1936.  
Bom.  
LXII  
of  
1953.

3. Sub-section (3-A) inserted in section 15 of the Payment of Wages Act, 1936, by section 4 (4) of the Payment of Wages (Bombay Amendment) Act, 1953, shall, in its application to the Bombay area of the State of Maharashtra, be deleted therefrom.

IV of  
1936.

4. In the Payment of Wages Act, 1936, as in force in the whole of the State of Maharashtra (hereinafter referred to as "the principal Act"), for section 6, the following shall be substituted, namely:—

"6. All wages shall be paid in current coin or currency notes, or in both:

Provided that, where the amount of any bonus payable to an employed person exceeds an amount equal to one-fourth of his earnings (exclusive of dearness allowance) for the year to which the bonus relates, such excess shall be paid or invested in the manner prescribed.

*Explanation.*—For the purposes of this section, the expression—

(1) "wages" shall include any bonus of the description given in sub-clause (1) of clause (vi) of section 2; and

Wages to be paid in current coin or currency notes.

6304 *The Payment of Wages (Maharashtra Provision for Uniform [1961 : Mah. XIII Application and Amendment) Act, 1960*

(2) "bonus" means bonus payable to an employed person under the terms of employment or under an award or settlement or order of a court, and also includes any bonus of the description given in sub-clause (1) of clause (vi) of section 2."

Amendment of section 7 of Act IV of 1936.

5. In section 7 of the principal Act, in sub-section (2), in clause (k), the words "for being deposited in any Post Office Savings Bank" shall be deleted.

Amendment of section 15 of Act IV of 1936.

6. In section 15 of the principal Act, in sub-section (1A), for the portion beginning with the words "of a Labour Court" and ending with the words "Judicial Magistrate" the following shall be substituted, namely:—

"as a stipendiary Judicial Magistrate or as Judge of a Labour Court or as judicial member of the Industrial Court constituted under the Bombay Industrial Relations Act, 1946, or as presiding officer of a Tribunal constituted under the Industrial Disputes Act, 1947"

Bom. XI of 1947. XIV of 1947.

Amendment of section 17 of Act IV of 1936.

7. In section 17 of the principal Act, in sub-section (1),—

(1) for clause (b), the following shall be substituted, namely:—

"(b) by an employed person, or any legal practitioner or any official of a registered trade union authorised in writing to act on his behalf, or a representative union registered as such under the Bombay Industrial Relations Act, 1946, or any Inspector under this Act, or any other person authorised by an authority to make an application under sub-section (2) of section 15, and (in the case of the death of the employed person) by his legal representative, as the case may be, if the total amount of wages claimed to have been withheld from the employed person, or from the unpaid group to which the employed person belonged, exceeds fifty rupees, or"

Bom. XI of 1947.

(2) after the first proviso, the following shall be added, namely:—

"Provided further that, when the order or direction appealed against was made by any person who holds or has held office of or above the rank of a District Judge or a judicial member of the Industrial Court constituted under the Bombay Industrial Relations Act, 1946, or the presiding officer of a Tribunal constituted under the Industrial Disputes Act, 1947, an appeal under this section shall lie to the High Court."

Bom. XI of 1947. XIV of 1947.

Amendment of section 17A of Act IV of 1936 inserted by Act LXVIII of 1957.

8. In section 17A inserted in the principal Act by section 8 of the Payment of Wages (Amendment) Act, 1957, in sub-section (1), for the words "any official of a registered trade union authorised in writing to act on his behalf" the words "any other person or a representative union competent to present such appeal," shall be substituted.

Bom. LXV III of 1957.

Renumbering of section 17A of Act IV of 1936 inserted by Bom. LXX of 1954.

9. Section 17A as inserted in the principal Act by section 3 of the Payment of Wages (Bombay Amendment) Act, 1954, shall be renumbered as section 17B of the principal Act.

Bom. LXX of 1954.

SCHEDULE.

(See section 2.)

Serial No.	Acts	Provisions extended
1	2	3
1 The Payment of Wages (Bombay Amendment) Act, 1953 (Bom. LXII of 1953).		The whole Act except sections 1 (2), 3, 4 (1) and (4) and 6 (2).
2 The Payment of Wages (Bombay Amendment) Act, 1954 (Bom. LXX of 1954).		The whole Act.
3 The Payment of Wages (Bombay Amendment) Act, 1955 (Bom. XLVIII of 1955).		The whole Act except sections 1 (2) and 4.

**THE PAYMENT OF WAGES (MAHARASHTRA AMENDMENT) ACT, 1961.**

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**CONTENTS.**

**PREAMBLE.**

**SECTIONS.**

1. Short title and commencement.
2. Amendment of section 7 of Act IV of 1936.

MAHARASHTRA ACT No. XLII OF 1961.<sup>1</sup>

[THE PAYMENT OF WAGES (MAHARASHTRA AMENDMENT) ACT, 1961.]

[9th October 1961]

An Act further to amend the Payment of Wages Act, 1936, in its application to the State of Maharashtra.

IV of 1936. WHEREAS it is expedient further to amend the Payment of Wages Act, 1936, in its application to the State of Maharashtra for the purpose hereinafter appearing; It is hereby enacted in the Twelfth Year of the Republic of India as follows :—

1. (1) This Act may be called the Payment of Wages (Maharashtra Amendment) Act, 1961. Short title and commencement.

(2) It shall be deemed to have come into force on the 15th day of August 1961.

IV of 1936. 2. In section 7 of the Payment of Wages Act, 1936, in sub-section (2),— Amendment of section 7 of Act IV of 1936.

(a) in clause (j), the word " and " at the end shall be deleted ;

(b) after clause (k), the following new clause shall be added, namely :—

"(l) deductions made, with the consent of the person employed, for contribution towards any public charitable purpose which the State Government may by notification in the *Official Gazette* specify in that behalf."

<sup>1</sup> For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1961, Part V, page 636.





# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष २, अंक ४६]

शनिवार, डिसेंबर १८, २०१०/अग्रहायण २७, शके १९३२ [ पृष्ठे ३, किंमत : रुपये १९.००

असाधारण क्रमांक ८९

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेल अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Payment of Wages and Minimum Wages (Maharashtra Amendment) Act, 2010 (Mah. Act No. XXVI of 2010), is hereby published under the authority of the Governor.

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

H. B. PATEL,  
Secretary to Government,  
Law and Judiciary Department.

### MAHARASHTRA ACT No. XXVI OF 2010.

*(First published, after having received the assent of the President in the "Maharashtra Government Gazette", on the 18th December 2010.)*

*An Act further to amend the Payment of Wages Act, 1936 and the Minimum Wages Act, 1948, in their application to the State of Maharashtra.*

4 of 1936. 11 of 1948. WHEREAS it is expedient further to amend the Payment of Wages Act, 1936 and the Minimum Wages Act, 1948, in their application to the State of Maharashtra, for the purposes hereinafter appearing ; it is hereby enacted in the Sixty-first Year of the Republic of India as follows :—

1. (1) This Act may be called the Payment of Wages and Minimum Wages (Maharashtra Amendment) Act, 2010.

Short title and extent.

(2) It extends to the whole of the State of Maharashtra.

Amendment  
of section 6  
of Act 4 of  
1936.

2. In section 6 of the Payment of Wages Act, 1936, in its application to the State of Maharashtra,— 4 of 1936.

(i) after the second proviso, the following provisos shall be added, namely :—

“Provided also that, all wages payable to the employed persons, who are in continuous service as stipulated in section 25B of the Industrial Disputes Act, 1947 in factories or industrial or other establishments and are drawing wages of Rs. 3000 per month or more, except agricultural labourers and sugarcane cutting labourers, shall be paid either by an account payee cheque drawn in favour of the employed persons or by crediting the wages in the bank account of the employed persons : 14 of 1947.

Provided also that, all wages payable to the employed persons, employed in factories or industrial or other establishments situated in the area of Thane District in the State of Maharashtra, or in any other area as may be notified by the State Government in the *Official Gazette*, whether they are in continuous service as stipulated in section 25B of the Industrial Disputes Act, 1947 or otherwise and irrespective of the amount of wages drawn, except agricultural labourers and sugarcane cutting labourers, shall also be paid either by an account payee cheque drawn in favour of the employed persons or by crediting the wages in the bank account of the employed persons.”; 14 of 1947.

(ii) for the marginal note, the following marginal note shall be substituted, namely :—

“Mode of payment of wages.”

Amendment  
of section  
11 of Act  
11 of 1948.

3. In section 11 of the Minimum Wages Act, 1948, in its application to the State of Maharashtra,— 11 of 1948.

(i) after sub-section (1), the following provisos shall be inserted, namely :—

“Provided that, the minimum wages payable to the employees, who are in continuous service as stipulated in section 25B of the Industrial Disputes Act, 1947 in the scheduled employments and are drawing wages of Rs. 3000 per month or more, except agricultural labourers and sugarcane cutting labourers, shall be paid either by an account payee cheque drawn in favour of the employees or by crediting the wages in the bank account of the employees : 14 of 1947.

Provided further that, the minimum wages payable to the employees in the scheduled employments situated in the area of

14 of  
1947.

Thane District in the State of Maharashtra, or in any other area as may be notified by the State Government in the *Official Gazette*, whether they are in continuous service as stipulated in section 25B of the Industrial Disputes Act, 1947 or otherwise and irrespective of the amount of wages drawn, except agricultural labourers and sugarcane cutting labourers, shall also be paid either by an account payee cheque drawn in favour of the employees or by crediting the wages in the bank account of the employees.”;

(ii) for the marginal note, the following marginal note shall be substituted, namely :—

“Mode of payment of minimum wages.”.

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