



सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग चार-अ

वर्ष १२, अंक ९०]

बुधवार, जुलै १५, २०२६/आषाढ २४, शके १९४८

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असाधारण क्रमांक ३०५

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने केंद्रीय अधिनियमान्वये तयार केलेले
(भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांव्यतिरिक्त) नियम व आदेश.

HOME (TRANSPORT) DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, Dated 15th July 2026.

NOTIFICATION

MOTOR VEHICLES ACT, 1988.

No. MVR-0821/C.R. 95/Tra-2.—In exercise of the powers conferred by sections 73, 74 and 93 of the Motor Vehicles Act, 1988 (59 of 1988), in its application to the State of Maharashtra and of all other powers enabling it in this behalf, the Government of Maharashtra hereby makes, the following rules, the same having been previously published as required by section 212 of the said Act, namely :—

CHAPTER – I

PRELIMINARY

1. *Short title.*—These rules may be called the Maharashtra Motor Vehicle Aggregator Rules, 2026.

2. *Definitions.*—

(1) In these rules, unless the context otherwise requires,—

(a) “Act” means the Motor Vehicle Act, 1988 (59 of 1988);

(b) “aggregator” means the aggregator as defined in clause (1A) of section 2 of the Motor Vehicles Act, 1988, as amended from time to time.

(c) “App” means an electronic interface operated by the Aggregator or any third party on behalf of the Aggregator, which shall be accessed either through a computer resource or a communication device;

(d) “Area of Operation” means the area for which Contract Permit, which can be one or more cities within the State of Maharashtra, or entire State of Maharashtra has been obtained by the Licensee from the Licensing authority;

(e) “Carpooling Arrangement” means a journey undertaken using a motor car driven by a driver-user for his private purpose, along with traveler-users, with departing point and final destination being determined by the driver-user;

(f) “Digital Platform” means any mobile application, website or electronic interface, by whatever name called, used to facilitating aggregator services for transport vehicles, including but not limited to taxis, auto-rickshaws, or similar services.

(g) “Carpooling Intermediary” means any entity which owns, operates, or manages a carpooling intermediary platform used for the purpose of connecting users for a Carpooling Arrangement;

(h) “Carpooling Intermediary Platform” means a digital or electronic interface, including an app and a website, allowing users to connect for a Carpooling Arrangement;

(i) “communication device” means communication device as defined in clause (ha) of section 2 of the Information Technology Act, 2000 (21 of 2000);

(j) “Competent Authority” means the respective Regional Transport Authority or State Transport Authority as the case may be duly authorized to issue licence under section 93 of the Motor Vehicle Act, 1988;

(k) “Comprehensive Insurance Policy with add-on Passenger Cover the Act” means an insurance policy issued by an authorized insurer as defined in clause (a) of section 145 of the Act, that provides overall protection to the motor car owner against damages to the motor car as a result of theft, fire, vandalism, natural disasters, third party liability and such other damages that may arise along with an add-on coverage of rupees five lakh to insure against harm caused during an accident to any other persons in a motor car, not including the driver-user;

(l) “computer resource” means computer resource as defined in clause (k) of section 2 of the Information Technology Act, 2000;

(m) “convenience fees” means an additional fee chargeable to the rider over and above the base fare, to account for the services rendered by the aggregator;

(n) “Convenience fee model” means a pricing mechanism whereby convenience fee is imposed upon the rider in excess of the base fare. The imposition of such a fee is subject to the following conditions,—

(i) The Convenience Fee chargeable to the rider shall not exceed five per cent of the base fare for the trip. Concurrently, an equivalent fee not exceeding five per cent of the base fare shall be deducted from the amount due to the rider: Provided that, the convenience fee may be revised from time to time by the State Transport Authority.

(ii) In no event shall the aggregate of all convenience fees, whether collected from the rider or deducted from the amount due to the rider, exceed ten per cent. of the base fare for the trip, subject to any revision as may be carried out by the State Transport Authority.

Explanation.— For instance, if the base fare for a trip is rupees hundred, the total amount to be collected from the rider shall be rupees one hundred and five out of this total amount, rupees five shall be retained by the aggregator as the convenience fee. Simultaneously, out

of the base fare due to the driver, herein rupees hundred, an amount of rupees ninety five shall be credited to the driver's account, and rupees five shall be credited to the aggregator's account.

(o) "Cost of Ride in a Carpooling" means the total cost for a specific journey in a carpooling arrangement and shall include the following components,-

(i) Fuel Cost:- the expense incurred for fuel used during the journey;

(ii) Toll Fees:- any toll charges paid during the journey;

(iii) Amortization of the Motor Car:- the proportionate share of the vehicle's depreciation for the duration of the journey.

(iv) Insurance Premiums:- the relevant portion of the premiums for third-party and comprehensive insurance policies, including passenger add-on coverage.

Explanation.—For the purpose of this definition, the cost of ride shall not, in any case exceed the base fare fixed by Regional Transport Authority (RTA) for a comparable cab for a comparable journey.

(p) "Driver-User" means a user who uses a Carpooling Intermediary for listing of journeys to be undertaken by him;

(q) "Fare" means the total amount chargeable by the aggregator to the rider upon completion of ride booked through the aggregator's app, and the fare shall not include toll charges, parking charges and Goods and Services Tax, wherever applicable;

(r) "Fees" mean the charges in respect of a license as prescribed under rule 24 of these rules;

(s) "Form" means the form appended to these rules;

(t) "Grievance Officer" means a person appointed by the aggregator for the purposes of redressal of grievance of passenger or driver;

(u) "Induction Training Programme" means prescribed under sub-rule (2) of rule 6;

(v) "Intercity Rides" means any journey undertaken by a motor vehicle for hire, facilitated by an aggregator, for transportation of passengers between two District, Municipal areas or Metropolitan region within the State. where the total distance of such a journey exceeds one hundred kilometres;

(w) "Intracity Rides" means any journey undertaken by a motor vehicle for hire, facilitated by an aggregator, for transportation of passengers within the areas of a single municipal jurisdiction or metropolitan region within the State. Such journeys shall occur entirely within the limits of the respective district, city, or town and shall not exceed a total distance of hundred kilometres;

(x) "journey" means a trip whether undertaken or proposed on a specified date and time from the place of departure to the destination and may include the type of class of the motor vehicle used to undertake the travel plan;

(y) "licence" means the licence issued to an Aggregator by the competent authority;

(z) "licensee" means an Aggregator who holds License issued by the State Government;

- (aa) “list or listing” means the publication of a prospective Journey on the Carpooling Intermediary Platform by a driver-user who intends to undertake such a journey in a motor car driven by him;
- (bb) “motor car” means the motor car as defined in clause (26) of section 2 of the Act;
- (cc) “Off-Boarding” means the removal of an integrated vehicle, driver, or both from the Aggregator;
- (dd) “On-Boarding” means the integration of a vehicle, along with the driver and where the driver and owner are different also the owner with the Aggregator and for the purposes operating such vehicle through the Aggregator;
- (ee) “Rating” means an assessment of the quality of a trip availed by a rider, on the successful completion of such trip;
- (ff) “Refresher Training Programme” means a training session conducted every five years for drivers integrated with the aggregator through a driving training institute recognized by the State Government, for a period of at least minimum two days for cumulated not less than ten hours, which may be delivered physically or virtually. The session shall include but shall not be limited to, the course prescribed under the Induction Training Programme;
- (gg) “Remedial Training Programme” means a training courses conducted by Institute of Driving Training Research (IDTR), Regional Driving Training Centre (RDTC), and Advance Driving Training Centre (ADTC) or any other institute recognized by the State Government and accredited in Form 11(A) by the competent authority, shall be compulsorily undertaken by drivers whose average rating for any half financial year is below two stars on a scale of five stars, or equivalent thereof in any other rating scale;
- (hh) “Rider” means a person who books a journey through the aggregator app for availing the transportation provided by the aggregator through a vehicle integrated with the aggregator.
Explanation.—For the purpose of this clause the expression “rider” shall also include a person refers to an individual who has booked the ride and extends to any other individual on whose behalf the ride is booked;
- (ii) “Security Deposit” means the amount payable by an aggregator applying for a license for continued operation and services in compliance with the conditions laid down by the Regional Transport or the Competent Authority and shall be furnish in the form of bank guarantee, unless provided otherwise;
- (jj) “Service Fee” means a platform fee or a convenience fee charged by the Carpooling Intermediary to the Users for facilitating a Car pooling Arrangement through the Carpooling Intermediary;
- (kk) “Service Provider Contract” means the contract executed between the aggregator and the vehicle owner or the driver and owner if the driver is not the owner and which specifies the contractual rights and obligations of all parties;
- (ll) “State” means the State of Maharashtra;
- (mm) “Surge Model” means a dynamic pricing mechanism which permits the escalation or de-escalation of base fare approved by Authority in accordance with real-time supply and demand, subject to the conditions namely :—

(a) The fare under this model may be reduced to a level not less than Twenty Five per cent., below the base fare as prescribed by the respective Regional Transport Authority (RTA) or as provided under these rules and may increase to a level not exceeding 1.5 times the base fare.

(b) Activation of increase pricing shall be permissible solely during intervals of increased demand and shall be conspicuously displayed within the application.

- (nn) “Surge or Dynamic Pricing” means the output of the fare algorithm of the fare of the aggregator, where by the fare of a journey is raised when demand for trips exceeds supply of vehicles;
- (oo) “Terms and Conditions” means a document or set of documents specifying the service conditions of the Carpooling Intermediary, including, but not restricted to such matters relating to privacy policy, grievance redressal mechanism, protocols for use and storage of customer data, codes of conduct for users and cancellation policy;
- (pp) “traveller-user” means a user who chooses a Listing as a traveller upon considering the respective Listings made by driver-users and enters into a Car pooling Arrangement directly with the driver-user through the Carpooling Intermediary Platform;
- (qq) “Unique License Identification Number (ULIN)” means a unique number issued by the Competent Authority to each licensed Aggregator.
- (rr) “User” means a person who registers on the Carpooling Intermediary Platform for the purpose of undertaking Carpooling Arrangements and who may take the role of either a driver-user or a traveler-user depending on the Carpooling Arrangement.
- (2) Words and expressions used in these Rules and not defined herein shall have the same meanings as are respectively assigned to them in the Act and the rules made thereunder.

CHAPTER – II

GENERAL

3. Applicability.—(1) These rules shall be applicable to any aggregator operating within a State of Maharashtra, holding a valid permit and the driver engaged on-board passenger transport vehicles in the area of operation permitted by the vehicle permit. The transport vehicles integrated by the aggregator shall include all passenger transport motor vehicles registered under the Act including e-rickshaw:

Provided that, the aggregator, permit holder of the vehicle and the driver shall ensure compliance with all applicable permit conditions in respect of motor cabs, all India tourist cabs, luxury cabs, contract carriage buses, camper vans and other similar public service vehicles except motor cycles, for car pooling arrangement non transport Light motor vehicles are included;

Provided further that, aggregation of motor cycles, Maharashtra Bike-Taxi Rules, 2025 shall apply and aggregator shall be required to obtain separate licence for Bike-Taxi Services.

(2) Any owner should not have more than 50 vehicles on-boarded on an app for Mumbai, Pune, Nashik, Nagpur and for the rest of Maharashtra 25 vehicles. This limit is applicable per platform for vendor fleet.

(3) These Rules shall not be applicable to the entities engaged in the sale of tickets for travel by public service vehicles.

(4) These rules shall apply to all digital platforms providing aggregator services to transport vehicles, including taxis and similar services, operating within the State of Maharashtra.

(5) These rules shall not be applicable to entities limiting themselves solely to the provision of an interoperable network to aggregators licensed by the Competent Authority and do not directly undertake on-boarding of drivers, motor vehicles or both.

4. Application for grant or renewal of License and matters connected therewith.— (1) No applicant shall integrate any driver or represent himself, or operate as an aggregator unless he holds a valid license issued by the Competent Authority.

(2) Any person eligible under the criteria mentioned in rule 7 may apply for the grant of a licence in Form I for a surge-pricing base model or for a convenience fee model or private car pooling as the case may be, accompanied by proof of payment of the prescribed fee and security deposit as provided in rules 5 and 6 to the State Transport Authority or respective Regional Transport Authority of the area or areas in which the applicant intends to operate:

Provided that, in case the applicant intends to operate the jurisdiction of more than one Regional Transport Authority, then the applicant may, at his option, apply to the State Transport Authority for a single licence for the entire area in which he intends to operate.

(3) An application made under sub-rule (2) shall be decided by the Competent Authority within a period of ninety days from the date of such application in Form I.

(4) On being satisfied that the applicant has complied with all the conditions specified for grant or renewal of a license under these rules, the Competent Authority shall direct the applicant to pay the prescribed licence fee and security deposit within a period of thirty days.

(5) On payment of licence fee and security deposit, the Competent Authority shall grant a license to the applicant in Form III, within the period of thirty days from the date of payment.

(6) The list of licenses issued by the Competent Authority under these rules shall be uploaded and updated by the Competent Authority on the Transport Department Portal of the State Government.

(7) A License granted shall be valid for a period of Three years from the date of its issuance, and may thereafter renewed by the Competent Authority on an application for renewal made by the aggregator. The intimation of payment of fees for renewal of license shall be made not less than sixty days before the date of its expiry in Form II, subject to compliance with these rules and any suspensions against such aggregator.

(8) A licence granted shall be automatically renewed for further period of five years each, upon the payment of prescribed fees unless it is expressly suspended or denied for reasons to be recorded in writing.

(9) A License issued under these rules may be transferred on a joint application being made by the transferor and transferee subject to compliance with these rules.

(10) Where the license is lost or destroyed, an application for issue of a duplicate shall be made in Form IV along with the prescribed fee. A duplicate license so issued shall be marked "Duplicate" in red ink.

(11) No Aggregator shall operate, on board vehicles, or offer transport services or upload or make available its mobile application or digital platform for on boarding of vehicles or drivers without obtaining a valid aggregator licence from the State Transport Authority (STA) or Regional Transport Authority (RTA).

5. License Fees for Aggregator.—

Sr. No.	Particulars	Amount in Rupees	Amount in Rupees
		License issued by STA	License issued by RTA (Per district)
1	Grant of license	10,00,000	2,00,000
2	Renewal of license	25,000	5,000
3	Issue of duplicate license	25,000	5,000
4	For noting change of address of the Licensee	25,000	5,000
5	For making appeal in STAT	5,000	5,000

6. Security Deposit for Aggregator.—

Sr. No.	Particulars	Amount in Rupees
1	Up to 100 buses or 1000 other motor vehicles	10,00,000
2	Upto 1000 buses or 10000 other motor vehicles	25,00,000
3	More than 1000 buses or 10000 other motor vehicles	50,00,000

7. Eligibility of an Aggregator for obtaining a Licence.—(1) An applicant shall be eligible to obtain a licence as an aggregator if such applicant is,—

(a) a company registered under the Companies Act, 2013 (18 of 2013); or

(b) a limited liability partnership registered under the Limited Liability Partnership Act, 2008 (6 of 2009); or

(c) a co-operative society constituted by an association of drivers or motor vehicle owners and registered under the Co-operative Societies Act, 1912 (2 of 1912).

(2) The applicant shall comply with all applicable laws for the time being in force, including but not limited to,—

(a) the provisions of the Act and the rules and regulations made thereunder;

(b) the Digital Personal Data Protection Act, 2023 (22 of 2023);

(c) the Consumer Protection Act, 2019 (35 of 2019);

(d) the Information Technology Act, 2000 (21 of 2000), together with the rules, regulations and guidelines made thereunder.

(3) The applicant shall have an office in Maharashtra State.

(4) The applicant shall not have been convicted of any offence under the Bharatiya Nyaya Sanhita, 2023 (45 of 2023), or the Information Technology Act, 2000 (21 of 2000), at the time of making the application.

8. Conditions for grant of License for Aggregator.—An aggregator submitting an application for obtaining a licence shall ensure compliance with the following condition, namely,—

(a) The aggregator shall conduct or cause to be conducted an Induction Training Programme as prescribed under rule 9 before on-boarding a driver and also for those drivers on-boarded prior to issuance of these rules.

(b) The aggregator shall furnish a written intimation of the commencement of services to the Competent Authority and same shall be updated within a period of six months from the date of grant of licence, failing which the licence may be cancelled by the Competent Authority.

(c) Seventy Two hours prior to commencement of services, the aggregator shall intimate the Competent Authority, and such intimation shall be uploaded on the designated portal by the Competent Authority.

(d) The guidelines, if any, issued by the Central Government or the Government of Maharashtra, in respect of health or public safety shall be followed by the aggregator and the on-boarded drivers.

(e) The aggregator shall provide an option in its app for passengers to get the travel insurance upto rupees five lakh. The charges towards premium of travel insurance shall displayed transparently and separately charged to the passengers.

(f) The aggregator shall not prohibit or restrict the on-boarded drivers from operating with multiple aggregators.

(g) The aggregator shall develop a mechanism in the App enabling for both, the driver and the passenger, to rate of overall the quality and experience of a journey.

(h) The aggregator shall permit a motor vehicle holding a valid contract carriage permit and willing to get on-boarded, to be on-boarded to be integrated with the aggregator, subject to compliance with the relevant clauses of these rules.

(i) The aggregator shall not be eligible for grant of licence if its license has been cancelled within the preceding one year.

(j) The Aggregator shall appoint a Grievance Officer who shall be responsible for resolving all the grievances received. The details of the grievances resolved shall be furnish to the Competent Authority through an online process. The details of the Grievance Officer i.e. the name, e-mail address, and telephone number shall be made available by the aggregator on its App and website. If a grievance remains unresolved for a period of 30 days, then the concerned RTO/Dy RTO can take cognisance of the complaint and take decision.

(k) Every aggregator shall display a Unique Licence Identification Number (ULIN) mentioned in license prominently on the mobile application and website submitted to app distribution platforms (e.g. Google Play Store/ Apple App Store) before publishing.

(l) Aggregator to provide dedicated 24/7 call centre for grievance redressal of passengers..

9. Induction Training Programme.—(1) The Induction Training Programme shall be mandatory training course, of five days duration comprising total of thirty hours for the drivers comprising a combination of in-person and virtual training sessions. The broad details of the course of such program shall be made available online by the aggregator. The course shall provide training to the drivers:

(i) to use the Mobile Application of the aggregator;

(ii) the relevant provisions of the related Acts and rules;

(iii) Motor Vehicles(Driving) Regulations 2017;

(iv) first responder training for at least six hours to enable respond to emergencies and to provide assistance in case of road accidents;

(v) on careful driving, traffic rules, motor vehicle maintenance, fuel-efficient driving, conduct and behaviour;

(vi) on familiarization with the routes;

(vii) on the terms and conditions of the agreement executed between the driver and the aggregator;

(viii) special training on gender sensitivity and Divyangjan sensitivity and mobility needs;

(ix) such other training as the State Government may specify.

(2) The aggregator shall upload details of the induction training structure on the designated portal.

(3) The Aggregator shall be to ensure that all drivers integrated with the Aggregator prior to the notified date under sub-rule (b) of rule 8 undergo the Induction Training Programme as specified above:

Provided that, the aggregator shall submit their plan of induction training program for the existing drivers in such a way that all existing drivers are trained within a period of one year from the date of issuance of order by the Transport Commissioner from institutes such as IDTR, RDTC, and ADTC for which accreditation is granted in Form 11A as per rule 31B of the Central Motor Vehicles Rules, 1989 by the Competent Authority.

(4) The Aggregator shall commence its business operations within six months from the date of grant of the license, failing which the license shall be deemed to have been cancelled and the licence fee will not be refunded to the applicant. However, the full amount of the security deposit will be refunded to the applicant.

(5) The aggregator shall comply with all guidelines issued by the Ministry of Health, the World Health Organization, or any other relevant authority or organization concerning public health and safety must be complied with. Additionally, these guidelines are also applicable to ride-pooling services in public service vehicles.

10. Compliances with regard to drivers.—(1) For the purposes of on-boarding drivers, the aggregator shall ensure that the following conditions are complied with, namely:-

(i) The Driver holds a valid proof of identity being an Election Identity Card (EIC card) or Aadhaar card or PAN card.

(ii) The driver holds a valid driving licence and public service vehicle badge as per rule 4 of Maharashtra Motor Vehicle Rules, 1989 for concerned vehicle type or class within which the respective vehicle falls throughout the period of on boarding .

(iii) The driver has a valid KYC compliant bank account in his name.

(iv) The driver has not been convicted within the past three years, for any of the following offence, namely:—

(a) the offence of driving under the influence of drugs or alcohol; and

(b) any cognizable offence under the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023) and the Bharatiya Nyaya Sanhita, 2023(45 of 2023), including fraud, sexual offences, use of a motor vehicle to commit a cognizable offence, a crime involving property damage or theft, acts of violence, acts of terror or acts constituting nuisance or danger to public.

(v) That the driver undergoes a medical examination for fitness, including an eye check-up, by a hospital or medical institution identified by the aggregator or the aggregator shall ensure that the driver submits medical certificate in Form I-A of the Central Motor Vehicles Rules, 1989 not older than six months at the time of on-boarding.

(vi) That the driver undergoes a psychological analysis conducted by the aggregator to determine whether they are fit to be on-boarded. The cost towards medical fitness and psychological test of the driver to be borne by aggregator.

(vii) That the character and antecedents of the driver are verified by the Police at least seven days prior to on-boarding and that the aggregator shall maintain a written record of such verification. To facilitate this verification process, specific procedures and requirements for police verification may be notified by the Director General of Police, Maharashtra, from time to time.

(viii) That a valid contract is executed between the aggregator and the driver in English and in the language understood by the driver, including in the language of Marathi, specifying the terms and conditions applicable for on-boarding and operating vehicles. The standard terms and conditions shall be made available online by the aggregator on its website:

Provided that the compliance with above conditions mandatory for the entire duration of on boarding and such compliance shall remain co-terminus with the licence granted by the aggregator.

(ix) The driver is resident of Maharashtra State for atleast 5 years before on boarding..

(2) For the welfare of drivers, the aggregator shall ensure compliance with the following conditions, namely:—

(i) Conducting Refresher Training Programme as prescribed in clause (ee) of rule 2 at the time of renewal of driver's license. Record of such training sessions shall be documented and preserved for at least one year. The Aggregator shall collaborate and partner with any specialized institution, as provide under sub-rule (3) of rule 9 for conduct of such training.

(ii) Implementing a mechanism in the App for rating of Driver by rider with respect to a ride availed on the App, indicative of the Rider's experience of the ride and driver's etiquette. The same shall be applicable to the Driver's rating for a rider. Drivers maintain an average rating of two stars or below out of five, or an equivalent threshold on any other rating scale during any financial half-year, shall be mandatorily required to undergo a Remedial Training Programme. Until the successful completion such programme, such drivers shall be temporarily off-boarded. Furthermore, such drivers shall be red-flagged in the system, serving as a cautionary notice to other aggregators about the driver's conduct and performance.

(iii) In the event a complaint is registered against the driver by a passenger for violation of provisions of the Act, rules or guidelines, the aggregator shall conduct, an inquiry within a period of three days from the date of the receipt of such complaint is made and no action shall be taken against the driver until completion of such inquiry. The aggregator shall communicate the outcome to the passenger upon its completion.

(iv) The aggregator shall ensuring that the driver shall not be logged in for an aggregate of twelve hours on a calendar day. A mandatory break of ten hours for the driver shall be imposed subsequent to any login extending twelve hours.

(v) The aggregator shall maintain and examine a digital record of the following documents pertaining to the on-boarded drivers, duly authenticated from SARATHI portal and such other documents as the aggregator may deem fit, including pertaining to the drivers of vehicles (pursuant to due verification with the originals), regularly on the portal of SARATHI:

- (a) a photograph of the driver;
- (b) physical copy of the driving licence;
- (c) present residential address along with proof as prescribed under rule 4 of Central Motor Vehicle Rules, 1989 and rule 5 of Maharashtra Motor Vehicle Rules, 1989;
- (d) RBI compliant KYC bank account details;
- (e) self-attested copies of EIC card or Aadhaar card or PAN card;
- (f) name and addresses with contact information to emergency contacts;
- (g) enabling the drivers to operate with multiple aggregators:

Provided that, each aggregator shall comply with the requirements and driver training programmes relevant to each aggregator.

(vi) The aggregator shall ensure that, upon termination or expiry of the Service Provider Contract with a driver, all equipment, brand stickers belonging, identity card or authorization issued to the driver by the aggregator is withdrawn.

(vii) The aggregator shall monitor from time to time that the driver adheres to the conditions in rule 20 and rule 21 of the Maharashtra Motor Vehicle Rules, 1989 and take corrective action accordingly.

11. On-boarding and Off-boarding of driver and vehicle.—(1) Notwithstanding anything contained in clause (ii) of sub-rule (2) of rule 10, where a driver-related complaint is reported by a rider to the Transport Authority or Licensing Authority, the Transport Authority or the Licensing Authority not below the rank of Assistant Regional Transport Officer may direct the aggregator to off-board the driver from the app or may directly off-board the driver from the app. The driver so off-boarded may contest the decision of licencing authority to the Regional Transport Officer (RTO). The RTO shall take the decision within ten days. Aggregator shall provide necessary login credentials or access, as may be required to the Transport Authority or the Licensing Authority, for the purposes of implementation of such order.

(2) Notwithstanding anything contain in these Rules, where a vehicle-related complaint is reported by a rider to the Transport Authority or Licensing Authority, the Transport Authority or the licensing authority not below the rank of Assistant Regional Transport Officer may direct aggregator to off-board the vehicle from the app or may directly off-board the vehicle from the app. The permit holder of the vehicle so off-boarded may contest the decision of licencing authority to the Regional Transport Officer (RTO). The RTO shall take the decision within 10 days. Aggregator shall provide necessary login credentials or access to the Licencing Authority or Transport Authority to enable Off-boarding and On-boarding the vehicle from the app.

(3) If at any point of time action is been taken against driver by aggregator and if driver is arrived by such decision then he may approach concerned RTO for redressal of the grievance. Such grievance has to be heard with 7 days by an officer not below the rank of Assistant Regional Transport Officer and till the final order the action taken against such driver be stayed.

12. Permit.— The aggregator shall ensure that all the motor vehicles attached with on boarded drivers have an appropriate permit whenever applicable in accordance with the provisions of the Act.

13. Compliances with regard to vehicles.— (1) The following compliances with regard to a vehicle shall be ensured by an Aggregator as a pre-requisite for the purposes of integration with aggregator namely :—

- (a) Valid registration of the vehicle;
- (b) Valid permit, as may be applicable;
- (c) Valid fitness certificate as obtained under the provisions of the Act;
- (d) Display the registration mark as in accordance with the provisions of in the Central Motor Vehicles Rules, 1989;
- (e) Valid third-party or comprehensive insurance;
- (f) Valid pollution-under-control certificate required under the Central Motor Vehicles Rules, 1989;
- (g) Compliance with emission norms, namely;-
 - (i) BS IV or above for motor cabs;
 - (ii) BS III or above for other vehicles;
 - (iii) Age restriction as prescribed in the permit shall be applicable and in any case, the vehicle age shall not exceed fifteen years from the date of registration;
- (h) Compliance with city-specific fuel norms;
- (i) Updated payment of applicable taxes and other dues;

(j) Clearance of pending e-challans applicable to the vehicle prior to integration of such vehicle and regular clearance of e-challans intervals not exceeding two months thereafter;

(k) Fitment of Vehicle Location Tracking Device or System, compliant with AIS-140, along-with a panic button, as mandated under rule 125H of the Central Motor Vehicles Rules, 1989 and connected to the control room of the aggregator ensuing an electronic feed from vehicle location tracking device system available at integrated command and control centre established by the Government of Maharashtra, Aggregator on its own to check the functioning of VLTD periodically;

(l) Every motor vehicle, other than a motorcycle, shall be equipped with a fire extinguisher of suitable capacity placed inside the vehicle;

(m) Every motor vehicle, other than a three-wheeler, motorcycle or bus, shall have the child lock mechanism disabled, in accordance with the applicable law;

(n) Every motor vehicle, other than a three-wheeler, motorcycle or bus, shall be provided with an enabled manual override for the central locking system, in accordance with the applicable law;

(o) A copy of the driver's licence and the motor vehicle permit, if applicable, shall be displayed inside every motor vehicle, other than a motorcycle, in such manner that the said documents are affixed on the back side of the front seat adjacent to the driver and are clearly visible to the passengers;

(p) Every motor vehicle shall be provided with a first-aid kit placed inside the vehicle;

(q) No motor vehicle shall be on-boarded by an Aggregator unless,—

(i) in the case of auto rickshaws and motor cabs holding a valid permit, the age of the vehicle does not exceed nine years from the date of its registration; and

(ii) in the case of rider buses holding a valid permit, the age of the vehicle does not exceed 12 years from the date of its registration.

(r) Every Aggregator shall verify and maintain the following documents and records of all motor vehicles on-boarded by it, and shall authenticate such data on a real-time basis on the VAHAN portal, namely :—

(i) Certificate of Registration;

(ii) Certificate of Fitness;

(iii) Permit of the vehicle;

(iv) Chassis number and engine number;

(v) Commercial insurance policy covering third party risks as prescribed under the Act;

(vi) Pollution Under Control Certificate;

(vii) Details of pending e-challans prior to on-boarding and proof of their clearance before on-boarding;

(viii) Proof of payment of valid motor vehicle tax, environment tax and road safety cess, as applicable.

(2) Every motor vehicle utilized for ride-hailing services may be equipped with a suitable luggage carrier for the convenience of riders, and the availability of such luggage carrier shall be clearly displayed on the ride-booking application at the time of booking.

(3) Every Aggregator shall provide, through its application, the facility for the rider to select an air-conditioned or non-air-conditioned ride, and where a rider books an air-conditioned ride, it shall be the duty of the Aggregator to ensure that the cab driver provides air-conditioned service to the passenger.

14. Compliances with regard to the Aggregator's App and Website.— (1) Every Aggregator shall develop and maintain a website disclosing details of its ownership, registered address, fare structure, contact information for customer services, e-mail address, services offered by it and other relevant details.

(2) The mobile application of the Aggregator shall be developed and maintained in compliance with all applicable laws for the time being in force.

(3) The App shall be accessible in Marathi, Hindi and English as the primary languages for both riders and drivers; and be designed in such a manner that the destination of the rider shall not be disclosed to the driver until the ride has been accepted.

(4) The vulnerabilities and cyber security of the App shall be certified by a cyber security firm duly recognised and empanelled by the Indian Computer Emergency Response Team (CERT-In).

(5) The App shall generate and store data relating to journeys, passengers, fares and such other particulars as may be necessary, in accordance with applicable laws, including the provisions of the Digital Personal Data Protection Act, 2023.

(6) The Aggregator shall disclose, on its website and in the App upto date particulars relating to-

(a) the share of the fare payable to the driver;

(b) incentives, if any, provided to the driver;

(c) the driver's fare and apportioned fare; and

(d) Such other information as may be notified by the Government of Maharashtra.

(7) The App shall include a feature enabling passengers to share their live location and journey status until completion of the ride, whereupon such feature shall automatically be disabled.

(8) The App shall include special features to ensure accessibility for Divyangjans.

(9) The App shall display a clear and high-resolution picture of the driver on-boarded on the App of the aggregator.

(10) Every Aggregator shall formulate and implement a policy of zero tolerance towards the use of drugs or alcohol by on-boarded drivers while on duty, and shall—

(a) publish such policy and the procedure for lodging complaints in this regard on its website and App;

(b) immediately off-board any driver against whom a complaint of violation of the said policy is received, pending inquiry; and

(c) Ensure that the suspension of such driver continues until completion of the investigation by the Aggregator.

(11) The app shall in no way differentiate between the drivers/vehicles before allocation to ride.

15. Ride Pooling. - (1) An Aggregator may provide ride pooling facilities to riders, subject to the following conditions, namely:—

(a) every rider availing such facility shall have completed the prescribed KYC procedure;

(b) such riders shall be travelling along similar routes with varying stoppages; and

(c) such arrangement shall be deemed to constitute a virtual contract entered into through the App of the Aggregator.

(2) Every female rider availing ride pooling shall be provided with the option to pool exclusively with other female riders, in order to ensure safety and comfort.

(3) The ride pooling facility shall operate only within a predefined radius of detour from the original route, as may be determined by the Aggregator:

Provided that, such detour limit shall be clearly communicated to, and consented by, the riders concerned, particularly the first rider specifying the destination.

16. Regulation of fares. - (1) The standard fare for motor cabs, auto rickshaws and passenger buses, as determined by the Regional Transport Authority (RTA), shall be deemed to be the base fare for customers availing aggregator services.

(2) The base fare chargeable shall be for a minimum distance of three kilometers, in order to compensate for dead mileage, including the distance travelled without a passenger and the distance and fuel consumed in picking up the passenger.

(3) (a) An Aggregator intending to implement surge pricing, as specified in Form I, may vary the fare within a range of twenty-five per cent below to one and a half times above the base fare specified in sub-rule (1).

(b) Where an Aggregator operates under a convenience fee model, as specified in Form 1 and as defined in clause (m) of rule 2, the rider shall pay a convenience fee, and the Aggregator shall reimburse not less than ninety-five per cent. of the base fair to the driver:

Provided that the total fare, exclusive of convenience fee, tolls, parking charges and goods and services tax (GST), shall not exceed the base fare fixed by the respective Regional Transport Authority(RTA);

Provided further that the fare receipt shall itemize government levies, tolls, parking fees, trip particulars including origin, destination, distance, date and time, base fare, surge pricing factor, and the final amount payable to the driver or permit holder.

(4) Under the surge pricing model, the driver shall receive not less than eighty per cent of the total fare, calculated on the basis of the distance travelled. The share of the Aggregator, excluding tolls, parking charges and goods and services tax (GST), shall be clearly specified in the fare receipt along with all other mandatory particulars.

(5) The State Government may, by notification, levy an additional charge not exceeding two per cent. of the base fare towards the welfare fund for drivers, as and when such fund is constituted, for the provision of amenities and programmes relating to Aggregator- operated vehicles, which contribute to the reduction of traffic congestion and pollution:

Provided that such amenities and programmes may include, but shall not be limited to, state-sponsored driver welfare schemes, road safety awareness programmes, pollution control initiatives, allotment of parking spaces in proportion in large parking areas for vehicles integrated with Aggregators, provision of electric charging infrastructure, and other related matters.

(6) Where the Regional Transport Authority (RTA) has not fixed the fare for city metered taxis or auto rickshaws, the same shall be fixed by the respective RTA within one month from the commencement of these rules:

Provided that, for fixation of fares of different types of taxi cabs, including luxury cabs and All India Tourist Permit cabs, the respective RTA shall fix fares separately based on engine capacity, in three tiers, namely:—

(i) vehicles having engine capacity up to 1250 cc shall be charged at the base fare of city metered taxis;

(ii) vehicles having engine capacity exceeding 1250 cc but not exceeding 2000 cc shall be charged at 1.15 times the base fare;

(iii) vehicles having engine capacity exceeding 2000 cc but not exceeding 2800 cc shall be charged at 1.30 times the base fare.

Provided further that, in the case of high-premium vehicles costing above rupees thirty lakhs, the fare shall be mutually determined between the Aggregator and the customer, irrespective of engine capacity.

Provided also that, in the case of electric vehicles, the fare shall be fixed on the basis of the cost of the vehicle as follows:—

(i) vehicles costing less than rupees ten lakhs shall be charged at the base fare applicable to city taxis with engine capacity up to 1250 cc;

(ii) vehicles costing above rupees ten lakhs and less than rupees twenty lakhs shall be charged at 1.15 times the base fare;

(iii) vehicles costing between above rupees twenty lakhs and less than rupees thirty lakhs shall be charged at 1.30 times the base fare;

(iv) vehicles costing above rupees thirty lakhs shall be charged at a fare mutually determined between the Aggregator and the customer.

Explanation.—For the purposes of this rule, the expression “cost of the vehicle” shall have the meaning assigned to it under the Maharashtra Motor Vehicle Tax Act (LXV of 1958), as applicable in the State of Maharashtra, and the cost specified on the VAHAN 4.0 portal shall be the basis for all relevant considerations.

(7) No Aggregator shall compulsorily mandate any other service, including insurance, with a ride. Any such service shall be optional and shall be separately and transparently charged.

17. Cancellation of Rides. - (a) Where a driver cancels a booking subsequent to accepting a ride on the App, a penalty equivalent to ten per cent. of the total fare, not exceeding rupees one hundred, shall be imposed, and the said amount shall be credited to the user account of the rider on the App.

(b) Where a ride is cancelled by a rider on account of non-reporting of the vehicle within ten minutes after the expected reporting time of the vehicle, or where the driver has not reported within ten minutes from the expected scheduled time of arrival, such cancellation shall be deemed to be a cancellation of the ride by the driver. In such case, a penalty of rupees one hundred shall be levied on the driver, and the said amount shall be credited instantly to the user account of the rider on the App:

Provided that, where such dispute is resolved mutually, the complaint shall be deemed to be resolved and no further action shall be required.

Provided further that, this condition shall be prominently displayed by the Aggregator on its website and on the App for the benefit of users.

(c) Where a rider cancels a booking subsequent to booking a ride on the App, without a valid reason, a penalty equivalent to five per cent. of the total fare, not exceeding rupees one hundred, shall be imposed, and the said amount shall be credited to the user account of the driver on the App:

Provided that, where such dispute is resolved mutually, the complaint shall be deemed to be resolved and no further action shall be required.

Provided further that, this condition shall be prominently displayed by the Aggregator on its website and on the App for the benefit of users.

(d) In the event of a breakdown of a motor vehicle during the course of a ride, the Aggregator shall arrange for an alternative vehicle, within—

(i) thirty minutes, where the ride originates or terminates within municipal corporation or council limits; or

(ii) sixty minutes, where the ride is an intercity journey exceeding one hundred kilometers, from the time such breakdown is reported either by the rider or the driver, and the fare chargeable for such alternative arrangement shall be the same as agreed upon at the time of the original booking:

Provided that, failure to comply with this sub-rule shall attract a penalty in accordance with Rule 20.

(e) The aggregator shall incorporate appropriate functionalities in its App to prevent cancellation of rides by drivers for trips to airports, railway stations and hospitals. Where a driver cancels, or is deemed to have cancelled, a ride to any of the aforesaid locations, a penalty equivalent to five times the penalty specified in clauses (a) and (b) of this rule shall be imposed.

18. Sustainable Fleet Management by aggregators. - Every aggregator shall progressively increase, on a yearly basis, the percentage of electric vehicles and vehicles operating on alternative fuels in its fleet, in such manner as may be specified by the Government. The directives issued by the Government in this regard shall be binding and mandatory upon every Aggregator.

19. Inclusion of Divyangjan Fleet.- Every aggregator shall include in its fleet such number of motor vehicles adapted for use by persons with disabilities, at such time and in such proportion as the State Government may, by order, direct.

20. Conversion to Electric Mobility.- Every Aggregator shall mandatorily comply with the targets prescribed for inclusion of electric vehicles in its fleet. Such targets shall be fixed either by the appropriate Government organisation responsible for regulating air quality or by the State Government, as the case may be.

21. Suspension of aggregator Licence.- (1) The Licence granted to an Aggregator may be suspended, by an order in writing (hereinafter referred to as "Suspension Order"), issued by the Competent Authority, either suo motu or upon receipt of a complaint against the Aggregator, after conducting an inquiry.

(2) The period of suspension may extend up to three months.

(3) No Suspension Order shall be passed unless the Aggregator has been afforded an opportunity of being heard within ten days from the date of receipt of such complaint or initiation of action.

(4) Without prejudice to the generality of the foregoing provisions, the following shall constitute grounds for suspension of a Licence, namely:—

(i) failure of the Aggregator to ensure the safety of passengers and/or drivers, including as revealed through reasoned analysis of quarterly rating parameters determined by the State Government;

(ii) frequent instances of irregularities in fares charged to passengers, unjustified imposition of dynamic pricing, non-compliance with guidelines for proportionate division of fare between drivers and the Aggregator, or imposition of unsubstantiated charges on drivers;

(iii) failure of the Aggregator to comply with obligations contained in the contract with drivers;

(iv) failure of the Aggregator to comply with these rules;

(v) jeopardising the safety of passengers or the well-being of drivers;

(vi) violation of safety standards by the Aggregator resulting in road accidents;

(vii) Commission of financial irregularities of a serious nature, as revealed through audit of accounts of the Aggregator; or

(viii) any other ground as the Competent Authority may consider fit and appropriate:

Provided that, where the Competent Authority is of the opinion that suspension of the Licence may not be expedient or feasible, it may, instead of suspension, impose upon the Aggregator a monetary penalty not exceeding rupees one crore but not less than rupees one lakh, having regard to the quantum and severity of the infraction.

(5) Upon suspension of the Licence, the Aggregator shall immediately cease all operations under the Licence until such suspension is revoked or the period of suspension has expired.

(i) Before the expiry of the period of suspension, the Aggregator shall submit to the Competent Authority, an undertaking in writing, affirming that the grounds for suspension, as specified in the Suspension Order, have been duly rectified.

(ii) Upon satisfaction, the Competent Authority shall pass an order acknowledging the resolution of the grounds for suspension and the receipt of the undertaking by the Aggregator.

(iii) The Aggregator shall thereafter resume operations for a probationary period of not less than two months and not exceeding six months, during which compliance with these rules shall be ensured. Any infraction during the probationary period warranting suspension of the Licence shall result in cancellation of the Licence under rule 22.

(6) Where an Aggregator, after obtaining a Licence, is found guilty of, or convicted in, any case registered under the Bharatiya Nyaya Sanhita, 2023, or the Information Technology Act, 2000, the Licence shall be forthwith suspended or cancelled, as the case may be.

22. Cancellation and Surrender of aggregator Licence. - (1) The Competent Authority may initiate proceedings for cancellation of a Licence granted to an Aggregator where—

(i) the Aggregator, having had its Licence suspended within a period of three financial years, commits another infraction under Rule 19 that warrants action for suspension; or

(ii) the Aggregator has committed, or caused to be committed, a violation of these rules of such a grievous nature as to endanger the safety or security of passengers or drivers.

In such cases, the Competent Authority shall issue to the Aggregator a notice to show cause as to why the Licence should not be cancelled.

(2) The Competent Authority shall, within ten days of issuing the show cause notice under sub-rule (1), provide the Aggregator an opportunity of being heard and shall thereafter, by a reasoned order, decide whether or not to cancel the Licence. A copy of the order of cancellation, where passed, shall also be communicated to other States and to the Central Government.

(3) Where a Licence is cancelled, the Aggregator shall immediately cease all operations under the Licence.

(4) Upon cancellation of a Licence under sub-rule (2), the Security Deposit furnished by the Aggregator shall stand forfeited.

(5) An Aggregator may, at any time, voluntarily surrender its Licence, and upon such surrender, the Security Deposit shall be refunded to the Aggregator after deducting any outstanding dues, if any.

23. Appeal. - (1) Any Aggregator aggrieved by an order of suspension, cancellation or rejection passed by the Competent Authority may, within thirty days from the date of receipt of such order, prefer an appeal to the State Transport Appellate Tribunal, 9, Hazarimal Somani Marg, Mumbai – 400001, against such order.

(2) Every appeal shall be filed in the form of a memorandum setting forth concisely the grounds of appeal and shall be accompanied by—

(i) the prescribed fee for appeal as specified in rule 24; and

(ii) a copy of the order passed by the Competent Authority.

(3) The Appellate Authority shall provide the Aggregator an opportunity of being heard and shall dispose of the appeal within a period of sixty days from the date of filing of the appeal.

(4) The Appellate Authority may, while deciding the appeal, pass such order as it deems fit.

24. Powers and Duties of the Transport Commissioner and Competent Authorities.—(1) The Transport Commissioner, Regional Transport Authority (RTA), or Competent Authority shall have the power to call for such information and documents from Aggregators as may be necessary to ensure compliance with these rules. Such power shall include the authority to investigate drivers who have been off-boarded on multiple occasions, after giving prior written notice.

(2) The authorities referred to in sub-rule (1) shall also have the power to conduct investigations of the Aggregator in the manner prescribed in Form I of these rules, for the purpose of effective enforcement thereof.

(3) The said authorities shall provide Aggregators access to the VAHAN and SARATHI portals operated by the Ministry of Road Transport and Highways, Government of India, for the purpose of enabling Aggregators to maintain updated records of vehicles and drivers associated with their App.

(4) It shall be the duty of the Transport Commissioner, RTA, or Competent Authority to maintain strict confidentiality and secrecy in respect of any documents and information obtained from Aggregators under sub-rule (1) of rule 20, or any other information so requested.

(5) The Transport Commissioner, RTA, or Competent Authority may, from time to time, issue such advisories, directions or orders as may be necessary for the proper implementation of these rules.

25. Mandatory Reporting by Aggregators.- Every licensed aggregator shall submit to the Competent Authority such annual or periodic reports as may be required, in electronic form, through a secure portal designated by the Competent Authority, in such format as may be prescribed and duly certified by the Competent Authority.

26. Repeals and Savings.- (1) On the commencement of these rules, all notifications and guidelines issued under section 93 of the Motor Vehicles Act, 1988 shall stand repealed.

(2) Notwithstanding such repeal, anything done or any action taken under any of the notifications or guidelines so repealed shall be deemed to have been done or taken under the corresponding provisions of these rules, unless such thing or action is inconsistent with the provisions of these rules.

(3) The licences granted to App Aggregators under the repealed provisions shall continue to remain valid for a period of sixty days from the date of commencement of these rules or until such time an application made under these rules is decided by the Competent Authority, whichever is earlier.

(4) A pro-rata adjustment of the fees paid for obtaining the earlier licence shall be admissible to the applicant under these rules.

27. Penalties for Contravention of Rules.- Any Aggregator who contravenes the provisions of these rules or any regulation or notification made thereunder shall be punishable in accordance with the provisions of section 193 of the Act.

28. Facilitating Implementation of Electric / Alternative fuel (Such as bio-ethanol) vehicles.- (i) Every Aggregator shall on-board, in its fleet, motor vehicles operating on alternative fuels, including but not limited to electric and bio-ethanol, in such proportion as may be specified by the Government of Maharashtra.

(ii) The effective date for compliance with this requirement shall be such date as may be notified by the Government of Maharashtra, and the same may be revised or updated from time to time by notification.

28 A. Change of Law- The provisions of this rules are governed by the applicable laws, sub ordinate legislation, statute, rules, or regulations prevalent at the time of publishing of this rules. In the event of any change in such applicable laws, sub-ordinate legislation, statute, rules or regulations which necessitate modification in any of the provisions of this Rules, the DoT has a right and discretion to modify the provisions of these rules.

For the purpose of interpretation of the “Applicable Law” and “Change of Law” means the Motor Vehicle Act and rule made thereunder.

CHAPTER - III

AGGREGATION OF PRIVATE (NON-TRANSPORT) CARS FOR CARPOOLING

29. Aggregation of Private cars by Aggregators for Car Pooling.- (1) An Aggregator may aggregate private (non-transport) motor cars for the purpose of providing carpooling services, with a view to reducing traffic congestion, easing the burden on public transportation systems, and mitigating vehicular pollution.

(2) An aggregator may be granted authorizations permitting non-transport motor cars to undertake journeys on a daily/weekly / fortnight basis after depositing prescribed fees through the online portal of Transport Department.

(3) The on-boarding of drivers by an Aggregator which do not qualify as Carpooling Intermediary under this rule shall be subject to compliance with the provisions and requirements stipulated under these rules.

30. Rules applicable for aggregation of (Non-Transport) cars for Carpooling.- Provisions of the rules 2, 4, 5, 6, 7, sub-rules (b),(c),(d),(e),(f),(g),(i),(j) of rule 8, sub-rule (4) of rule 9, sub-rule (1) except clause (vii) and clauses (ii), (iii), (iv), (v), (vi) and (vii) of sub-rule (2) of rule 10, rules 11, clauses (a),(d),(e),(f),(g),(h),(i),(j),(p) and (r) of sub-rule (1) and sub-rule (3) of rule 13, rule 14, sub-rule (5) of rule 16, clauses (a), (b) and (c) of rule 17, 18, 20, 21, 22, 23, 24, 25, 26, 27 and 28 shall apply *mutatis mutandis* for this Chapter.

31. Conditions for operating as a Carpooling Intermediary.—

An entity desirous of operating as a Carpooling Intermediary shall comply with the following conditions, namely:—

- (a) it shall ensure that every Driver-User listing on the Carpooling Intermediary Platform furnishes a valid identification document prior to undertaking any Carpooling Arrangement;
- (b) it shall ensure that every User registered on the Carpooling Intermediary Platform has a profile linked to a verified mobile phone number or e-mail address;
- (c) the profile of every User shall include the residential address and office address of such User, and in the case of a Driver-User, the origin and destination of the journey ordinarily undertaken by him in the usual course of his profession or business;
- (d) it shall ensure that no User undertakes more than fourteen Carpooling Arrangements in any period of seven days as a Driver-User;
- (e) it shall display on the Carpooling Intermediary Platform the details of its registered office, service offerings, customer service contact details, and such other information as may be relevant for the facilitation of a Carpooling Arrangement between Users;
- (f) it shall ensure that the terms and conditions governing the use of the Carpooling Intermediary Platform are easily accessible to all Users;
- (g) it shall establish a mechanism to block any User reported to have violated the terms and conditions displayed on the Carpooling Intermediary Platform;
- (h) it shall enable the Traveler-User and the Driver-User to exchange messages on the Carpooling Intermediary Platform in relation to a proposed journey, prior to finalization of a Carpooling Arrangement;
- (i) Notwithstanding anything contained in these rules, the Carpooling Intermediary shall not be responsible for the operation or use of the motor car by Users during a Carpooling Arrangement, and no liability shall attach to the Carpooling Intermediary in respect of any non-compliance by Users, including any accident or violation of the terms and conditions prescribed by the Carpooling Intermediary.

32. Conditions for Listing.- (a) A Driver-User shall ensure that a valid third-party insurance certificate and a comprehensive insurance policy certificate, including add-on cover for the motor car, have been obtained for the purpose of undertaking a Carpooling Arrangement.

(b) A Driver-User shall ensure that no transport vehicle is used for any Listed Journey.

(c) A Driver-User shall ensure that the Carpooling Intermediary Platform is not used for the purpose of commercial transportation.

(d) A Driver-User shall ensure that the Carpooling Intermediary Platform is not used for undertaking journeys requiring special permits under the Act.

33. Conditions for a Carpooling Arrangement.- (a) *Conditions of Carpooling Arrangement and Cost of Ride.-* A journey undertaken by a Driver-User in a motor car accompanied by one or more Traveler-Users shall be classified as a Carpooling Arrangement if, and only if,—

(i) such arrangement is facilitated exclusively through a registered Carpooling Intermediary Platform and does not originate from any form of solicitation by the Driver-User or any other person for hire on roads, parking areas, or public stands designated for public service vehicles under Part V of the Act; and

(ii) the remuneration, if any, provided by the Traveler-User or Users to the Driver-User is solely by way of reimbursement of expenses incurred during the journey, without any element of profit.

(b) *Equitable Allocation of Travel Expenses.—*

(i) No Carpooling Intermediary shall implement surge pricing in respect of a Carpooling Arrangement.

(ii) The share of the cost of the ride payable by each individual Traveler-User shall not exceed twenty-five per cent of the cost of the ride, and where there are multiple Traveler-Users, the aggregate contribution shall not exceed fifty per cent of the cost of the ride, as defined in rule 2(c) of these rules.

(c) *Exclusivity of Carpooling Arrangement.-* A Carpooling Arrangement shall be distinct and independent, and shall not form part of, or be incidental to, any other commercial arrangement, so as to preserve its non-commercial nature.

34. Determination of cost under a Carpooling Arrangement.-

(a) A Driver-User shall not derive any profit from a Carpooling Arrangement and may only be defrayed for a part of the cost of such Carpooling Arrangement.

(b) An Aggregator or Carpooling Intermediary Platform may charge a service fee for facilitating a Carpooling Arrangement:

Provided that, such service fee shall be disclosed as a separate component, in addition to the cost of each journey, on the Carpooling Intermediary Platform prior to the Traveler-User and Driver-User entering into a Carpooling Arrangement.

35. Non-Compliance of the Rules by the aggregator or Carpooling Intermediary.- (a) Where any Aggregator or Carpooling Intermediary fails to comply with the provisions of these rules, the Competent Authority shall serve upon such Aggregator or Carpooling Intermediary a notice specifying the violation.

(b) Where the Aggregator or Carpooling Intermediary fails to rectify the violation within thirty days from the date of receipt of such notice, it shall be punishable in accordance with the provisions of section 193 of the Motor Vehicles Act, 1988.

36. Designated Portal – The Transport Commissioner, Maharashtra State shall develop a State Portal for real time monitoring of the vehicles on boarded on aggregator platform including separate provision on portal for information of vehicle plying in the State of Maharashtra.

Place :

Date :

Signature of the Competent Authority.

FORM I**[See Rule 4 (1)]***Application for Grant of License for Aggregator***To,****The [Designation],****[Name of State] Competent Authority,****[Name of City]**

I, the undersigned hereby apply for grant of a License for operation as an Aggregator under the Maharashtra Motor Vehicle Aggregator Rules, 2026, for

- A. Based on surge pricing or, ☐
- B. Based on convenience fee ☐
- C. Private Car Pooling ☐

(Tick which is applicable)

1.	Name in full	
2.	Address of the registered office in Maharashtra	
3.	Number of branches and addresses, if any	
4.	a. If a registered company, enclose a copy of certificate of incorporation / registration along with a copy of memorandum of association. b. If a firm, enclose a copy of certificate of registration of the firm.	
5.	Name and contact details of Key Managerial Personnel or Authorized Signatory	1. 2. 3.
6.	Telephone number, website address and Email ID	
7.	Number of (type of vehicle) proposed to be operated. (Enclose a separate list containing vehicle numbers and permit particulars of each vehicle)	
8.	Details of GPS/ GPRS facility	
9.	Details of other infrastructure	
10.	Details of returns filed in the last three years. Enclose copies of financial statements of last three years	
11.	Details of fee paid	
12.	Details of Security Deposit by way of Bank Guarantee in favour of Competent Authority	

I hereby declare that the information given above and other documents enclosed herewith are true to the best of my knowledge. I understand that if any information is found to be incorrect at

any point of time, the Licence granted to me is liable to be cancelled, besides initiating other legal action/actions against me. I have gone through the provisions of the Maharashtra Motor Vehicle Aggregator Rules 2026, I accept and agree to abide by the same and the reference statues and rules mentioned herein.

Place :

Date :

Signature of the Applicant/Authorized Signatory
(along with company seal, as applicable).

FORM II

[See Rule 4(7)]

Application for the Renewal of License for Aggregator

To,

The [Designation],

[Name of State] Competent Authority,

[Name of City]

I, the undersigned hereby apply for grant of a License for operation as an Aggregator under the Maharashtra Motor Vehicle Aggregator Rules, 2026.

1.	Name in full	
2.	Address of the registered office in Maharashtra	
3.	Number of branches and addresses, if any	
4.	If a registered company, enclose a copy of certificate of incorporation / registration along with a copy of memorandum of association. If a firm, enclose a copy of certificate of registration of the firm.	
5.	Name and contact details of Key Managerial Personnel or Authorized Signatory	1. 2. 3.
6.	Telephone number, website address and Email ID	
7.	Number of (type of vehicle) proposed to be operated. (Enclose a separate list containing vehicle numbers and permit particulars of each vehicle)	
8.	Details of GPS/ GPRS facility	
9.	Details of other infrastructure	
10.	Details of returns filed in the last three years. Enclose copies of financial statements of last three years	
11.	Details of license: License Number No. of suspensions, if any, and details thereof	
12.	Details of fee paid	
13.	Details of Security Deposit by way of Bank Guarantee in favour of Competent authority	

I hereby declare that the information given above, and other documents enclosed herewith are true to the best of my knowledge. I understand that if any information is found to be incorrect at any point of time, the Licence granted to me is liable to be cancelled, besides initiating other legal action/actions against me. I have gone through the provisions of the Maharashtra Motor Vehicle Aggregator Rules 2026, I accept and agree to abide by the same and the reference statues and rules mentioned herein.

Place:

Date:

Signature of the Applicant/Authorized Signatory
(along with company seal, as applicable)

FORM III

[See Rule 4(5)]

License for an Aggregator

Mr./Mrs./M/s. [] is hereby licensed to operate as an Aggregator under the Motor Vehicles Act, 1988 in compliance with directions stipulated under the Maharashtra Motor Vehicle Aggregator Rules 2026.

1.	Name of the Aggregator (in full)	
2.	Address of the registered office in Maharashtra	
3.	Addresses of the branches	
4.	Telephone number, website address and email id	
5.	Number of auto rickshaw / e-rickshaw/ motor cab/ motorcycle or bus (as per the list enclosed by the Aggregator in Form I/II, as maybe applicable)	
6.	Particulars of the manner in which the Aggregator shall function	
7.	Details of fee paid	
8.	Details of bank guarantee	
9.	Unique License Identification Number (ULIN)	
10.	Validity Period (From.....To.....)	

The Licensee shall observe all the conditions contained in the Maharashtra Motor Vehicle Aggregator Rules 2026.

Place:

Date:

Signature of the Competent Authority

FORM IV**[See Rule 4(10)]***Application for the issue of Duplicate Licence*

To,
The [Designation],
[Name of State] Competent Authority,
[Name of City]

Sir /Madam,

The Licence issued to [Name of the Licensee] having ULIN-..... originally issued under rule 4(5) of the Maharashtra Motor Vehicle Aggregator Rules 2026 bearing No. [] has been lost/destroyed/completely written off /soiled/torn/ mutilated in the following circumstances.

I/We hereby declare that to the best of my/our knowledge the Licence has not been suspended or cancelled under the provisions of the Act or rules made thereunder and the circumstances explained above are true.

I/We do hereby apply for the issue of a duplicate Licence.

The written off / soiled/ torn / mutilated Certificate of registration is enclosed/ Copy of the FIR filed against the loss of the Licence is enclosed.

Place:

Date:

Signature of the Applicant/ Authorized Signatory
 (along with company seal, as applicable)

Place:

Date:

Signature of the Competent Authority.

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

CHETAN NIKAM,
 Deputy Secretary to Government.



GOVERNMENT OF INDIA

Chandigarh Administration Gazette

Published by Authority

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CHANDIGARH ADMINISTRATION
DEPARTMENT OF MEDICAL EDUCATION & RESEARCH

Notification

The 20th July, 2026

No. 593146/610688/F-II(7)/2026/6728.—In exercise of the powers conferred by sub-section (2) of section 121 of the Mental Health Care Act, 2017 (Central Act 10 of 2017), read with Notification bearing No. S.O. 1557 (E) dated 01.04.2025, the Administrator, UT Chandigarh Administration, with the previous approval of the Central Government, hereby makes the following rules, namely: -**Chandigarh Mental Healthcare (Rights of Persons with Mental Illness) Rules, 2026.**

CHAPTER – I

PRELIMINARY

1. Short title, extent and commencement. - (1) These rules may be called the Chandigarh Mental Healthcare (Rights of Persons with Mental Illness) Rules, 2026.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. Definitions. - (1) In these rules, unless the context otherwise requires,-
 - (a) “Act” means the Mental Healthcare Act, 2017 (Central Act 10 of 2017);
 - (b) “Form” means a Form appended to these rules;
 - (c) “half way homes” means a transitional living facility for persons with mental illness who are discharged as inpatient from a mental health establishment, but are not fully ready to live independently on their own or with the family;
 - (d) “hospital and community-based rehabilitation establishment” means an establishment providing hospital and community-based rehabilitation services;
 - (e) “hospital and community-based rehabilitation service” means rehabilitation services provided to a person with mental illness using existing community resources with an aim to promote his reintegration in the community and to make such person independent in all aspects of life including financial, social, relationship building and maintaining;

(1399)

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- (f) “schedule” means the Schedule annexed to these rules;
- (g) “section” means section of the Act;
- (h) “sheltered accommodation” means a safe and secure accommodation option for persons with mental illness, who want to live and manage their affairs independently, but need occasional help and support;
- (i) “State Government” means the Administrator, Union Territory of Chandigarh as appointed under Article 239 of the Constitution of India for the provisions contained in Section 121 of the Act and the provisions contained therein;
- (j) “supported accommodation” means a living arrangement whereby a person, in need of support, who has a rented or ownership accommodation, but has no live-in caregiver, gets domiciliary care and a range of support services from a caregiver of an agency to help him live independently and safely in the privacy of his home.

(2) The words and expressions used herein and not defined, but defined in the Act or, as the case may be, in the Indian Medical Council Act, 1956 (102 of 1956) or in the Indian Medicine Central Council Act, 1970 (48 of 1970), in so far as they are not inconsistent with the provisions of the Act, shall have the meanings as assigned to them in the Act, as the case may be, in those enactments.

CHAPTER-II

RIGHTS OF PERSONS WITH MENTAL ILLNESS

3. Provision of half-way homes, sheltered accommodation and supported accommodation. – (1) The State Government shall establish such number of half-way homes, sheltered accommodations and supported accommodations, at such places, as it deems fit, for providing services required by persons with mental illness, having regard to the following, namely: —

- (a) The expected or actual workload of the facility to be established;
- (b) The number of mental health establishments existing in UT Chandigarh;
- (c) The number of persons with mental illness in UT Chandigarh;
- (d) The geographical and climatic conditions of the place where such facility is to be established.

(2) The half-way homes, sheltered accommodations and supported accommodations established by the State Government, local authority, trust, whether private or public, corporation, co-operative society, organisation or any other entity or person shall follow the minimum standards specified by the Authority under sub-section (9) of section 18 or sub-section (6) of section 65, as the case may be.

4. Hospital and community-based rehabilitation establishment and services.— (1) The State Government shall establish such number of hospital and community based

rehabilitation establishments, as it deems fit, for providing rehabilitation services required by persons with mental illness, having regard to the following, namely: —

- (a) The expected or actual workload of the facility to be established;
- (b) The number of mental health establishments existing in UT Chandigarh;
- (c) The number of persons with mental illness in UT Chandigarh;
- (d) The geographical and climatic conditions of the place where such facility is to be established.

(2) The hospital and community based rehabilitation establishments established by the Chandigarh Administration, local authority, trust, whether private or public, corporation, co-operative society, organisation or any other entity or person shall follow the minimum standards specified by the Authority under sub-section (9) of section 18 or sub-section (6) of section 65, as the case may be.

5. Reimbursement of the intermediary costs of treatment at mental health establishment.— (1) Till such time as the services under sub-section (5) of section 18 are made available in a health establishment established or funded by the State Government, in the district where a person with mental illness resides, such person may apply to the Chief Medical Officer/ Director Health Services, Chandigarh Administration for reimbursement of costs of treatment at such mental health establishment.

(2) The Chief Medical Officer/Director Health Services, Chandigarh Administration, on receipt of the application for reimbursement of the costs of treatment from the person referred to in sub-rule (1), shall examine the application and issue an order to reimburse such costs by the officer in-charge of the Directorate of Health Services of the Chandigarh Administration:

Provided that the cost of reimbursement shall be limited to the rates specified by the Central Government from time to time.

6. Right to access basic medical records. – (1) A person with mental illness shall be entitled to receive documented medical information pertaining to his diagnosis, investigation, assessment and treatment as per the medical records.

(2) A person with mental illness may apply for a copy of his basic inpatient medical record by making a request in writing in Form-A, addressed to the medical officer or mental health professional in charge of the concerned mental health establishment.

(3) Within fifteen days from the date of receipt of the request under sub-rule (2), basic inpatient medical records shall be provided to the applicant in Form-B.

(4) If a mental health professional or mental health establishment, as the case may be, is unable to decide, whether to disclose information or provide basic inpatient medical records or any other records to the applicant for ethical, legal or other sensitive issues, he or it may make an application to the Mental Health Review Board stating the issues involved and his or its views in the matter with a request for directions in the form of a written order.

(5) The Board shall, after hearing the concerned person with mental illness, by an order, give such directions, as it deems fit, to the mental health professional or mental health establishment, as the case may be.

7. Custodial institutions. –The person in charge of custodial institution, including prison, police station, beggars homes, orphanages, women's protection homes, old age homes and any other institution run by Government, local authority, trust, whether private or public, corporation, co-operative society, organisation or any other entity or person, where any individual resident is in the custody of such person, and such individual resident is not permitted to leave without the consent of such person, shall display signage board in a prominent place in English, Hindi and Punjabi, for the information of such individual or any person with mental illness residing in such institution or his nominated representative informing that such person is entitled to free legal services under the Legal Services Authorities Act, 1987 or other relevant laws or under any order of the court if so ordered and shall also provide the contact details of the availability of services.

CHAPTER–III

FORMS FOR ADMISSION, DISCHARGE AND LEAVE OF ABSENCE

8. Forms for admission and discharge. – A request for admission to, or discharge from, a mental health establishment shall be made by the person specified in column (2) of the Table below, for the purpose specified in the corresponding entry in column (3), in the Form specified in the corresponding entry in column (4), namely: -

Table

S. No.	Request to be made by	Purpose of Request	Form
(1)	(2)	(3)	(4)
i.	any person who is not a minor and who considers himself to have a mental illness	admission as an independent patient	Form - C
ii.	nominated representative of the minor	admission of the minor	Form - D
iii.	nominated representative of a person	admission of a person with mental illness, with high support needs under section 89 of the Act	Form -E
iv.	nominated representative of a person	continuation of the admission of a person with mental illness, with high support needs under section 90 of the Act	Form -F
v.	person admitted as an independent patient or a minor admitted under section 87 of the Act who attained the age of 18 years during his stay in the mental health establishment	discharge from a mental health establishment	Form -G
vi.	nominated representative of the minor	discharge of the minor	Form -H

9. Forms for leave of absence and request to the police officer. – A request for leave of absence from a mental health establishment and for taking into protection of a prisoner with mental illness found to be absent from a mental health establishment without leave or discharge by a Police Officer shall be made by the person specified in column (2) of the Table below and for the purpose specified in corresponding entry in column (3), in the Form specified in the corresponding entry in column (4), namely:-:

Table

S. No.	Request to be made by	Purpose of Request	Form
(1)	(2)	(3)	(4)
(i)	nominated representative of the person with mental illness admitted in a mental health establishment	grant of leave to such person	Form-I
(ii)	medical officer or mental health professional in-charge of such mental health establishment	request for taking into protection by a Police Officer of a prisoner with mental illness found to be absent from a mental health establishment without leave or discharge	Form-J

CHAPTER – IV

PRISONERS WITH MENTAL ILLNESS

- 10.** Method, modalities and procedure for transfer of prisoners with mental illness. – Transfer of a prisoner with mental illness to the psychiatric ward of the medical wing of the prison or to a mental health establishment set up under sub-section (6) of section 103 or to any other mental health establishments within or outside the Union Territory shall be in accordance with the instructions issued by the Chandigarh Administration, as the case may be.
- 11.** Standards and procedures of mental health services in prison. – The mental health establishment referred to in sub-section (7) of section 103 shall conform to the minimum standards and procedures as specified in Schedule.

Form - A**APPLICATION FOR BASIC MEDICAL RECORDS**

[See rule 6 (2)]

To,

The Medical Officer in-charge

Sir/Madam,

Subject:- Request for copy of my basic medical records/basic medical records of..(If

Application is by nominated representative) Hospital Number (if known)_____

I Mr./Mrs._____Residing at_____aged_ ,
son/daughter of Mr./Mrs._____Was treated at your mental health
establishment from_____to _____.

Kindly provide me a copy of the medical records of my treatment.

Address

Signature

Date

Name

N.B.:- Please strike off those which are not required.

Form-B

[See rule 6(3)]

Basic Medical Records:

The mental health establishment shall maintain specific minimum records at their level for various types of patients they are dealing with. The requirement of records to be maintained for in-patients, out patients and community out reach may vary and is accordingly specified below. A graded approach in minimum records to be maintained may be followed:

Community out reach register shall consist of information from (a) to (h) of the basic medical record of out patient specified in paragraph 1 below.

The mental health establishments shall maintain and provide on demand the following basic medical record to the person with mental illness or his nominated representative.

1. Basic Medical Record of all out-patients (at hospitals, nursing homes, private clinics, camps, mobile clinics, primary health care centers and other community out reach programmes, and the like matters):

(In hard copy format)

- a) Name of the mental health establishment/doctor _____
- b) Date _____
- c) Hospital registration number _____
- d) Advance Directive YES/NO
- e) Patient's Name _____
- f) Age _____ Sex _____
- g) Father's/Mother's name _____ Address _____
_ Mobile No. _____
- h) Chief complaints _____
- i) Provisional diagnosis _____
- j) Treatment advised and follow-up recommendations _____

2. Basic Medical Record of In-Patient

- a) Name of the hospital/nursing home _____
- b) Date _____
- c) Patient's name _____
- d) Father's/Mother's name _____
- e) Age _____ Sex _____
- f) Address _____

- g) Patient accompanied by (Name, age and nature of relationship)_____
- h) Hospital registration number_____
- i) Identification marks_____
- j) Nominated representative_____
- k) Advanced Directive-Yes or No; If yes salient features of the content
- l) Date of admission_____Date of discharge_____
- m) Mode of admission (section under Mental Healthcare Act,2017):
Independent/Supported
- n) Chief complaints
- o) Summary of Medical Examination Laboratory investigations
- p) Provisional/differential/final diagnosis
- q) Course in the hospital (Treatment and Progress)
- r) Condition at discharge or discharge at request or leave against medical advice or person with mental illness absconding or others
- s) Treatment advice at discharge
- t) Follow-up recommendations

3. Basic Psychological Assessment Report (facilities where persons with mental illness undergoes psychological assessment):

Clinic Record No......

Name:

Age:

Gender:

Education:

Occupation:

Date of testing:

Referred by:

Language tested in:

IQ assessment	☐	Specific learning disability assessment	☐	Neuropsychological assessment (Specify domain if the assessment is domain specific)	☐
Personality assessment	☐	Psychopathology assessment	☐		

Any other (Mention the specific domain such as interpersonal relationship)

Comments if any (may give brief detail of the referral purpose; e.g., 'the individual has mental illness and he has been referred for current psychopathology assessment as well as to ascertain the level of disability')

Brief back ground information (e.g., the nature of the problem, when it started, any previous assessments and like details):

Informant: Self

☐

Others

☐

Specify

Salient behavioral observations (Comment on alertness, attention, cooperativeness, affect, comprehension and any other relevant information)

Tests/Scales administered (Standardized tests/scales):

Salient scores (if applicable such as Intelligence Quotient, scores obtained on cognitive function tests, severity rating on psychopathology scales, disability percentage and like details)

Impression:

Recommendations:

Further assessment

☐

Specify

Therapy

☐

Specify

Any other

☐

Specify

Assessed by

Name:

Date:

Qualification:

Signature:

Verified/supervised by (if applicable)

Name:

Date:

Qualification:

Signature:

1. Basic Minimum Standard Guidelines for Recording of Therapy Report (facilities where persons with mental illness are provided with therapy for any mental health problem)

Minimum Basic Standard Guide lines for Recording of Therapy

(Name of the Institute/Hospital/Centre with address)

Clinic record no. _____

THERAPIST SESSION NOTES

Patient name:

Age:

Gender:

Psychiatric diagnosis:

Session number and date:	Duration of session:	Session Participants:	
Therapy method: Individual Couple/Family	Objectives of the session: 1. 2.		
Group Other _____	3. 4.		

Key issues/themes discussed: (Psychosocial stressors/Interpersonal problems/Intrapsychic conflicts/Crisis situations/Conduct difficulties/ Behavioral difficulties/Emotional difficulties/Developmental difficulties/Adjustment issues/Addictive behaviours/Others).

Therapy techniques used:

Therapist observations and reflections:

Plan for next session:

Date for next session:

Therapist

Supervised by (if applicable)

Name:

Name:

Date:

Date:

Qualification:

Qualification:

Signature:

Signature:

Form - C
REQUEST FOR INDEPENDENT ADMISSION
[See rule 8]

To,

The Medical Officer in-charge

Sir/Madam,

I, Mr./Mrs. _____, age _____
son/daughter of _____, residing at _____ I have mental illness
with following symptoms since _____

1. _____

2. _____

3. _____

The following papers related to my illness as available with me are enclosed:

1. _____

2. _____

3. _____

I wish to be admitted in your establishment for treatment and request you to please admit me as an independent patient. A self-attested copy of my Identity proof is enclosed (optional).

Address

Signature

Date

Name

Enclosures:

N.B.: -Please strike off those which are not required.

Form-D**REQUEST FOR ADMISSION OF A MINOR**

[See rule 8]

To,

The Medical Officer in-charge

Sir/Madam,

I, Mr./Mrs. _____ residing _____
_____, who is the nominated representative (being legal guardian) of
Master / Miss _____, request you to admit
Master/Miss _____ aged son/daughter of __, for treatment of mental illness:

He/she is having the following symptoms since _____

1. _____

2. _____

3. _____

The following papers related to my being the nominated representative and his/her
illness are enclosed:

1. _____

2. _____

3. _____

4. _____

Kindly admit him/her in your establishment as minor patient. Address:

Mobile:

E-mail:

Date:

Signature

Name

N.B.:- Please strike off those which are not required.

Form-E**REQUEST FOR ADMISSION WITH HIGH SUPPORT NEEDS**

[See rule 8]

To,

The Medical Officer in-charge

Sir/Madam,

I, Mr./Mrs. _____ Residing at _____, nominated representative of Mr. /Mrs. _____ aged, _____ son/daughter of _____ request for his/her admission in your establishment for treatment of mental illness.

Mr./Mrs. Is having the following symptoms since__.

1. _____

2. _____

3. _____

The following papers regarding my appointment as nominated representative and related to his/her illness are enclosed:

1. _____

2. _____

3. _____

Kindly admit him/her in your establishment as patient with high support needs.

Name

Address

Mobile and E-mail

Signature

Date

N.B.: - Please strike off those which are not required.

Form-F**REQUEST FOR CONTINUOUS ADMISSION WITH HIGH SUPPORT NEEDS**

[See rule 8]

To,

The Medical Officer in-charge

Sir/ Madam,

I, Mr./Mrs._____, residing at_____,_____nominated representative of Mr./Mrs.____, who is/was an inpatient in your establishment under supported admission category, requests for his/her continued admission beyond thirty days/readmission within seven days of discharge for the reasons stated below:

Kindly continue his/her admission/readmit him/her in your establishment as patient with high support needs

Address

Signature

Date

Name

N.B.:- Please strike off those which are not required.

Form-G
REQUEST FOR DISCHARGE BY INDEPENDENT PATIENT
[See rule 8]

To,

The Medical Officer in-charge

Sir/Madam,

Subject:- Request for discharge.

I, Mr./Mrs. _____ residing at _____,
aged _____ son/daughter of _____, was admitted in your
mental health establishment as an Independent admission patient on _____. I
now feel better and wish to be discharged. Kindly arrange to discharge me
immediately.

Address:

Signature

Mobile:

Name

E-mail:

Date

N.B.:- Please strike off those which are not required.

Form-H
REQUEST FOR DISCHARGE OF A MINOR BY ITS NOMINATED
REPRESENTATIVE
[See rule 8]

To,

The Medical Officer in-charge

Sir/Madam,

Subject:- Request for discharge

I am the nominated representative of Mr./ Ms. , residing at_____, aged, son/daughter of , who was admitted in your mental health establishment as a minor patient on. Mr./Ms. now feels better and wishes to be discharged. Kindly arrange to discharge him/her immediately.

Address

Signature

Mobile

Name

E-mail

Date

N.B.:- Please strike off those which are not required.

Form-I
REQUEST FOR LEAVE OF ABSENCE
(By Nominated Representative)
[See rule 9]

To

The Medical Officer in-charge

Subject: Request for leave of absence

Mr./Ms. _____ residing
at _____ aged _____ years was
admitted on _____ to your mental health establishment.

I, as nominated representative of Mr./Ms. ____ Request that he/she be granted
leave of absence from ____ to ____, for the reason stated below:

The proof of my appointment as nominated representative is enclosed.

I will be responsible for care and treatment of _____ while he/she is on leave of
absence from the mental health establishment.

Address

Signature

Mobile

Name

E-mail

Date

N.B.: -Please strike off those which are not required.

Form-J**INTIMATION TO POLICE ABOUT UNAUTHORIZED ABSENCE FROM MENTAL
HEALTH ESTABLISHMENT**

[See rule 9]

URGENT/FOR IMMEDIATE ACTION

To,

The Station in-charge

_____Police Station

Sir/Madam,

Subject:- Intimation about unauthorized absence (without leave or discharge)
of prisoner with mental illness

This is to inform you that Mr./Mrs. _____Aged years,
son/daughter of Mr./Mrs. _____, with identification marks

1. _____

2. _____

was admitted at our establishment, as a prisoner with mental illness under
Section 103 of Mental Health Care Act, 2017 (10 of 2017), on (date). He/she has
been missing from his/her ward since _____(date). An internal enquiry
report in this regard is enclosed.

Kindly register a missing case, take him in to your protection when found and
hand him over to us.

Thanking you,

Signature

Date

Name

Seal

Enclosures: copy of the Aadhar Card, Recent Photograph and Internal Report

N.B.:- Please strike off those which are not required.

Schedule (See rule 11)

Minimum standards and procedures for mental healthcare services in prisons

Minimum Standard for Mental Health Care in Prison

1. Prompt and proper identification of persons with mental health problems should be done.
2. Screening of all inmates during the time of entry to prison including the following:
 - a. Mandatory physical and mental status examination
 - b. Questionnaire screening for substance use
 - c. Urine testing for common drugs of abuse
 - d. Periodic random urine drug testing
3. Identification of persons with serious mental illness and proper treatment and follow-up for this group.
4. Ensuring the availability of minimum psychiatric medication in the prison to facilitate prompt treatment (anti psychotic medication, antidepressant medication, anxiolytic medication, mood stabilizers, anticonvulsant medication, etc).
5. Availability of psycho-social interventions for prisoners with a range of mental health problems.
6. Protocols for dealing with prisoners with suicidal risk, with behavioural problems and crises related to mental illnesses as well as to prison life.
7. Suitable rehabilitation services for prisoners with mental illness. Specific attention to the after care needs of prisoners with mental illness including providing medication after release, education of family members, steps to ensure treatment compliance and follow-up, vocational arrangements, and for those without families, arrangements for shelter.
8. Implementing of National Mental Health Program inside the central prisons
9. Dealing with the psychological stress of prison life
 - a. Counselling for stress needs to be provided to all prisoners in both individual and group settings.
 - b. Prisoners must be encouraged to proactively seek help for any emotional problems, substance use problems or physical health problems.
 - c. Training the prison staff in simple counselling skills. Empowering some of the sensitive, motivated convicted prisoners to be effective peer counsellors.
 - d. One to one counselling upon entry, during periods of crises and upon need or request.

10. Addressing substance use problems

- a. Identification of substance use problems through questionnaires, behavioural observation and urine drug screening.
- b. Detoxification services and making suitable pharmacotherapy available for detoxification.
- c. For persons with dependence, making available long-term medication as well as motivational and relapse prevention counselling.
- d. Specific interventions to be made available include the following:
 - i. Tobacco cessation services (behavioural counselling, nicotine replacement therapy, other long-term tobacco cessation pharmacotherapy).
 - ii. Alcohol–benzodiazepines for detoxification, vitamin supplementation for associated nutritional problems, counselling and long-term medication.
 - iii. For Opiates–buprenorphine or clonidine detoxification, long-term medication including opioid substitution (methadone/buprenorphine; opioid antagonists like naltrexone).
 - iv. All drug users need to be evaluated for injecting use, for HIV/STI (including Hepatitis B and C screening) and appropriately treated.
 - v. There is a need for urgent human resource enhancement.

11. Professional Human Resources in the Prison. [All central prisons must ensure the presence of at least]:

- i. 1 doctor for every 500 patients. In addition, every prison must have one each of the following specialists providing care – physician, psychiatrist, dermatologist, gynecologist and surgeon.
- ii. 2 nurses for every 500 prisoners
- iii. 4 counsellors for every 500 prisoners. These trained counsellors (with a degree in any social sciences/any recognized degree with counselling experience (medical counselling/legal counselling/psychosocial counselling/rehabilitation/education) can carry out the following tasks
 - a. Assessment
 - b. Counselling
 - c. Crisis intervention (family crisis, bail rejection, verdict pronouncement, interpersonal difficulties, life events, serious physical or psychiatric illness)
 - d. Legal counselling, pre-discharge counselling
 - e. Rehabilitation counselling
 - f. Substance use counselling
 - g. Training prison staff and peer counsellors

12. Inpatient services

- a. At least a 20-bedded psychiatric facility for every 500 prisoners

13. Prison after care services

- a. All prisoners should have pre-discharge counselling on coping strategies, healthy life style practices and support systems they can access
- b. For persons with mental illness they shall be referred to any mental health establishment for after care in community

14. Documentation

- a. Computerised data base and tracking system for all prisoners
- b. Surveillance of health conditions on a regular basis with adequate emphasis on confidentiality and proper information regarding these procedures to the prisoners
- c. Health records for prisoners with basic health information, pre-existing health problems, health problems that develop during imprisonment, details of evaluation and treatment, hospitalization details, health status and advice at release
- d. This information must be given to the prisoner to facilitate continuing health care after release.

15. All state prisons shall have dedicated tele-medicine services to provide health care

16. The following medicines shall be made available:

Risperidone, Olanzapine, Clozapine, Haloperidol, Chlorpromazine, Trihexyphenidyl, Imipramine, Amitriptyline, Fluoxetine, Sertraline, Paroxetine, Valproate, Carbamazepine, Lithium, Clonidine, Atomoxetine, Lorazepam, Diazepam, Oxazepam Disulfiram, Naltrexone, Acamprosate, Nicotine Gums, Varenicline, Inj Fluphenazine, Inj Haloperidol, Inj Flupenthixol, Inj Lorezepam, Inj Diazepam, Inj Promethazine, Inj Thiamine/Multivitamin

By order of the Administrator, Union Territory, Chandigarh

Dated, Chandigarh
The 20.07.2026

MANDIP SINGH BRAR, IAS
Secretary MER
Chandigarh Administration.

CHANDIGARH ADMINISTRATION
DEPARTMENT OF MEDICAL EDUCATION AND RESEARCH

Notification

The 4th August 2026

No. 2026/34059.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India read with the Government of India, Ministry of Home Affairs, Notification S.O. No. 3267, dated 1st November, 1966, the Administrator, Union Territory, Chandigarh is pleased to make the following rules, regulating the method of recruitment to the post of **Librarian (Non Ministerial) (Group-‘B’)** in the Government Medical College and Hospital, Chandigarh, namely :-

1. **Short title and commencement:** - (i) These rules may be called the Government Medical College and Hospital, Chandigarh (Group-B) Recruitment Rules, 2026.
(ii) They shall come into force on the date of their publication in the Official Gazette.
2. **Application:**
These rules shall apply to the posts specified in column No.1 of the Schedule annexed to these rules.
3. **Number of posts, classification and scale of pay:-**
The number of posts, their classification and the scales of pay shall be as specified in columns 2 to 4 of the said Schedule.
4. **Method of recruitment, age limit and qualification, etc:-**
The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the said Schedule.
5. **Disqualification: No person:**
 - (a) who has entered into or contracted a marriage with a person having a spouse living; OR
 - (b) who, having a spouse living, has entered into or contracted a marriage, with any person, shall be eligible for the appointment to the said posts:
Provided that the Administrator, Union Territory of Chandigarh may, if satisfied that such marriage is permissible under the personal Law applicable to such person and other party to the marriage and there are other grounds for so doing, exempt, any person from the operation of this rule.
6. **Power to relax:-**
Where the Administrator, Union Territory, Chandigarh is of the opinion that it is necessary or expedient so to do, he may, by order, for reasons to be recorded in writing and in consultation with the Union Public Service Commission, relax any of the provisions of these rules in respect of any class or category of persons.
7. **Savings:-**
Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for Scheduled Castes, Scheduled Tribes, Other Backward Classes, Ex-Servicemen and other special categories of persons in accordance with the orders issued by Central Government from time to time in this regard.

Secretary MER
Chandigarh Administration

1	Name of post	Librarian
2	No. of Post	1 (2026) *Subject to variation dependent on workload
3	Classification	General Central Service Non Ministerial, Gazetted Group B
4	Pay Band and Grade Pay/Pay Scale	Level 9 (Rs. 53100-167800) in pay matrix of 7 th CPC
5	Whether selection post or non-selection post	Selection post
6	Age limit for direct recruits	Not Applicable
7	Educational and other qualifications required for Direct recruits	Not Applicable
8	Whether age and Educational Qualifications prescribed for Direct Recruitment will apply in case of promotions (Yes/ No/ Not Applicable)	Not Applicable
9	Period of probation, if any	Not Applicable
10	Method of Recruitment whether by Direct Recruitment or by promotion or by deputation/absorption and percentage of vacancies to be filled by various methods	100% By Promotion failing which Deputation.
11	In case of recruitment by promotion/deputation / absorption grades from which promotion / deputation / absorption to be made	<u>Promotion:</u> The departmental Assistant Librarian in pay level-6 with 08 years regular service in grade and having successfully completed at least 02 weeks training i.e., ICT Course/ Training Chandigarh Administration or as prescribed by vide instructions dated 10.12.2025. Note 1: Where juniors who have completed their qualifying/eligibility are being considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying / eligibility service by more than half of such qualifying/eligibility service completed or two years, whichever is less, and have successfully completed probation period for promotion to the next higher grade along with their juniors who have completed such qualifying/ eligibility service. By Deputation:- Officers of Central Government or State Government Or Union Territories :- (a) (i)holding analogous post on regular basis in the parent cadre/ department; Or (ii)With two years service in the grade rendered after appointment thereto on a regular basis in pay level-8 or equivalent, the parent cadre or department; or (iii)With three years service in the grade rendered after appointment thereto on a regular basis in pay level-7 or equivalent, the parent cadre or department; or

		(iv) With eight years service in the grade rendered after appointment thereto on a regular basis in pay level-6 or equivalent, the parent cadre or department; or (b)(ii) Possessing the following educational qualifications :- (a) Master Degree in Library Science/Library and Information Science from a recognized Institution/University; AND (b) Diploma in Computer Application from a recognized Institution/University; and (c) 08 years experience as Assistant Librarian in Level-6 of Pay Matrix of 7th CPC in a library under recognized College or Institution or University of Govt. of India or State Govt. or UTs. Standard Note: Note 1: The departmental officers in the feeder category who are in the direct line of promotion shall not be eligible for consideration for appointment on deputation. Similarly, the deputationists shall not be eligible for consideration by appointment by promotion. Note:- 2 The period of deputation including the period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organization/ department of the Government of India shall ordinarily not exceed three years. The maximum age limit for appointment by deputation shall not be exceeding 56 years as on the closing date of receipt of applications.
12	If a Departmental Promotion Committee exists, what is its composition?	Departmental Promotion Committee 1. Secretary, MER, Chandigarh Administration -Chairman 2. Special/ Additional/Joint Secretary (Personnel)- Member 3. Director Principal, GMCH, Chandigarh -Member 4. Director Social Welfare or their representative -Member 5. Regional Employment Officer or their representative - Member
13	Circumstances in which Union Public Service Commission to be consulted in making Recruitment	Consultation with UPSC is not necessary

"No legal responsibility is accepted for the contents of publication of advertisements/public notices in this part of the Chandigarh Administration Gazette. Persons notifying the advertisements/ public notices will remain solely, responsible for the legal consequences and also for any other misrepresentation etc. "

 सत्यमेव जयते	राजस्थान राजपत्र विशेषांक	RAJASTHAN GAZETTE Extraordinary
	साधिकार प्रकाशित	Published by Authority
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भाग 4 (ग)

उप-खण्ड(II)

राज्य सरकार तथा अन्य राज्य प्राधिकारियों द्वारा जारी किये गये कानूनी आदेश
तथा अधिसूचनाएं।

LABOUR DEPARTMENT
NOTIFICATION
Jaipur, August 12, 2026

S.O.41 .-Whereas a draft of the Rajasthan Industrial Relation Rules, 2026 was published as required by sub-section (1) of section 99 of the IndustrialRelationsCode, 2020 (Central Act No. 35 of 2020) published in the Rajasthan Gazette Extraordinary part 4 (ga) up-khand (II) dated January 20, 2026 for inviting objections and suggestions from all persons likely to be affected thereby, before expiry of forty five days from the date on which copies of the Official Gazette containing the said draft rules were made available to the public;

And whereas the copies of the Official Gazette in which said draft rules were published and made available to the public on January 20, 2026;

And whereas objections and suggestions received from the public on the said draft rules were considered by the State Government;

Now, therefore in exercise of the powers conferred by section 99 of the IndustrialRelationsCode(Central Act No. 35 of 2020), the State Government hereby makes the following rules, namely:-

Chapter-I
PRELIMINARY

1. Short title, application and commencement.-(1) These rules may be called the Rajasthan Industrial Relation Rules, 2026.

(2) They shall extend to whole of the State of Rajasthan in respect to the industrial establishments and matters for which the State Government is the appropriateGovernment.

(3) They shall come into force on the date of their publication in the OfficialGazette.

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

(a) “Code”meanstheIndustrialRelationsCode,2020;

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

(c) “electronically”meansanyinformationsubmittedby email oruploadingonthe designatedportalordigital payment in any mode for the purpose of the Code; and

(d) “section”meanstheSectionoftheCode.

(2) The words and expressions used but not defined in these rules and defined in the Code shall have their respective meaning as assigned to them in the Code.

3. Memorandumof settlement.-(1) The settlement arrived at in the course of conciliation proceedings or a written agreement between the employer and worker arrived at otherwise than in the course of conciliation proceeding shall be in Form-I.

(2) The settlement shall be signed,-

- (a) by the employer or by his authorised agent, or where the employer is an incorporated company or other body corporate, by the agent, manager or other principal officer of such company or such other body corporate; and
 - (b) on behalf of workers, by any of the following office bearers of Trade Union, namely:-
 - (i) President; or
 - (ii) Vice-President; or
 - (iii) Secretary (including the General Secretary); or
 - (iv) Joint Secretary; or
 - (v) any other office bearer of the Trade Union authorised in this behalf by the President and Secretary of the Union; or
 - (vi) five representatives of workers duly authorised in this behalf at the meeting of the workers held for the purpose.
- (3) In case of an industrial dispute between individual worker and employer, the settlement shall be signed by the employer and the worker concerned.
- (4) Where the settlement is arrived at in the course of conciliation proceedings, the conciliation officer shall send a report thereof to the State Government together with a copy of the memorandum of settlement signed by the parties to the dispute.
- (5) Where a settlement is arrived at between an employer and his worker otherwise than in the course of conciliation proceedings, the parties to the settlement shall jointly send a copy thereof electronically or by speed post or by registered post, to the Labour Commissioner and to the conciliation officer.
- (6) The conciliation officer shall file all settlements effected under the Code in respect of industrial disputes in the area within his jurisdiction in the register maintained electronically or otherwise.
- (7) The register referred to in sub-rule (6) shall contain the details including serial number, name of the industry, parties to the settlement, date of settlement, remarks and whether settlement was arrived at after the intervention of conciliation officer or by mutual negotiation:
- Provided that signature of conciliation officer on the agreement shall not be necessary where the agreement for settlement is arrived at outside conciliation.
- Provided further that nothing in this rule shall prohibit a settlement between a worker or workers or Trade Union and an employer on mutually agreed terms and such settlement may be in a format other than Form-I.

Chapter-II

BI-PARTITE FORUMS

- 4. Works Committee, its constitution and matters related thereto.-** (1) Every employer to whom an order made by the State Government under sub-section (1) of section 3 relates, shall forthwith proceed to constitute a Works Committee, hereinafter in this rule referred to as the Committee, to promote measures for securing and preserving amity and good relations between the employer and workers and, to that end, to comment upon matters of common interest or concern, in the manner specified in this rule.
- (2)(i) The number of members constituting the Committee shall be fixed so as to afford representation to the various categories, groups and class of workers engaged in, and to the sections, shops or departments of the industrial establishment.
- (ii) The total number of members of the Committee shall not exceed twenty.

- (iii) The number of representatives of the workers in the Committee shall not be less than the number of representatives of the employer therein:

Provided that the industrial establishment in which women workers are employed shall have adequate representation of women workers in Works Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment.

(3) Subject to the provisions of this rule, the representatives of the employer in the Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with, or associated with, the working of the industrial establishment.

(4) Where the workers of the industrial establishment are members of a registered Trade Union or Trade Unions, the employer shall ask such registered Trade Union or Trade Unions to inform him in writing as to,-

- (a) number of the workers who are members of such registered Trade Union or Trade Unions; and
 - (b) if the employer has reason to believe that the information furnished to him by the registered Trade Union or Trade Unions is false, he may, after informing such registered Trade Union or Trade Unions, refer the matter to the Labour Commissioner or any other officer as notified by the State Government, who shall, after hearing the parties, decide the matter and his decision shall be final.
- (5) On receipt of the information called for under sub-rule (4), the employer shall provide for the choosing of worker's representative of the Committee in the following manner, namely:-
- (a) in the case of a negotiating union under sub-section (2) or sub-section (3) of section 14, such negotiating union shall nominate the worker's representatives of the Committee;
 - (b) in the case of the negotiating council under sub-section (4) of section 14, the nomination shall be in such manner that every registered Trade Union representing in the negotiating council shall be represented in the Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;
 - (c) where there is no recognised negotiating union or negotiating council referred to in clauses (a) and (b), the workers of the industrial establishment shall elect amongst themselves the worker's representatives of the Committee:

Provided that the employer may, deploy an electronic platform for conducting the election process over an information technology application, online platform or such other platform to enable as to how the representatives of workers shall be elected for the Committee under this clause:

Provided further that where a registered Trade Union fails to furnish the information called for under sub-rule (4) within one month of the date on which it is so called for, then, such Trade Union shall for the purpose of this rule be treated as if it did not exist:

Provided also that where any reference has been made by the employer under sub-rule (4), the process of choosing the worker's representative relating thereto shall be held on receipt of the decision of the concerned officer appointed by the State Government.

(6) The employer may, if he thinks fit, direct that the workers shall vote in either by groups, sections, shops or departments.

(7) Any worker of not less than nineteen years of age and with a service of not less than one year in the industrial establishment may, if nominated as provided in this rule, be a candidate for election as a worker's representative of the Committee:

Provided that such service qualification shall not apply to the first election in an industrial establishment which has been in existence for less than a year.

Explanation: For the purposes of this sub-rule, a worker who has put in continuous service for not less than one year in two or more industrial establishments belonging to the same employer shall be deemed to have satisfied the service qualification specified therein.

(8) All workers who are not less than eighteen years of age and who have put in not less than six months' continuous service in the industrial establishment shall be entitled to vote in the election of worker's representative of the Committee.

Explanation: For the purposes of this sub-rule, a worker who has put in continuous service of not less than six months in two or more industrial establishments belonging to the same employer shall be deemed to have satisfied the service qualification specified therein.

(9)(i) The employer shall give a minimum time period of at least three working days for filing of nomination along with other requisite details while fixing a date as the closing date for receiving nominations from candidates for election as worker's representatives of the Committee.

(ii) The date fixed by the employer for holding the election referred to in clause (i) shall not be earlier than three days and later than fifteen days after the closing date for receiving nominations.

(iii) The date of election fixed under clause (i) above shall be notified at least seven days in advance to the workers concerned and such notice, which shall specify the number of seats to be elected, shall be affixed on the notice board or electronic notice board of the industrial establishment and given adequate publicity amongst the workers.

(10) (i) Every nomination for election as worker's representative of the Committee shall be made on a nomination paper to be provided by employer and the copies thereof shall be supplied by the employer to the workers requiring them.

(ii) Each nomination paper referred to in clause (i) above shall be signed by the candidate to whom it relates and attested by at least two other voters belonging to the group, section, shop or department, which the candidate seeking election shall represent, and shall be delivered to the employer.

(11)(i) On the day following the last day fixed for filing nomination papers, the nomination papers shall be scrutinised by the employer in the presence of the candidates and the attesting persons and those nominations which are not valid shall be rejected.

(ii) A nomination paper shall be held to be not valid under clause (i) above, if,-

(a) the candidate nominated is ineligible for being a candidate under sub-rule (7); or

(b) the requirements of sub-rule (10) have not been complied with:

Provided that where a candidate or an attesting person is unable to be present at the time of scrutiny, he may send a duly authorised nominee for the purpose.

(12) Any candidate whose nomination for election has been accepted may withdraw his candidature within forty-eight hours of the completion of scrutiny of the nomination papers.

(13) If the number of candidates who have been validly nominated for election as worker's representative of the Committee is equal to the number of seats, the candidates as such shall

be forthwith declared as duly elected and where, in any industrial establishment, the number of candidates validly nominated for election as worker's representative of the Committee is more than the number of seats allotted to it, voting shall take place on the day fixed for election.

(14) (a) The Works Committee shall have among its office-bearers a Chairman, a Vice-Chairman, a Secretary and a Joint-Secretary. The Secretary and the Joint-Secretary shall be elected every year;

(b) The Chairman shall be nominated by the employer from amongst the employer's representatives of the Works Committee and he shall, as far as possible, be the head of the industrial establishment;

(c) The Vice-Chairman shall be elected by the members, on the Works Committee representing the workers, from amongst themselves:

Provided that in the event of equality of votes in the election of the Vice-Chairman, the matter shall be decided by draw of a lottery;

(d) The Works Committee shall elect the Secretary and the Joint Secretary:

Provided that where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be elected from amongst the representatives of the worker and vice versa.

Provided further that the post of the Secretary or the Joint Secretary, as the case may be, shall not be held by a representative of the employer or the worker for three consecutive years.

Provided also that the representatives of the employer shall not take part in the election of the Secretary or Joint Secretary, as the case may be, from amongst the representatives of the worker and only the representatives of the worker shall be entitled to vote in such elections.

(e) In any election under clause (d), in the event of equality of votes, the matter shall be decided by a draw of lottery.

(15) (a) The term of office of the representatives on the Works Committee other than a member chosen to fill a casual vacancy shall be three years;

(b) A member chosen to fill a casual vacancy shall hold office for the unexpired term of his predecessor; and

(c) A member who without obtaining leave from the Works Committee, fails to attend three consecutive meetings of the Committee shall forfeit his membership.

(16) In the event of worker's representative ceasing to be a member under clause (c) of sub-rule (15) or ceasing to be employed in the establishment or in the event of his resignation, death or otherwise, his successor shall be chosen in accordance with the provisions of this rule from the same group to which the member vacating the seat belonged.

(17) The Works Committee shall have the right to co-opt in a consultative capacity, persons employed in the industrial establishment having particular or special knowledge of a matter under discussion. Such co-opted member shall not be entitled to vote and shall be present at meetings only for the period during which the particular question is before the Works Committee.

(18) The Works Committee may meet as often as necessary but not less often than once in three months. The Works Committee shall at its first meeting regulate its own procedure.

(19) The employer shall provide accommodation for holding meetings of the Works Committee. He shall also provide all necessary facilities to the Works Committee and to the members thereof for carrying out the work of the Works Committee. The Works Committee shall ordinarily meet during working hours of the industrial establishment concerned on any working day and the representative of the worker shall be deemed to be on duty while attending the meeting. The Secretary of the Works Committee may with the prior concurrence of the Chairman, put up notice regarding the work of the Works Committee on the notice board of the industrial establishment.

(20) The employer shall submit the details of the constitution and the functioning of the Committee as a part of unified annual return provided in the rules made in this behalf under

the Occupational Safety, Health and Working Condition Code, 2020 (Central Act No. 37 of 2020).

(21) The State Government, or the officer authorised in its behalf, may after making such inquiry as it or he may deem fit, dissolve any Committee at any time, by an order for reasons to be recorded in writing, on being satisfied that the Committee has not been constituted in accordance with the provisions of this rule or that not less than two-thirds of the number of representatives of the workers have without any reasonable justification failed to attend three consecutive meetings of the Committee or that the Committee has, for any other reason, ceased to function:

Provided that where the Committee is dissolved under this sub-rule, the employer, may, and if so required by the State Government or, as the case may be, by such officer, shall take steps to re-constitute the Committee in accordance with this rule.

5. Manner of choosing members from the employers and the workers for Grievance Redressal Committee under sub-section (2) of section 4.- (1) The Grievance Redressal Committee shall consist of equal number of members representing the employer and the workers, which shall not exceed ten.

(2) The representatives of the employer shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with or associated with the working of the industrial establishment, preferably the heads of major departments of the industrial establishment.

(3) The worker's representative of the Grievance Committee shall be chosen in the following manner, namely:—

- (a) where there is a negotiating union under sub-section (2) or sub-section (3) of section 14, such negotiating union or negotiating council, as the case may be, shall nominate the worker's representatives of the Grievance Committee;
- (b) in the case of a negotiating council under sub-section (4) of section 14, the nomination shall be in such manner that every registered Trade Union representing in the negotiating council shall be represented in the Grievance Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;
- (c) where there is no recognised negotiating union or negotiating council referred to the clauses (a) and (b), the workers of the industrial establishment shall choose amongst themselves the worker's representatives of the Grievance Committee:

Provided that the employer may, deploy an electronic platform for choosing worker's representatives under this clause, over an information technology application, online platform or such other like platform.

Provided further that there shall be adequate representation of women workers in the Grievance Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment.

(4) The tenure of the members of the Grievance Committee shall be three years.

(5) Where there is no recognised negotiating union or negotiating council and if any dispute arises regarding choosing of the worker's representative to the Grievance Committee, the matter may be referred to the Labour Commissioner or Additional Labour Commissioner (I.R.), who shall, after hearing the parties, decide the matter, whose decision shall be final.

6. Application in respect of any dispute to be filed before the Grievance Redressal Committee by any aggrieved worker under sub-section (5) of section 4.- Any aggrieved worker may file an application stating his dispute therein before the Grievance Redressal Committee giving his name, designation, employee Code, Department where posted, length of service in years, category of worker, address for correspondence, contact number, details of grievances and relief sought. Such application may be sent electronically or otherwise. The Grievance may be raised within one year from the date on which the cause of action of such dispute arises.

7. Manner of filing application for the conciliation of grievance as against the decision of the Grievance Redressal Committee to the conciliation officer under sub-section (8) of section 4.- Any worker who is aggrieved by the decision of the Grievance Redressal Committee or whose grievance is not resolved by the said Committee within thirty days of receipt of the application, may file an application electronically or by registered post or speed post within a period of sixty days from the date of the decision of the Grievance Redressal Committee or from the date on which the period specified in sub-section (6) of section 4 expires, as the case may be, to the conciliation officer through the Trade Union, of which he is a member or otherwise:

Provided that in case of manual receipt of such application through registered post or speed post or otherwise, the conciliation officer shall get the same digitized and enter the particulars of the application in the online mechanism under intimation to the concerned worker.

Chapter-III TRADE UNIONS

8. Application for registration.- Every application for registration of a Trade Union under sub-section (1) of section 8 shall be made to the registrar electronically or otherwise in Form-II accompanied by a declaration to be made by an affidavit on non judicial stamp paper of rupees fifty, duly attested by notary public by all seven members or more members of trade union who apply for registration stating therein that there is no any other trade union existing with same or similar name and a fee as specified by the State Government by notification in the Official Gazette.

9. Register of Trade Unions.- The register of trade unions referred to in sub-section (1) and (3) of section 9 shall be maintained in Form-III.

10. Certificate of Registration.- The certificate of registration issued by the registrar under sub-section (2) of section 9 shall be in Form-IV.

11. Payment of subscription by members to Trade Union under clause (f) of section 7 and sub-section (4) of section 15.- (1) Registered Trade Union may collect the subscription from its members, office bearers or from others, as provided under the rules approved by the Registrar on monthly, quarterly, half yearly or yearly basis subject to such amount as specified in sub-rule (2) of this rule.

(2) The payment of a minimum subscription by members of the Trade Union shall be as provided under the rules of the trade union approved by the Registrar but shall not be less than,-

- (a) twenty rupees per annum for rural workers;
- (b) thirty rupees per annum for workers in other unorganised sectors; and
- (c) fifty rupees per annum for workers in any other case or as may be fixed by the State Government, from time to time.

12. Objects on which general funds may be spent under sub-section (1) of section 15.- (1) The general funds of a registered Trade Union shall not be spent on any other objects other than that of the following, namely:-

- (a) the payment of salaries, allowance and expenses to office bearers of the Trade Union;
- (b) the payment of expenses for the administration of the Trade Union, including for audit of the accounts of the general funds of the Trade Union;
- (c) the prosecution or defense of any legal proceeding to which the Trade Union or any member thereof is a party, when such prosecution or defense is

undertaken for the purpose of securing or protecting any rights of the Trade Union as such any rights arising out of the relations of any members with his employer or with a person whom the member employs;

- (d) for the conduct of Trade Disputes on behalf of the Trade Union or any member thereof;
- (e) the compensation to members for loss arising out of trade disputes;
- (f) allowances to members or their dependents on account of death, old age, sickness, accidents or unemployment of such members;
- (g) the issue of, or the undertaking of liability under, policies of assurance on the lives of members, or under policies insuring members against sickness accident or unemployment; and
- (h) the provisions of educational, social or religious benefits for the members (including the payments of the expenses or funeral or religious ceremonies for deceased members) or for the dependents of members;

13. Composition of separate fund under sub-section (2) of section 15.- (1) A registered Trade Union may constitute a separate fund, from contributions separately levied for or made to that fund, from which payments may be made, for the promotion of the civic and political interests of its members, in furtherance of any of the objects specified in the Code.

(2) The objects of fund referred to in sub-rule (1) are,-

- (a) the payment of any expenses incurred, either directly or indirectly, by a candidate or prospective candidate for election as a member of any legislative body constituted under the Constitution or of any local authority, before, during, or after the election in connection with his candidature or election; or
- (b) the holding of any meeting or the distribution of any literature or documents in support of any such candidate or prospective candidate; or
- (c) the maintenance of any person who is a member of any legislative body constituted under the Constitution or of any local authority; or
- (d) the registration of electors or the election of a candidate for any legislative body constituted under the Constitution or for any local authority; or
- (e) the holding of political meetings of any kind, or the distribution of political literature or political documents of any kind.

(3) No member shall be compelled to contribute to the fund constituted under sub-rule (1) and a member who does not contribute to the said fund shall not be excluded from any benefits of the Trade Union, or placed in any respect either directly or indirectly under any disability or at any disadvantage as compared with other members of the Trade Union (exception relation to the control or management of the said fund) by reason of his not contributing to the said fund and contribution to the said fund shall not be made a condition for admission to the Trade Union.

14. Withdrawal or Cancellation of Registration.- The Registrar, on receipt of an application for the withdrawal or cancellation of registration, shall before granting the application satisfy himself that the withdrawal or the cancellation of registration was approved by a general meeting of the trade union or if it was not approved then it has the approval of the majority of the members of the Trade Union. For this purpose, he may call for such particulars as he may deem necessary and may examine any officer of the union.

15. Appeals.- Any appeal made under sub-section (1) of section 10 must be filed within 60 days of the date on which the Registrar passed the order against which the appeal is made.

16. Communications to Trade Union and change in its registration particulars.- All communications and notices to a registered Trade union shall be sent electronically or otherwise at the address of the head office of the Trade Union or email address as entered in the register maintained by the Registrar. In the same way, such Trade union shall communicate any change in the particulars given by it in its application for registration and in its constitution or rules to the Registrar.

17. Manner of recognition of negotiating union or negotiating council.- (1) The matters pertaining to workers which the negotiating union or the negotiating council, as the case may be, shall negotiate with the employer of the industrial establishment under sub-section (1) of section 14 are specified, as below:-

- (i) classification of grades and categories of workers;
- (ii) order passed by an employer under the standing orders applicable in the industrial establishment;
- (iii) wages of the workers including their wage period, dearness allowance, bonus, increment, customary concession or privileges, compensatory and other allowances;
- (iv) hours of work of the workers, rest days, number of working days in a week, rest intervals, working of shifts;
- (v) leave with wages and holidays;
- (vi) promotion and transfer policy and disciplinary procedures;
- (vii) quarter allotment policy for workers;
- (viii) safety, health and working conditions and related standards;
- (ix) such matters pertaining to conditions of service and terms of employment of the workers which are not covered in the foregoing clauses; and
- (x) any other matter which is agreed between employer of the industrial establishment and negotiating union or negotiating council, as the case may be.

(2) Where there is only one registered Trade Union operating in an industrial establishment having its membership not less than 30 percent of the total workers employed in the industrial establishment, then the employer of such industrial establishment shall recognize such Trade Union as sole negotiating union of the workers.

- (3) (i) (a) The State Government shall appoint a verification officer for the purpose of verification of membership of the Trade Unions in the industrial establishment who shall not have any interest with any of the Trade Unions in the industrial establishment, whose membership verification is to be carried out by him:

Provided that the process for recognition of the negotiating union or the negotiating council, as the case may be, shall commence three months before the expiry of the tenure of the existing recognition period of the negotiating union or the negotiating council, as the case may be, recognized by the employer under the Code.

- (b) The verification officer may utilize the services of other officers to assist him depending upon the quantum of work of membership verification.
- (c) The verification officer shall carry out the work of membership verification in the industrial establishment within the time as determined by the State Government.
- (ii) The employer of the industrial establishment shall bear all expenses and make arrangements in connection with the verification of membership of trade unions under clause (i).
- (iii) (a) The Trade Union, which has a valid registration under the Trade Unions Act, 1926 (Central Act No. 16 of 1926) and continuing as such or has the registration under the Industrial Relations Code, 2020 (Central Act No. 35 of 2020), as the case may be, may submit an application to the employer of the industrial establishment to accord status of negotiating union or the representatives of negotiating council of the workers, as the case may be.
- (b) The application for recognition made by Trade Union shall be accompanied with a copy of the registration certificate, a copy of list of members, details of the membership subscription and a copy of latest annual return of the trade union submitted to the Registrar of Trade Unions.
- (iv) (a) In case the negotiating union or negotiating council, as the case may be, has been constituted under the Code, the employer of the industrial establishment shall initiate action before expiry of the tenure of negotiating union or negotiating council, as the case may be, sufficiently in advance but not later than three months before the expiry of the tenure of negotiating union or negotiating council, as the case may be.
- (b) The date of reckoning shall be fixed by the verification officer for the industrial establishment for the purpose of verification of membership of the trade unions.
- (c) The employer of the establishment shall forward the documents and records submitted by trade unions, to the verification officer.

- (d) On receipt of the documents and records, the verification officer shall scrutinize the records and documents submitted by the trade union to ascertain the status of registration of trade unions and related matters.
 - (e) The verification officer shall hold meeting with representatives of employer of industrial establishment and all participating Trade Unions to decide about the process of verification of the membership of Trade Unions through secret ballot.
 - (f) The employer may, in consultation with the verification officer deploy an electronic process for conducting the election over an information technology application, online platform or like other platform.
- (4)(i) The verification officer shall convene meeting of representatives of all registered Trade Unions functioning in the industrial establishment at least sixty days before the date of actual voting, to decide,-
- (a) publication of voters list;
 - (b) date, time, mode of voting, place of voting;
 - (c) date, time and place of counting; and
 - (d) other modalities relating to secret ballot.
- (ii) The verification officer shall cause the minutes of the meeting to be prepared and signed by all participating Trade Unions. All participating Trade Unions shall be allotted symbols in the same meeting. If no decision could be taken regarding date, time, mode of voting, place of voting, allotment of symbols, date, time and place of counting and like other matters in the meeting, then, the decision of the verification officer shall be final and he shall publish the schedule, program and procedure of such secret ballot election.
- (iii) All workers whose names are borne on the muster roll of the industrial establishment on the date of reckoning shall be eligible to cast their vote.
- (iv) The voters list shall be prepared by the employer of the industrial establishment on the basis of names of the workers borne on the muster roll referred to in clause (iii) and the voters list shall contain the name, father's name, designation, worker number/identity card number issued by the employer and place of posting of the worker. The final voter list shall be published by the employer after obtaining the approval of verification officer and shall be displayed at notice board at the main entrance and website, if any, of the industrial establishment. A copy of such voters list shall also be sent to the participating Trade Unions by hand or by registered post or through electronic mode.
- (v) The verification officer shall display the list of the name of the participating Trade Unions with the symbol allotted to them on the notice board at the main entrance and website, if any, of the industrial establishment within two days of finalization of the list.
- (vi) The voting and counting of votes shall be held on the date, time and place fixed by the verification officer under the supervision of the verification officer and during the counting, agents of all participating Trade Unions shall be allowed to remain present.
- (vii) After final counting of votes, the result shall be declared by the verification officer. The result sheet shall contain the name of all Trade Unions participated in election, total number of votes polled and the number of votes cast in favour of each of the trade unions which participated in the election.
- (5) The verification officer shall submit verification report along with the result sheet to the employer of industrial establishment.
- (6)(i) On the basis of verification report submitted by verification officer, the employer of the industrial establishment shall grant recognition to a Trade Union as a negotiating union or a constituent of negotiating council as per provisions of sub-section (3) or sub-section (4) of section 14 of the Code, as the case may be.
- (ii) Any recognition either as negotiating union or the negotiating council shall be valid for three years from the date of recognition or constitution or such further period not exceeding five years, in total, as may be mutually decided by the employer and the Trade Union, as the case may be:
- (7) In an industrial establishment, where there is a negotiating union or negotiating council, as the case may be, the employer of such industrial establishment shall provide the following facilities to the negotiating union or negotiating council, as the case may be, namely: -

- (i) notice board for the purpose of displaying information relating to activities of negotiating union or negotiating council, as the case may be;
- (ii) venue and necessary facilities for holding discussions by the negotiating union or negotiating council, as the case may be, as per schedule and agenda to be settled between employer of the industrial establishment and the negotiating union or negotiating council, as the case may be;
- (iii) venue and necessary facilities for holding discussions amongst the members of the negotiating union or constituents of negotiating council, as the case may be;
- (iv) facility for entrance of the office bearers of the negotiating union or negotiating council, as the case may be, in the industrial establishment for the purposes of ascertaining the matters which are relating to working conditions of the workers;
- (v) employer of the industrial establishment shall deduct subscription of the members of the Trade Union on the basis of the written consent of the worker;
- (vi) when the office bearers of the negotiating union or negotiating council shall be holding meetings with the employer as per agreed schedule between employer and such employed office bearers shall be treated as on duty; and
- (vii) employer of an industrial establishment, having three hundred or more workers, shall provide suitable office accommodation with necessary facilities to the negotiating union or negotiating council, as the case may be.

(8) Where any dispute arises between,-

- (i) one Trade Union and another; or
- (ii) one or more workers who are members of Trade Union and the Trade Union regarding registration, administration or management or election of office bearers of the Trade Union; or
- (iii) one or more workers who are refused admission as members and the Trade Union; or
- (iv) where the dispute is in respect of a Trade Union which is a federation of Trade Unions and office bearer authorized in this behalf by the Trade Union,

then, the aggrieved person may make application to the Tribunal having jurisdiction, in Form-II within a period of one year from the date on which the dispute arises, electronically or by registered post or by speed post or in person.

18. Manner of amalgamation or change in name under sub-section (2) of section 24.-

Any two or more registered trade unions may become amalgamated together as one trade union with or without dissolution or division of the funds of such trade unions or any of them, provided that the votes of at least one half of the members of each or every such trade union entitled to vote are recorded and that at least sixty percent of the votes recorded are in favour of the proposal. In the case of change of the name or amalgamation, a notice in writing of every change of name and of every amalgamation signed by secretary and by seven members of the trade union(s) shall be sent to the concerned Registrar electronically or otherwise with relevant documents along with such fees as may be specified by notification in the Official Gazette.

19. Manner of amendment and variation in rules of Trade Unions.- (1) When a registered Trade Union makes any amendment or variation in rules such amendment or variation shall be sent to the Registrar in Form-V along with proof of payment of fee as specified by the State Government by notification in the Official Gazette.

(2) On receipt of a copy of any amendment or variation made in the rules of a Trade Union, the Registrar shall, unless he has reason to believe that the amendment or variation in the rules has not been made in the manner provided by the rules of the Trade Union or unless the amendment or variation in the rules is not in accordance with the provisions of the Code, register the amendment or variation in the rules in a register to be maintained for this purpose and shall notify the fact that he has done so to the secretary of the Trade Union.

20. Manner of distribution of Funds of dissolved Trade Union.- Where it is necessary for the Registrar under sub-section (2) of section 25 to distribute the funds of the trade union which has been dissolved, he shall divide the funds in proportion to the amounts contributed by the members by way of subscription during their membership.

21. Annual Return, Particulars and Forms.- The annual return to be furnished under sub-section (1) of section 26 shall be submitted to the Registrar by the 31st day of July in each year and shall be in Form-VI.

22. Auditor.- The audit shall be conducted by an auditor authorized to audit the accounts of companies under section 141 of the Companies Act, 2013:

Provided that,-

- (i) where the membership of a registered Trade Union did not, at any time during the year ending on the 31st December, exceed 2000, the annual audit of the accounts may be conducted,-
 - (a) by any auditor authorized by the State Government to examine public accounts; or
 - (b) by a Chartered Accountant.
- (ii) where the membership of a registered Trade Union did not, at any time during the year ending on the 31st day of December, exceed 1,000, the annual audit of the accounts may be conducted by any auditor appointed to conduct the audit of Co-operative Societies by the Government or by the Registrar of Co-operative Societies.
- (iii) where the membership of a registered Trade Union did not, at any time during the year ending on the 31st December, exceed 250, the annual audit of the accounts may be conducted by any two ordinary members of such registered Trade Union who were not in the executive committee of Trade Union during the period to which the accounts pertain.
- (iv) where the registered Trade Union is a federation of Trade Unions and the number of such unions affiliated to it at any time during the year ending on the 31st December, did not exceed 50, 15 or 5, respectively, the audit of the accounts of the federation may be conducted as if it has not, at any time during the year had a membership of more than 2,000, 1,000 or 250 respectively.

23. Disqualification of auditors.- Notwithstanding anything contained in these rules, no person who, at any time, during the year for which the accounts are to be audited, was entrusted with any part of the funds or securities belonging to a registered Trade Union shall be eligible to audit the accounts of that union.

24. Audit.- The auditor or auditors appointed in accordance with these rules shall be given access to all the books of the trade union and the auditor shall verify the annual return with the accounts and vouchers relating thereto and shall thereafter sign the auditors declaration appended to Form-VI indicating separately on that Form under his signature or their signatures, a statement showing in what respect he or they find the return to be incorrect. The particulars given in this statement shall indicate the,-

- (a) every payment which appears to be unauthorized by the rules of the trade union or contrary to the provisions of the Act;
- (b) amount of any deficit or loss which appear to have been incurred by the negligence or misconduct of any person; and
- (c) amount of any sum which ought to have been, but is not brought to account by any person.

25. Auditing of political funds.- The audit of the political funds of a registered trade union shall be carried out along with the audit of the general accounts of the trade union and by the same auditor or auditors.

26. Recognition of Trade Unions at State Level under sub-section (2) of section 27.- (1) Application for recognition of Trade Unions at State Level shall be filed in Form-VII by the Trade Union or federation of the Trade Unions to the State Government or the Officer authorized by the State Government in this regard.

(2) The State Government or the officer authorized shall, after due enquiry, as it deems fit, decide such application within sixty days of its receipt and send the copy of the decision to the applicant with a copy to the Labour Commissioner and the Registrar.

(3) If any dispute arises in relation to such recognition, the State Government or the Officer authorized by the State Government in this regard shall refer the dispute to the Industrial Tribunal. The Industrial Tribunal shall, after giving opportunity of hearing to the applicant and going through the relevant records of the case, decide the appeal within forty five days and the order shall be binding upon the parties.

Chapter-IV **STANDING ORDERS**

27. Manner of forwarding information to certifying officer under sub-section (3) of section 30.- (1) If the employer adopts the model standing order of the Central Government referred to in section 29 with respect to matters relevant to his industrial establishment or undertaking, then, he shall intimate the concerned certifying officer electronically, or in person or by registered post, the specific date from which the provisions of the model standing order which are relevant to his establishment have been adopted.

(2) On receipt of information in sub-rule (1) the certifying officer within a period of thirty days from such receipt may give his observation that the employer is required to include certain provisions which are relevant to his establishment and indicate those relevant provisions of the model standing orders which have not been adopted and shall also direct the employer to amend the standing order so adopted, by way of addition, deletion or modification within a period of thirty days from the date of the receipt of such direction and ask for compliance report only in respect of provisions which the certifying officer seeks to get so amended and such report shall be sent electronically or otherwise by the employer.

(3) If no observation is made by certifying officer within a period of thirty days of the receipt of the information as specified in sub-rule (1) and (2), then, the standing order shall be deemed to have been adopted by the employer.

28. Manner of choosing representatives of workers of the industrial establishment or undertaking for issuing notice by certifying officer where there is no Trade Union operating, under clause (ii) of sub-section (5) of section 30.- Where there is no such Trade Union as specified in clause (ii) of sub-section (5) of section 30, then, the certifying officer or any authorized officer in his behalf shall call a meeting of the workers to choose three representatives, to whom he shall, upon their being chosen, forward a copy of the standing order requiring objections, if any, which the workers may desire to make to the draft standing order to be submitted within fifteen days from the receipt of the notice.

29. Manner of authentication of certified standing orders under sub-section (8) of section 30.- Standing orders or modification in the standing orders, certified in pursuance of sub-section (8) of section 30 or the copies of the order of the appellate authority under sub-section (1) of section 33 shall be authenticated by the certifying officer or the appellate authority, as the case may be, and shall be sent electronically or otherwise within a week to all concerned, but there shall not be any requirement of certification in cases of deemed certification under sub-section (3) of section 30 and in cases where the employer has certified adoption of model standing orders.

30. Statement to be accompanied with draft standing orders under sub-section (9) of section 30.- A statement to be accompanied with,-

- (i) draft standing order shall contain, the particulars such as name of the industrial establishment or undertaking concerned, address, e-mail address, contact number and strength and details of workers employed therein including particulars of Trade union to which such workers belong; and
- (ii) draft modification in the existing standing orders, shall contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provision of standing order in force and proposed modification therein and reasons thereof and such statement shall be signed by a person authorized by the industrial establishment or undertaking.

31. Conditions for submission of draft standing order in similar establishment under sub-section (10) of section 30.- In cases of group of employer engaged in similar industrial establishment may submit a joint draft standing order under section 30 and for the purpose of proceedings specified in sub-sections (1), (5), (6), (8) and (9) thereof after consultation with the concerned Trade union:

Provided that the joint draft standing orders, in cases of group of employers engaged in similar industrial establishments, will be drafted and submitted to the Officer as authorized by the State Government, who shall, in consultation with the concerned certifying officers, certify or refuse to certify the said joint draft standing order, after recording reasons therefore.

32. Manner of disposal of appeal by appellate authority under section 32.- (1) An employer or Trade Union, negotiating union or negotiating council or where there is no negotiating union or negotiating council in an industrial establishment or under-taking, any union or such representative body of the workers of the industrial establishment or under-taking may prefer an appeal against the order of the certifying officer made under sub-section (5) of section 30 within sixty days of the receipt of such order, and for that purpose draw up a memorandum of appeal in tabular form stating therein the provisions of the standing orders which are required to be altered or modified or deleted or added and reasons thereof and shall be filed electronically or otherwise to the appellate authority.

(2) The appellate authority shall fix a date for the hearing of the appeal and direct notice thereof to be given,-

- (a) where the appeal is filed by the employer, to Trade Union or the negotiating union or negotiating council, as the case may be, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking;
- (b) where the appeal is filed by a Trade Union or the negotiating union or negotiating council, to the employer and the negotiating union or the negotiating council or all other Trade Union of the workers of the industrial establishment, as the case may be, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking; and
- (c) where the appeal is filed by a representative body of the workers, to the employer and other Trade Union of the workers of the industrial establishment, or where there is no trade union of the workers in an industrial establishment or undertaking, any other worker who joins as a party to the appeal.

(3) The appellant shall furnish each of the respondents with a copy of the memorandum of appeal.

(4) The appellate authority may at any stage of the proceeding call for any evidence, if it considers necessary for the disposal of the appeal.

(5) On the date fixed under sub-rule (2) for the hearing of the appeal, the appellate authority shall take such evidence as it may have called or consider to be relevant if produced and after hearing the parties dispose of the appeal.

33. Sending of orders and the manner of maintaining standing order under sub-section

(1) and (2) of section 33.- (1) The standing order finally certified by certifying officer shall be sent electronically or otherwise except in the case of deemed certification under section 30.

(2) The text of the standing order as finally certified or deemed to have been certified or adopted model standing order under this Chapter shall be maintained by the employer in Hindi or in English, if the Standing orders are submitted in English, a true translation in Hindi shall have to be submitted.

34. Register for final certified copy of Standing Order under section 34.- (1) The certifying officer shall maintain electronically or otherwise, a register of all standing orders certified or deemed to have been certified or adopted model standing orders of all the concerned industrial establishments, inter-alia, containing the details of,-

- (a) the unique number assigned to each standing order;
- (b) name of industrial establishment;

- (c) nature of industrial establishment;
 - (d) date of certification or deemed certification or date of adoption of model standing order by each establishment or undertaking;
 - (e) the areas of the operation of the industrial establishment; and
 - (f) such other details as may be relevant and helpful in retrieving the standing orders and create a data base of such of all standing orders.
- (2) The certifying officer shall furnish a copy of the certified standing orders or deemed certified orders referred to in sub-rule (1) to any person applying therefore, on payment of two rupees per page of the certified standing orders or deemed certified standing orders, as the case may be.
- (3) The payment for such purpose may also be made through electronic mode.

35. Application for modification of Standing Order under sub-section (2) of section 35.-

The application for modification of an existing standing order under sub-section (2) of section 35 shall be submitted electronically or otherwise and contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provisions of standing order in force, and proposed modifications therein, reasons thereof and the details of registered Trade union(s) operating therein, and such statement shall be signed by a person authorized by the industrial establishment or undertaking.

Chapter-V NOTICE OF CHANGE

36. The manner of giving of notice for change proposed to be effected under clause (i) of section 40.- (1) Any employer intending to effect any change in the conditions of service applicable to any worker in respect of any matter specified in the Third Schedule to the Code, shall give notice in Form-VIII to such worker affected by such change.

(2) The notice referred in sub-rule (1) shall be displayed conspicuously by the employer on the notice board at the main entrance of the industrial establishment and the office of the concerned Manager of the industrialestablishment:

(3) Where there is a registered Trade Union or registered Trade Unions relating to the industrial establishment a copy of such notice shall also be served on the Secretary of such Trade Union or each of the Secretaries of such Unions, as the case may be.

Chapter-VI VOLUNTARY REFERENCE OF DISPUTES TO ARBITRATION

37. Form of arbitration agreement and the manner thereof under sub-section (3) of section 42.- (1) Where the employer and workers agree to refer the dispute to arbitration, the Arbitration Agreement shall be in Form-IX and shall be signed by the parties to the agreement. The agreement shall be accompanied by the consent either in writing or electronically of arbitrator or arbitrators.

(2) The Arbitration Agreement referred to in sub-rule (1) shall be signed,-

- (i) in case of an employer, by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other officer of the corporation authorized for such purposes;
- (ii) in the case of the workers, by the officer of the registered Trade Union authorized in this behalf or by three representatives of the workers duly authorized in this behalf at a meeting of the concerned workers held for such purpose; and
- (iii) in the case of an individual worker, by the worker himself or by an officer of registered Trade Union of which the worker is a member.

Explanation: In this rule, the expression officer means any of the following officers of the registered Trade Union, namely:-

- (a) the President;
- (b) the Vice-President;
- (c) the Secretary (including the GeneralSecretary);
- (d) a Joint Secretary; and

(e) any other officer of the Trade Union authorized in this behalf by the President and Secretary of the union.

38. Manner of issue of notification under sub-section (5) of section 42.- Where an industrial dispute has been referred for arbitration and the State Government is satisfied that the persons making the reference represent the majority of each party, it shall publish a notification in this behalf in the Official Gazette and electronically for the information of the employers and workers who are not parties to the arbitration agreement but are concerned to the dispute and they may present their case before the arbitrator or arbitrators appointed for such purpose.

39. Manner of choosing representatives of workers where there is no Trade Union under sub-section (5) of section 42.- Where there is no Trade Union, the representative of workers to present their case before the arbitrator or arbitrators in pursuance of clause (c) of the proviso to sub-section (5) of section 42, shall be chosen by a resolution passed by the majority of concerned workers in Form-X authorizing therein to represent the case. Such workers shall be bound by the acts of representatives who have been authorized to represent before the arbitrator or arbitrators, as the case may be.

Chapter-VII

MECHANISM FOR RESOLUTION OF INDUSTRIAL DISPUTES

40. Manner of filling up of the vacancy and salaries and allowances of Judicial Member of the Industrial Tribunal under sub-section (9) of section 44.- (1) The State Government may, on recommendation of the High Court, by notification in Official Gazette appoint any officer of the District Judge cadre of the Rajasthan Judicial Service as a Judicial Member for the Industrial Tribunal for the adjudication of industrial disputes and for performing such other functions as may be assigned to him under this Code.

(2) The salary, allowances of the Judicial Member shall be such as admissible to the Judicial officer of the District judge cadre.

(3) Every person appointed as Judicial Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in the Form-XI.

41. Manner of filling up of the vacancy and salaries and allowances of Administrative Member of the Industrial Tribunal under sub-section (9) of section 44.-

(1) The State Government may by notification in Official Gazette appoint an Administrative Member for the Industrial Tribunal for the adjudication of Industrial Disputes and for performing such other functions as may be assigned to him under this Code.

(2) A person shall not be qualified for appointment as Administrative Member of a Tribunal unless he holds the post of the Joint Secretary to the Government or its equivalent or he holds the post of the Additional Labour Commissioner, Labour Department Rajasthan having a Degree in Law, with labour laws or industrial law or MSW post graduate degree in Labour Law or Personal Management and Industrial Relations from any recognized university and must have seven years experience of conciliation or quasi-judicial functions connected with labour disputes.

(3) Every person appointed as the Administrative Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in the Form-XI.

(4) The salary, allowances and other service conditions shall be as per the rules applicable on the officer appointed as the Administrative Member.

42. Manner of holding conciliation proceedings under sub-section (1), full report under sub-section (4), and application and the manner of deciding such application under sub-section (6) of section 53.- (1) Where any industrial dispute exists or is apprehended or a notice under section 62 has been given, the conciliation officer on receipt of such application shall examine the application and issue notice to the parties concerned declaring his intention to commence conciliation proceedings.

(2) The employer or the workers representative in the first meeting shall submit their respective statement in the matter of said dispute.

- (3) The conciliation officer shall hold conciliation proceedings for the purpose of bringing about a settlement of the dispute and may do all such things as he thinks fit for the purpose of inducing the parties to come to a fair and amicable settlement. If a settlement of the dispute or of any of the matters in dispute is arrived at in the course of conciliation proceedings, the conciliation officer shall send a report thereof to the State Government or any officer authorized in this behalf by the State Government together with a memorandum of settlement signed by the parties to the dispute in Form-I.
- (4) If no such settlement is arrived at in the conciliation proceeding, the conciliation officer shall submit a report to the State Government or the officer authorized within seven days from the date on which the conciliation proceedings are concluded.
- (5) The report referred to in sub-rule (4) shall be made available to the parties concerned.
- (6) The report referred to in sub-rule (4) shall contain inter-alia the submissions of the employer, worker or Trade union, as the case may be, and it shall also contain the efforts made by the conciliation officer to bring the parties to the amicable settlement, reasons for refusal of the parties to resolve the dispute and the conclusion of the conciliation officer.
- (7) Any dispute which is not settled during the conciliation proceedings, then, either of the concerned party may make an application in Form-XII, before the Tribunal electronically or otherwise within ninety days from the date of the report submitted under sub-rule(4) for adjudication.
- (8) The Tribunal shall direct the party raising the dispute to file a statement of claim with complete details along with relevant documents, list of supporting documents and witnesses within thirty days from the date on which application is filed. A copy of such statement may be sent electronically or otherwise for service on each of the opposite parties in the dispute.
- (9) The Tribunal after ascertaining that the copies of statement of claim and other related documents are furnished to the other side by the party raising the dispute, the Tribunal shall fix the first hearing as soon as possible and within a period of one month from the date of receipt of the application. The opposite party or parties shall file their written statement together with supporting documents and the list thereof and list of witnesses, if any, within a period of thirty days from the date of first hearing and simultaneously forward a copy thereof to the opposite party or parties for service.
- (10) Where the Tribunal finds that the party raising the dispute, despite its directions, did not forward the copy of the statement of claim and other documents to the opposite party or parties, it shall give directions to the concerned party to furnish the copy of the statement to the opposite party or parties, granting extension of fifteen days for filing the statement, if the Tribunal finds sufficient cause for not filing the statement of claim and other documents within time.
- (11) Evidence shall be recorded either in the Industrial Tribunal or may be filed on affidavit but in the case of affidavit the opposite party shall have the right to cross-examine each of the deponents filing the affidavit. Where the oral examination of each witness proceeds, the Tribunal shall make a memorandum of the substance of what is being deposed. While recording the oral evidence the Tribunal shall follow the procedure laid down in rule 5 of Order XVIII of the First Schedule to the Code of Civil Procedure, 1908 (Central Act No. 5 of 1908).
- (12) On completion of evidence, arguments may be heard immediately or a date may be fixed for arguments, which shall not be beyond a period of fifteen days from the closure of evidence.
- (13) The Tribunal shall not ordinarily grant an adjournment for a period exceeding a week at a time, but not in any case more than three adjournments in all, at the instance of the parties to the dispute, shall be granted:

Provided that the Tribunal for reasons to be recorded in writing, grant an adjournment exceeding a week at a time but not in any case more than three adjournments, at the instance of any one of the parties to the dispute, shall be granted.

- (14) In case any party defaults or fails to appear at any stage, the Tribunal may proceed with the case ex-parte, and decide the application in the absence of the defaulting party:

Provided that the Tribunal may on the application of either party filed before the submission of the award, revoke the order that the case shall proceed ex- parte, if it is satisfied that the absence of the party was on justifiable grounds, and proceed further to decide the matter as contested.

(15) The Tribunal shall communicate its Award electronically or otherwise to the parties concerned and the State Government within one month from the date of the pronouncement of the award.

(16) The Tribunal may summon and examine any person whose evidence appears to it to be material for deciding the case and shall be deemed to be a civil court for the purpose of sections 384, 385 and 386 of the BharatiyaNagarika Suraksha Sanhita, 2023 (Central Act No. 46 of 2023).

(17) Where assessors are appointed to advise a Tribunal under sub-section (5) of section 49 in relation to proceeding before it, the Tribunal shall obtain the advice of such assessors, but such advice shall not be binding on such Tribunals.

(18) A party in an award, who wants to obtain a copy of the award or other document, may obtain a copy of the award or other document after depositing the fee electronically or otherwise in the Tribunal in the following manner, namely:-

- (a) Fee for obtaining a copy of an award or the document filed in any proceedings of Tribunal be charged at the rate of two rupees per page.
- (b) For certifying a copy of any such award or order or document, a fee of Rs. Two per page shall be payable.
- (c) Copying and certifying fees shall be payableelectronically or otherwise.
- (d) Where a party applies for immediate delivery of a copy of any such award or document, an additional fee equal to one-half of the fee leviable under this rule shall be payable.

(19) The representatives of the parties appearing before a Tribunal shall have the right of examination, cross-examination and of addressing the Tribunal when evidence has been called.

(20) The proceedings before Tribunal shall be held in open court:

Provided that the Tribunal may direct any proceeding before it to be held by video conferencing.

Provided further that Tribunal may at any stage direct that any witness shall be examined or its proceedings be held in-camera.

43. Procedure for registration for settlement.- On receipt of an application for registration of settlement referred in rule 3 along with Form-Iduly signed by parties, the Conciliation Officer may make an enquiry if he considers necessary. If the Conciliation Officer decides to register a settlement, the registration shall be made in Form-XIII and a certificate of registration in Form-XIV shall be issued to all the parties to the settlement within thirty days of receipt of the application for registration. If the Conciliation Officer refuses to register the settlement, intimation to this effect, together with reasons for refusal to register, shall be given to all the parties to the agreement within thirty days of receipt of application for registration. The Conciliation Officer shall also give intimation of registration of settlement, or of the refusal thereof, as the case may be, within seven days to the Labour Commissioner, Rajasthan.

Chapter-VIII STRIKES AND LOCK-OUTS

44. Number of persons by whom the notice of strike shall be given, the person or persons to whom such notice shall be given and the manner of giving such notice under sub-section (4) of section 62.- The notice of strike referred to in sub-section (1) of section 62 shall be given to the employer of an industrial establishment in Form-XVwhich shall be duly signed by the Secretary of the concerned registered trade union or where there is no registered trade union byfive elected representatives of the workers giving the notice relating to such industrial establishment endorsing the copy thereof electronically or otherwise to the concerned conciliation officer, Labour Commissioner, Secretary to the Government, Labour Department Rajasthan and District Magistrate.

45. Manner of giving notice of lock-out under sub-section (5) and authority under sub-section (6) of section 62.- (1) The notice of lock-out referred to in sub-section (2) of section 62 shall be given by the employer of an industrial establishment in Form-XVIto the Secretary of every registered Trade Union relating to such industrial establishment endorsing a copy thereof to the concerned conciliation officer, Labour Commissioner, District Magistrate and Secretary to the Government, Labour Department Rajasthan electronically or otherwise. The notice shall be displayed

conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

(2) If the employer of an industrial establishment receives from any person employed by him any notice of strike as referred to in sub-section (1) of section 62 then he shall within five days from the date of receiving of such notice, intimate the same electronically or otherwise to the concerned conciliation officer and Labour Commissioner.

(3) If the employer gives to any person employed by him a notice of lock-out, then he shall within five days from the date of such notice, intimate electronically or otherwise the same to the concerned conciliation officer and the Labour Commissioner.

Chapter-IX

LAY-OFF, RETRENCHMENT AND CLOSURE

46. Manner of serving notice before retrenchment of the worker under clause (c) of section 70.- If any employer desires to retrench any worker employed in his industrial establishment who has been in continuous service for not less than one year under him then, such employer shall give notice of such retrenchment, in Form-XVII to the State Government, and the Joint Labour Commissioner concerned through e-mail or by registered or speed post.

47. Manner of giving an opportunity for re-employment to the retrenched workers under section 72.- Where any vacancy occurs in an industrial establishment and there are workers of such industrial establishment retrenched within one year prior to the proposal for filling up such vacancy, then, the employer of such industrial establishment shall offer an opportunity at least 15 days before by registered post or speed post and through e-mail to such retrenched workers who are citizens of India. If such workers give their willingness for employment then, the employer shall give them preference over other persons in filling up of such vacancy.

48. Manner of serving notice by the employer for intended closure under sub-section (1) of section 74.- If an employer intends to close down an industrial establishment he shall give notice of such closure in Form-XVII to the State Government and a copy thereof to the Joint Labour Commissioner concerned, by e-mail or registered post or speed post.

Chapter-X

SPECIAL PROVISIONS RELATING TO LAY-OFF, RETRENCHMENT AND CLOSURE IN CERTAIN ESTABLISHMENTS

49. Manner of making application to the State Government by the employer for the intended lay-off and the manner of serving copy of such application to workers under sub-section (2) of section 78.- An application for permission under sub-section (1) of section 78 shall be made by the employer in Form-XVIII stating clearly therein the reasons for the intended lay off and a copy of such application shall be served simultaneously to the worker concerned electronically and by registered post or speed post. Such application shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance of the industrial establishment.

50. Time-limit for review under sub-section (7) of section 78.- The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (4) of the section 78 within a period of thirty days from the date on which such order is made.

51. Manner of making application to the State Government by the employer for the intended retrenchment and manner of serving copy of such application to workers under sub-section (2) of section 79.- An application for permission referred to in sub-section (1) of section 79 shall be made by the employer in Form-XVIII stating clearly therein the reasons for the intended retrenchment electronically or otherwise and a copy of such application shall also be sent to workers electronically and by registered post or speed post. Such application shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

52. Time-limit for review under sub-section (6) of section 79.- The State Government may, either on its own motion or on the application made by the employer or any worker, review its order

granting or refusing to grant permission under sub-section (3) of section 79 within a period of thirty days from the date on which such orders is made.

53. Manner of making application to the State Government by the employer for intended closing down of an industrial establishment and the manner of serving copy of such application to the representatives of workers under sub-section (1) of section 80.- An employer who intends to close down an industrial establishment to which Chapter X of the Code applies shall apply electronically or otherwise in Form-XVIII for prior permission at least ninety days before the date on which intended closure is to become effective to the State Government, stating clearly therein the reasons for the intended closure of the industrial establishment and simultaneously a copy of such application shall also be sent to the representatives of the workers electronically and by registered post or speed post.

54. Time-limit for review under sub-section (5) of section 80.- The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (2) of section 80 within a period of thirty days from the date on which such order is made.

Chapter-XI WORKER RE-SKILLING FUND

55. Manner of utilization of fund under sub-section (3) of section 83.- Every employer who has retrenched a worker or workers under the Code, shall, within ten days from the date of retrenchment of a worker or workers, electronically or otherwise transfer an amount equivalent to fifteen days of last drawn wages of such retrenched worker or workers in the account of State Government (name of the account shall be displayed on the website of the Labour Department of Rajasthan) to be maintained by the State Government. The fund so received shall be transferred by the State Government to each worker or workers' account electronically or otherwise within forty five days of receipt of funds from the employer and the worker shall utilize such amount for his re-skilling. The employer shall also submit the list containing the name of each worker retrenched, the amount equivalent to fifteen days of wages last drawn in respect of each worker along with their bank account details to enable the State Government to transfer the amount in their respective account.

Chapter-XII COMPOUNDING OF OFFENCES

56. Manner of composition of offence by a Gazetted Officer specified under sub-section (1) of section 89 and the manner of making application for the compounding of an offence specified under sub-section (4) of section 89.- (1) The officer notified by the State Government for the purposes of compounding of offences under sub-section (1) of section 89, hereinafter referred to as the compounding officer, shall in the offences in which prosecution is not instituted, if the compounding officer is of the opinion that any offence under the Code for which the compounding is permissible under section 89, he shall send a notice electronically or otherwise to the accused in Form-XIX consisting of three parts. In part I of such Form, the compounding officer shall inter-alia specify the name of the offender and his other particulars, the details of the offence and in which section the offence has been committed, the compounding amount required to be paid towards the composition of the offence. Part II of the Form shall specify the consequences if the offence is not compounded and part III of the Form shall contain the application to be filed by the accused if he desires to compound the offence. Each notice shall have a continuous unique number containing alphabets or numeric and other details such as officer sending notice, year, place, type of inspection for the purpose of easy identification.

(2) The accused to whom the notice referred to in sub-rule (1) is served, may send the part III of the Form duly filled by him to the compounding officer electronically or otherwise and deposit the compounding amount electronically or otherwise, within fifteen days of the receipt of the notice, in the account specified by the compounding officer in the notice.

(3) Where the prosecution has already been instituted against the accused in the competent Court, he may make an application to the Court to compound the offence against him and the Court, after considering the application, may allow composition of the offence by the compounding officer in accordance with provisions of section 89.

- (4) If the accused complies with the requirement of sub-rule (2), the compounding officer shall compound the offence for the amount of money deposited by the accused and,-
- if the offence is compounded before the prosecution, then no complaint for prosecution shall be instituted against the accused; and
 - if the offence is compounded after institution of prosecution under sub-rule (3) with the permission of the Court, then, the compounding officer shall treat the case as closed as if no prosecution had been launched and will proceed in accordance with composition as under clause (a) and intimate the composition of offence to the competent Court in which the prosecution is pending and after receiving such intimation, the Court shall discharge the accused and close the prosecution.
- (5) The compounding officer shall exercise the powers to compound the offence under this rule, subject to the direction, control and supervision of the State Government.

Chapter-XIII MISCELLANEOUS

57. Protected workers under sub-section (3) and (4) of section 90.- (1) Every registered Trade Union connected with an industrial establishment, to which the Code applies, shall communicate to the employer before the 30th April of every year, the names and addresses of such of the officers of the Union who are employed in that establishment and who, in the opinion of the Union should be recognised as protected workers. Any change in the incumbency of any such officers shall be communicated to the employer by the union within fifteen days of such change.

(2) The employer shall, subject to sub-section (3) and sub-section (4) of section 90, recognise such workers to be protected workers for the purposes of section 90 and communicate to the Union, in writing, within fifteen days of the receipt of the names and addresses under sub-rule (1), the list of workers recognised as protected workers for the period of twelve months from the date of such communication.

(3) Where the total number of names received by the employer under sub-rule (1) exceeds the maximum number of protected workers, admissible for the industrial establishment, under sub-section (4) of section (90), the employer shall recognise as protected workers only such maximum number of workers:

Provided that where there is more than one registered Trade Union in the industrial establishment, the maximum number shall be so distributed by the employer among the Unions that the numbers of recognised protected workers in individual Unions bear practicably by the same proportion to one another as the membership figures of the Unions. The employer shall in that case intimate in writing to the President or the Secretary of the each concerned Union the number of protected workers allotted to it:

Provided further that where the number of protected workers allotted to a Union under this sub-rule falls short of the number of officers of the Union seeking protection, the union shall be entitled to select the officers to be recognised as protected workers. Such selection shall be made by the Union and communicated to the employer within five days of the receipt of the employer's letter in this regard.

(4) When a dispute arises between an employer and any registered Trade Union in any matter connected with the recognition of protected workers under this rule, the dispute shall be referred to the officer of the Labour Department authorized by the State Government, whose decision thereon shall be final.

58. Manner of making complaint by an aggrieved worker under section 91.- (1) Every complaint under section 91 of the Code shall be made electronically or by registered post or speed post in Form-XX and shall be accompanied by as many copies as there are opposite parties mentioned in the complaint.

(2) Every complaint under sub-rule (1) shall be verified by the worker making the complaint or by authorized representative of the worker proved to the satisfaction of the conciliation officer, arbitrator, Tribunal or the National Industrial Tribunal, as the case may be, to be acquainted with the facts of the case.

59. Manner of authorization of worker for representing in any proceeding under sub-section (1) of section 94.- Where the worker is not a member of any Trade Union, then, any member of the executive or other office-bearer of any Trade Union connected with or by any other worker

employed in the industry in which the worker is employed may be authorized by such worker to represent him in any proceeding under the Code relating to a dispute in which the worker is a party in Form-X.

60. Manner of authorization of employer for representing in any proceeding under sub-section (2) of section 94.- Where the employer, is not a member of any association of employers, may authorize in Form-X an officer of any association of employers connected with, or by any other employer engaged in, the industry in which the employer is engaged to represent him in any proceeding under the Code relating to a dispute in which the employer is a party.

61. Submission of a copy each of the form to the Director General, Labour Bureau under clause (zzf) of sub-section 2 of section 99.- A copy each of Form-XV (notice of strike), Form-XVI (notice of lockout), Form-XVII (notice for intimation of retrenchment or closure to State Government), Form-XVIII (Application for permission of lay-off or retrenchment or closure) and Form-XIX (compounding of offences) shall be shared electronically with Director General, Labour Bureau in auto-mode.

62. Publication for communication.- For the purposes of communication to effect service of messages and documents under these rules, the State Government, Tribunal, every employer for which the State Government is the appropriate Government, every Trade Union, negotiating union or the constituents of negotiating council and every authority referred to in these rules, shall specify their e-mail id or website or portal or any or all of them, as the case may be, in their respective letter-heads.

63. Maintenance of records, registers, forms, notice and display board.- (1) All records, registers, forms, notices, display boards and other documents which are required to be maintained under the Code and under these rules shall also be maintained in electronic manner in the required format or containing the information as is required.

(2) The records, registers, forms, notices, display boards and other documents referred to in sub-rule (1) shall comply with the requirement of retention of records and shall be produced or shown as and when required by the Inspector-cum-Facilitator or the concerned authority specified in this behalf under the Code or these rules.

64. Repeal and savings.- (1) On and from the date of commencement of these rules,-

- (i) the Rajasthan Industrial Disputes Rules, 1958;
- (ii) the Rajasthan Industrial Employment (Standing Orders) Rules, 1963; and
- (iii) the Rajasthan Trade Union Regulation Rules, 1959;

are hereby repealed.

(2) The repeal of the rules specified in sub-rule (1) shall not,-

- (i) revive anything not in force or existing at the time of such repeal; or
- (ii) affect the previous operation of any rules so repealed and orders or anything duly done or suffered thereunder; or
- (iii) affect any right, privilege, obligation, or liability acquired, accrued or incurred under the rules so repealed or orders issued under such repealed rules;
- (iv) affect any investigation, inquiry, verification, adjudication and any other legal proceedings or recovery of arrears or remedy in respect of any such rights, privilege, obligation, liability, forfeiture or punishment, as aforesaid, and any such investigation, inquiry, verification proceedings, adjudication and other legal proceeding or recovery of arrears or remedy may be instituted, continued or enforced, and any penalty, fine, interest, forfeiture or punishment may be levied or imposed as if these rules had not been so repealed; or
- (v) affect any proceedings including that relating to an appeal, revision, review or reference, instituted before, on or after the commencement of these rules and such proceedings shall be continued under the said repealed rules as if these rules had not come into force and the said rules had not been repealed.

(3) The mention of the particular matters referred to in sub-rules (2) above shall not be held to prejudice or affect the general application of provisions of the General Clauses Act, 1897 (Central Act No. 10 of 1897) with regard to the effect of repeal.

Form-I

(see rule 3, 42 and 43)

Memorandum of settlement arrived at during conciliation or settlement arrived at between the employer and his workers otherwise than in the course of conciliation proceeding

Names of Parties:

.....

Representing employer(s);

Representing workers;

Short recital of the case

.....

Terms of settlement

.....

signature of the parties

1.

2.

3.

4.

5.

6.

Witnesses:

(1)

(2)

In case the settlement arrived at between the employer and his workers otherwise than in course of conciliation proceedings the copy of the memorandum shall be marked to the concerned Joint Labour Commissioner and Conciliation Officer or in the case of otherwise than in the course of conciliation proceeding to the State Government or the officer authorized by the State Government.

Form-II

(see rule 8)

Application for Registration of Trade Union

To

the Registrar of Trade Union,

-----Rajasthan

Dated theday of.

1. We hereby apply for the registration of a Trade Union under the name of

2. The Address of the head office of the Union is

3. The E-Mail of the Union

4. The Union came into existence on the day of

5. The Union is a Union of employers/workers engaged in the Industry.....
 (or profession).

6. The declaration by an affidavit required under clause (a) of sub-section (1) of section 8 of the Industrial Relations Code, 2020 is at Schedule- I.

7. The particulars given in Schedule- II show the provision made in the rules for the matters detailed in section 7 of the Industrial Relations Code, 2020.

8. (To be struck out in the case of unions which have not been in existence for one year before the date of application). The particulars required by of sub-section (2)

of section 8 of the Industrial Relations Code, 2020 are given in Schedule III.

9. List of all members of the executive of the Union showing in Column II the names of any posts held by them (e.g., President, Secretary, Treasurer etc.,) in addition to their offices as members of the executive are given below

Sr. No.	Title	Name	Age	Address	Occupation
---------	-------	------	-----	---------	------------

10. We have been duly authorized to make this application by *

Name	Occupation	Address	Signature

* State here whether the authority was given by a resolution of a general meeting of the Union, if not, in what other way it was given.

Schedule- I Declaration by way of Affidavit

I, _____ s/o Sh. _____ Age _____ yrs.
r/o _____ do hereby solemnly affirm and declare as under:-

1. That I am the elected General Secretary of ".....(Name of Union)".....(Address of Union.)
2. That to the best of my knowledge and belief no Union / Association by the name of "_____ (Name of Union)" is registered under the Industrial Relations Code, 2020 in Rajasthan or anywhere in India.
3. That in case of any legitimate claimant of union's name, we will surrender the certificate and change name of the union as per directions of the Registrar Trade Unions, Rajasthan.
4. That no member or office bearer has ever been convicted by Court of India for any offence involving moral turpitude and sentenced to imprisonment.
5. That all particulars supplied as per Form-III as well as other documents are true.
6. That the scope of the Union shall be for the employees of ----- (Name of Establishment).
7. That neither the applicants nor the office bearer and I are the member of any other union functioning in _____ (Name of Establishment)
8. That there are approximate _____ workers working in _____ (Name of Establishment) and out of which _____ workers are members of our union.
9. That this is my true statement.

Deponent

Verification

Verified at _____ on _____ that the contents of the paras 1 to 9 of my above declaration by affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

Deponent

Schedule- II
Reference to rules

The numbers of the rules making provision for the several matters detailed in Column 1 are given in Column 2 below:

Matter	Number of rules
Name of Trade Union	
The whole of the objects for which the Trade Union has been established.	
The whole of the purposes for which the general fund of the Trade Union shall be applicable.	
The maintenance of a list of members of the Trade Union.	
The facilities provided for the inspection of the list of members by officer-bearers and members of the Trade Union	
The admission of ordinary members.	
The admission of honorary or temporary members.	
The payment of a subscription by members of the Trade Union from such members and others	
The conditions under which members are entitled to benefit assured by the rules.	
The conditions under which fines or forfeiture may be imposed or varied on any member	
The manner in which the rule shall be amended, varied or rescinded.	
The holding of annual general body meeting of the members of the Trade Union	
The business to be transacted at the annual general body meeting	
The manner in which the members of the executive and the other office-bearers of the Trade Union shall be appointed and removed.	
The safe custody of the funds of the Trade Union The annual audit of the accounts of the Trade Union	
The facilities for the inspection of the account books by the office-bearers and members of the Trade Union	
The manner in which the Trade Union may be dissolved.	

Schedule- III
Statement of liabilities and assets on theday of20....

(This need not be filled in if the Union came into existence less than one year before the date of application for registration)

Liabilities (Rs.)	Assets (Rs.)
Amount of general fund	In hand of Treasurer
Amount of political fund	In hand of Secretary
Loans from-	

Debts due to	Securities as per list below
.....	Unpaid subscriptions
.....	due Loans to.....
Other liabilities	Immovable property
(to be specified)	Goods and furniture
	Other assets
	(to be specified)
	
	
	
Total Liabilities	Total assets

List of Securities

Particulars	Nominal Value	Market Value	In hands of

Form-III
(see rule 9)
Register of Trade Unions

Serial No.	
Name of Union.	
Address of Head Office.	
Date of Registration.	
E-Mail	

Name of Union	Year of entering office	Name	Age on entry	Addresses	Occupation	Year of relinquishing office	Other offices held in addition to membership of Executive with date

Number of application form
List of members applying for registration

1
2
3
4
5
6
7

Form-IV
(see rule 10)

Certificate of Registration of Trade Union

It is hereby certified that.....has been registered under the Industrial Relations Code, 2020 this day20.....

SEAL

Registrar of Trade Unions
Rajasthan

Form-V
(see rule 19)

Notice of the Dissolution or amendment in rules of a Trade Union

Name of trade union.....
Registration number.....
Dated the.....day of..... 19.....

To,
The Registrar of Trade Unions,
Rajasthan.....

Notice is hereby given that the above-mentioned trade union was dissolved in pursuance of the Rules thereof on the day of 19.....

or

Notice is hereby given that the following rules of the trade union given under Schedule- I are proposed to be amended in pursuance of the Rules thereof on the day of 19.....

We have been duly authorised by the union to forward this notice on its behalf, such authorisation consisting of a resolution passed at a general meeting on the* day of..... 20....., copy of which is enclosed.

(Signed)

1.....
2.....
3.....
4.....
5.....
6.....
7.....
8.....

*Here insert the date, or, if there was no such resolution, state in which other way the authorisation was given.

Schedule- I
Amendment in rules

The amendment in the Rules for the matters detailed in column (1) and (2) are given in column (3) as follows :-

S.No.	Matter	Original Rules	Amendment proposed
1	Name of Union.		
2	The whole of the object for which the union has been established.		
3	The whole of the purposes for which the general funds of the union shall be applicable.		
4	The maintenance of a list of members.		
5	The facilities provided for the inspection of the list of members by officers and members.		
6	The admission of ordinary members.		
7	The admission of honorary or temporary members.		
8	The conditions under which members are entitled to benefits assured by the Rules.		
9	The conditions under which fines or forfeitures can be imposed or varied		
10	The manner in which the Rules shall be amended, varied or rescinded		
11	The manner in which the members of the executive and the other officers of the union shall be appointed and removed.		
12	The safe custody of the funds		

Signature of the Applicant/s

Form-VI
(see rule 21 and 24)

**Annual returns prescribed under Section 26(1) of the Industrial Relations Code,
2020 To be forwarded by a registered Trade Union for the year ending
the 31st December.....**

PART A

1. Name of the Union
2. Address of the Union
3. Registered Head Office
4. Number and date of certificate of registration
5. Classification of industry (to be shown as per schedule of industries attached)

6. Classification of Sector [Please state to which of the following four categories, the Trade Union belongs : (a) Public Sector—Central Sphere , (b) Public Sector—State Sphere, (c) Private Sector – Central Sphere and (d) Private Sector—State Sphere.]
7. Name of the All India Body / Federation to which affiliated
8. Affiliation number
9. Affiliation fee paid during the year
10. Number and date of receipt for payment of affiliation fee.
11. Membership fee per month
12. Number of members on books at the beginning of the years.
13. Number of members admitted during the year
14. Number of members who left during the year
15. Number of members on books at the end of the year (i.e. on the 31st December....). Male Female Total
16. Number of members contributing to political fund.
17. Number of members who paid their subscription for the whole year
18. A copy of the rules of the Trade Union corrected up to the date of despatch of his return is appended.
19. Part B of the return below has been duly completed.

Date

Secretary

*If the Union falls under more than one category, the membership claimed in each category may be shown separately.

PART B**Statement of Liabilities and Assets on the 31st day of March.....**

Liabilities	Rs.	P.	Assets	Rs.	P.
Amount of General Fund			Cash In hands of Treasurar In hands of Secretary In hands of In the Bank In the Bank		
Amount of Political Fund			Security as per list below		
Loans from-			Unpaid subscription due for (a) the year (b) previous year (c)		
Debts due to-			Loans to (a) Officers (b) Members (c) Others		
Other liabilities (to be specified.)			Immovable propert Goods and furniture Other Assets (to be specified)		
Total- Liabilities			Total- Assets		
General Fund Account					
Income	Rs.		Expenditure	Rs.	
Balance at beginning of year			Travelling allowance, salaries allowances and expenses of establishment.		

		Auditor's fees Legal expenses	
Subscription from members (including unpaid subscriptions due for the year)		Expenses in conducting trade disputes.	
(a) Subscription received		Compensation paid to members for loss arising out of trade disputes.	
(b) Subscription in arrears for three months or less.		Funeral, old age, sickness, un- employments benefits, etc. Educational, social and religious benefits	
(c) Subscription in arrears for more than three months		Cost of publishing periodicals	
Donations Sale of periodicals, books, rule, etc.		Rents, rates and taxes	
Interest on investments		Stationery, printing and postage {Expenses incurred under Section 15 (1) of the Industrial Relations Code, 2020 read with Rule 12 of the Rajasthan Industrial Relations Rules (to be clearly specified)}.	
Income from miscellaneous sources (to be specified)		Other expenses (to be specified)	
Balance at the end of year			
Total		Total	
Political Fund Account			
Income	Rs	Expenditure	Rs.
Balance at the beginning of the year		Payments made on objects specified in Section 15(2) of the Industrial Relations Code, 2020 read with Rule 13 of the Rajasthan Industrial Relations Rules (to be specified)	
Contributions from members @ ... per member		Expenses of management (to be fully specified) @ ... per member	
Balance at the end of year			
Total		Total	

Auditor Declaration

The undersigned, having access to all the books and accounts of the ----- Union, and having examined the foregoing statements and verified the same with the account vouchers relating thereto, now sign the same as found to be correct, duly vouchered and in accordance with the law, subject to remarks if any appended hereto and also certify that the ----- Union had properly maintained its membership register and its accounts and the members had paid their membership subscriptions to the ----- Union as shown in the foregoing statements of the General Fund Account of the Union, subject to the remarks, if any, appended here to.....

Auditor

The following changes of officers have been made during the year -----

Officers Relinquishing Office

Name	Office	Date of relinquishing office

Officers appointed

Name	Date of birth	Private address	Personal Occupation	Title of position held in Union	Date on which appointment in column 5 was taken up	Other officers held in addition to membership of executive with date
1	2	3	4	5	6	7

Election

Date of last election of Office bearers

Date of next election office bearers

Secretary

Form-VII

(see sub-rule (1) of rule 26)

Application for recognition as the State Level Trade Union

Name of the Trade union/ Federation Of Trade

Unions.....

Address.....

Dated theday of..... 20....

To.

The Secretary or Authorised Officer (Designation)

Government of Rajasthan, Department of Labour

Dear Sir,

I beg to state that at the general meeting of the members/at the meeting of the executive of the above-mentioned Trade union/ Federation Of Trade Unions which was held at.....on the day of..... 20...., it was resolved that the union should apply to you for recognition as State Level Trade Union under sub section (2) of Section 27 of the Industrial Relations Code, 2020. A copy of the resolution in this behalf signed by the President/General Secretary of the union is enclosed.

2. The Trade Union/ Federation of Trade Unions is duly registered on the..... day of.....year ..., under Certificate No.....issued by the Registrar of Trade Unions for Rajasthan.

3. A copy of the rules of the Trade Union/ Federation of Trade Unions is attached.

4. The address of the head office of the Trade Union/ Federation of Trade Unions to which all the communications may be addressed is.....

5. The Trade Union/ Federation of Trade Unions has affiliation of other Trade Unions in the state, list of such trade unions and their addresses, registration details and membership etc. is attached herewith.

6. The Trade Union/ Federation of Trade Unions is working in the industrial establishment/ industries /Occupation(shall be specified) for years in district/state of Rajasthan.

7. The Trade Union/ Federation of Trade Unions has total.....members (number) in the state (District Wise, Trade Union wise membership)

Note :-

1. A brief report and document regarding activities and work done by the Trade Union/Federation of Trade Unions since its registration shall be enclosed.
2. List of members of union with Aadhar number shall be submitted if required by the authority.

Name and Designation
General Secretary/Secretary

Form-VIII (see rule 36)

Notice of change of service conditions proposed by an employer

Name of employer.....

Address.....

Dated the day of20.....

In accordance with section 40(1) of Industrial Relations code I/We hereby give notice to all concerned that it is my/our intention to effect the change/change specified in the annexure, with effect from in the conditions of service applicable to workers in respect of the matters specified in the Third Schedule to this code

Signature.....

Designation.....

ANNEXURE

(Here specify the change/changes intended to be effected)

Copy forwarded to:

1. The Secretary of registered Trade Union, if any.
2. Concerned Joint/Dy./Asstt. Labour Commissioner.....
3. Concerned Workman / Trade Union

Form-IX

(see rule 37)

Agreement for voluntary arbitration

BETWEEN

.....Name of the parties representing employer (s)

And

.....Representing worker

It is hereby agreed between the parties to refer the following dispute to the arbitration of
[here specify the name(s) and address(es) of the arbitrator (s).

- (i) Specific matters in dispute.
- (ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved.
- (iii) Name of the worker in case he himself is involved in the dispute or the name of the union, if any, representing the worker or workers in question.
- (iv) Total number of workers employed in the undertaking affected.
- (v) Estimated number of workers affected or likely to be affected by the dispute.

*We further agree that the majority decision of the arbitrator(s) shall be binding on us in case the arbitrator(s) are equally divided in their opinion they shall appoint another person as umpire whose award shall be binding on us.

The arbitrator (s) shall make his (their) award within a period of (here specify the period agreed upon by the parties) from the date of publication of this agreement in the Official Gazette by the State Government or within such further time as is extended by mutual agreement between us in writing. In case, the award is not made within the period afore mentioned, the reference to the arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitrator.

Signature of the parties Representing employer] Representing worker/ workers. Witnesses

1.....

2.....

Copy to: (i) The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned]. .

(ii) The Secretary to the Government of Rajasthan, Labour Department.

Form-X

(see rule 39, 59 and 60)

Authorization by a worker, group of worker, employer, group of employer to be represented in a proceeding before the authority under this Code.

Before the Authority

(Here mention the authority concerned)

In the matter of:..... (mention the name of the proceeding)

.....workers Versus Employer

I/we hereby authorise Shri / Sarvashri (if representatives are more than one) 1.....2.....3.....to represent me/us in the above matter.

Dated this.....day of.....20.....

Signature of person(s) nominating the representative(s) Address Accepted

Form-XI
(see rule 40 and 41)

Form of Oath of Office for Judicial Member or Administrative Member (whichever is applicable) of National Industrial Tribunal

I,....., having been appointed as Judicial Member/Administrative Member (whichever is applicable) of State Industrial Tribunal (Name of the Tribunal) do solemnly affirm/ do swear in the name of God that I will faithfully and conscientiously discharge my duties as the Judicial Member/Administrative Member of State Industrial Tribunal (Name of the Tribunal) to the best of my ability, knowledge and judgment, without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws of the land.

(Signature)

Place:

Date:

Form-XII
(see rule 42)

Application to be submitted before the Tribunal in the matter not settled by the Conciliation Officer

Before..... (here mention the name of the Tribunal having jurisdiction over the area) In the matter of:

..... Applicant

Address.....

Versus

..... Opposite party (ies)

Address.....

The above mentioned applicant begs to state as follows :-

(Here set out the relevant facts and circumstances of the case).

The applicant prays that the instant dispute may please be admitted for adjudication and request to pass appropriate Award.

Date

Place

(Signature)

Form-XIII

(see rule 43)

Registration of settlement

Registration No.	Name and address of the parties to settlement	Terms of settlement	Date of settlement	Date of registration	Signature of the registering authority	Remarks, if any
1	2	3	4	5	6	7

Form-XIV

(see rule 43)

Certificate of registration

It is hereby certified that the memorandum of settlement, dated..... arrived at
between.....as
per copy enclosed has been registered under the Industrial Relations Code, 2020,
this..... day of.....20.....

Conciliation Officer, Rajasthan and the
Certifying Authority

Form-XV

(see rule 44)

Notice of Strike to be given by Union (Name of Union)/ Group of Workers)

Name of five elected representatives
of workers.....

Dated the.....day of.....20.....

To

(The name of the employer). Dear Sir/Sirs,
In accordance with the provisions contained in sub-section (1) of section 62 of the Industrial Relations Code

I/We hereby give you notice that I propose to call a strike / we propose to go on strike on.....for the reasons explained in the annexure.

Yours faithfully, (Secretary of the Union)

Five representatives of the workers duly elected at a meeting held on
(date), vide resolution attached.

Annexure

1	Statement of reasons
---	----------------------

Copy to; 1. Labour officer concerned, Labour Department

2. Labour Commissioner, Rajasthan

Form-XVI
(see rule 45)

Notice of Lock-out to be given by an employer of an industrial establishment

Name of employer

Address.....

Dated the.....day of.....20.....

In accordance with the provisions of 62(6) of this code, I/we hereby give notice to all concerned that it is my/our intention to effect lock outin..... department(s), section(s) of my/our establishment with effectfrom for the reasons explained in theannexure.

Signature.....

Designation.....

ANNEXURE

1	Statement of reasons
---	----------------------

Copy forwarded to:

1. The Secretary of the Registered Union, if any
2. Conciliation officer [Here enter office address of the Labour Welfare Officer, Assistant Labour Commissioner/ Deputy Labour Commissioner / Joint Labour Commissioner
3. Labour Commissioner, Rajasthan

Form-XVII
(see rule 46 and 48)

Notice of Intimation of Retrenchment/ Closure to be given by an employer to the State Government under the provisions of Chapter IX of the Industrial Relations Code, 2020 and rules made there under

(To be submitted online. In case of exigencies, on paper in the prescribed format below)

Name of Industrial Establishment /Undertaking/ Employer.....

Labour Identification Number

Dated.....

(Note: The intimation for Closure/Retrenchment to the appropriate government shall be served 60 days and 30 days before commencement of Closure/Retrenchment respectively)

To,

The Secretary to the Government of Rajasthan, Labour Department

Jaipur

1. *(Retrenchment) (a) Under Section 70(C) of this Code, I/ we* hereby intimate you that I*/we* have decided to retrench..... workers** out of a total of Workers** with effect from..... (DD/MM/YYYY)

Or

- *(Closure) (b) Under Section 74(1) of this Code, I / we* hereby intimate you that I*/we* have decided to closedown,.....(name of the industrial establishment or undertaking) witheffect from..... (DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of theundertakingis.....(number of workers)

2. ThereasonforRetrenchment/Closureis.....
.....
.....

3. *The worker(s)* concerned were given on the..... (DD/MM/YYYY) one month's notice in writing as required under section 70(a)* / section 75(1)* of this Code.
- or
- * The worker(s) concerned have been given on the..... (DD/MM/YYYY) one month's pay in lieu of the notice as required under section 70(a)* / section 75(1)* of this Code.
4. * I*/We* hereby declare that the worker(s) concerned have been*/will be* paid all their dues along with the compensation due to them under section 70* / section 75* of this Code before or on the expiry of the notice period.
- or
- *I/We* hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I*/we* will pay all the dues along with the compensation due to them under concerned laws.
5. (Retrenchment) I/we* hereby declare that the worker(s) concerned have been* / will be* retrenched in compliance to the Section 71 and section 72 of this Code.
6. I*/ we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details thereof have been Annexed.
7. I*/ we* hereby declare that the above information given by me*/us* in this notice and the Annexures is true, I*/ we* am*/ are* solely responsible for its accuracy and no facts/ materials has been suppressed in the matter.

Yours faithfully,

(Name of Employer/ ***Authorized Representative
with Seal)

(* Strike off which is not applicable.)

(** Indicate number in figures and words both)

(***Copy of Authorization letter issued by the employer shall be enclosed)

Copy to :

- (1) Labour Commissioner, Rajasthan, Jaipur
- (2) Labour Welfare Officer, Asst. / Dy / Joint Labour Commissioner of the concerned area.....
- (3) To the Registered Unions/ Authorised Representatives of Workers operating in the establishments or undertakings.

Form-XVIII

(see rule 49, 51 and 53)

Application for permission of Lay-off/ Continuation of Lay-off/ Retrenchment/ Closure to be given by an employer / Industrial establishment / Undertaking to the State Government under the provisions of Chapter X of the Industrial Relations Code, 2020 and rules made there under

(To be submitted online. In case of exigencies on paper in the prescribed format below)

Name of Industrial Establishment or Undertaking or Employer.....

Labour Identification Number.....

Dated.....

(Note: The application to the State Government shall be served as indicated below: Lay-off : at least 15 days before the intended Lay-off

Continuation of Lay-off – at least 15 days before the expiry of earlier Lay-off

Retrenchment – at least 60 days before the intended date of Retrenchment Closure – at least 90 days before the intended date of Closure)

To,
The Secretary to the Government of Rajasthan, Labour Department,
Jaipur

1. *(Lay-off) (a). under section 78(2) of the Industrial Relations Code, 2020, I*/we* hereby apply for
-permission to lay-off.....workers** out of total ofworkers** employed in my*/our*
establishment (details to be given in Annex-I) with effect from
.....(DD/MM/YYYY).

or

(Continuation of lay-off) (b) Under section 78(3) of the Industrial Relations Code, 2020, I/we* hereby apply for
permission to continue the Lay-offworkers** out of total of laid off
workers** in my*/our* establishment (details to be given in Annex-I) with effect from
.....(DD/MM/YYYY).

or

(Retrenchment) (c) Under section 79(2) of the Industrial Relations Code, 2020, I/we* hereby apply for permission for intended retrenchment of..... workers out of total
of workers** employed in my*/our* establishment (details to be given in Annex-I)
with effect from.....(DD/MM/YYYY).

or

(Closure) (d) Under section 80(1) of the Industrial Relations Code, 2020, I / we hereby
inform you that I*/we* intended to close down the undertaking.....
(name of the industrial establishment or undertaking or employer) (details to be given in
Annexure-I) with effect from.....
(DD/MM/YYYY). The number of workers whose services would be terminated on
account of the closure of the undertaking is (number of workers)

2.*
(Lay-off/Continuation of Lay-off) The worker(s) concerned
were given on.....(DD/MM/YYYY) notice in writing as required under section 78(2)*/
section 78(3)* of this Code.

or

*(Retrenchment/ Closure) The worker(s) concerned were given on.....
(DD/MM/YYYY) one month's notice in writing as required under section 79*/ section
80* of this Code.

or

*(Retrenchment/ Closure) The worker(s) have been given on (DD/MM/YYYY) one
month's pay in lieu of notice as required under section 79*/ section 80* of this Code.

3. The details of affected worker(s) is at Annexure-II.

4. (Retrenchment) I*/we* hereby declare that the workers concerned will be retrenched in
compliance to the Section 71 and section 72 of this Code.

5. *I/We* hereby declare that the worker(s) concerned have been*/will be* paid all the dues and
compensation due to them under section 67, read with section 78(10)*/ section 79* / section 80*
of this Code before or on the expiry of the notice period.

or

*I/We hereby state that currently Insolvency proceedings are on in respect of the said
Industrial Establishment/Undertaking/Employer, and that I*/we* will pay all the dues
along with the compensation due to them under concerned laws.

6. I/ we* hereby declare that no court case is pending before any Court in the matter, and if yes,
the details thereof have been Annexed.

7. I/ we hereby declare that the above information given by me/ us* in this notice and enclosures
is/ are* true, I/ we am/ are solely responsible for its accuracy and no facts/ materials has been

suppressed in the matter.

The permission sought for may please be granted.

(* Strike off which is not applicable.)

(** Indicate number in figures and word both)

(*** Copy of Authorization letter issued by the employer shall be enclosed)

Yours faithfully,

(Name of Employer / *** Authorised Representative with Seal)

Annexure- I

(Please give replies against each item)

1	Name of the undertaking with complete postal address, email, mobile and land line.	
2	Status of undertaking— (i) Whether State public sector/State public sector/etc, (ii) Whether a private limited company/ partnership firm/ partnership firm (ii) Whether the undertaking is Licensed/registered and if so, name of licensing/ registration authority and licence/registration certificate numbers.	
3	(a) MCA Number	
	(b) GSTN Number	
4	(i) Annual production, item wise for preceding three years- (ii) Production figures, month-wise, for the preceding twelve months,	
5	Audit report of establishment/ undertaking including Balance sheets, profit and loss accounts for the last three years.	To be annexed
6	Names of the inter-connected companies or companies under the same management.	
7	Details of lay-off/ Retrenchment resorted to in the last three years including the periods of such lay-offs/ Retrenchment the number of workmen involved in each such lay-off/ Retrenchment / continuation of lay off	
8	Any other relevant details which have bearing on lay-off/ continuation of lay off/ retrenchment/ closure.	

Annexure- II

(Details of affected workers)

Sl. No	UAN/ CMPFO	Name of the Worker	Category (Highly Skilled/ Skilled/ Semi-skilled / Unskilled)	Date from which in service in/with the said establishment/Undertaking/ Employer	Wage as on date of Application	Remark
1						
2						
3						

Form-XIX
(see rule 56)

**Notice to the Employer who committed an offence for the first time under this code,
for compounding of offence under sub-section (4) of section 89**

The undersigned and the Compounding Officer under sub-section 1 of section 89 of the Industrial Relations Code, 2020 hereby intimates that the allegation has been made against you for committing offence for the violation of various provision of this Code as per the details given below:-

PART-I

- 1 Name and Address of the offender Employer-.....
- 2 Address of the Establishment.....
- 3 Particulars of the offence.....
- 4 Section of the Code under which the offence is committed
- 5 Compounding amount required to be paid towards composition of the offence
.....

PART-II

You are advised to deposit the above mentioned amount within fifteen days from the date of issue of this notice for compounding the offence as per section 89 (1) of the Industrial Relations Code, 2020, along with an application duly filled in part – III of this notice. In case you fail to deposit the said amount within the specified time, no further opportunity shall be given and necessary direction for filing of prosecution under section shall be issued.

(Signature of the Compounding Officer)

Date : Place:

PART-III

Application under sub-section (4) of section 89 for compounding of offence

1. Name of applicant (name of the employer who committed the offence under the Industrial Relations Code 2020 to be mentioned).....
2. Address of the applicant
3. Particulars of the offence.....
4. Section of the Code under which the offence has been committed
.....
5. Details of the compounding amount deposited (electronically generated receipt to be attached).....
6. Details of the prosecution, if filed for the violation of above mentioned offences may be given
.....
7. Whether the offence is first offence or the applicant had committed any other offence prior to this offence, if committed, then, full details of the offence
.....

8. Any other information which the applicant desires to provide

Dated:

Place:

Applicant

(Name and signature)

Form-XX

(see rule 58)

**Complaint under Section 91 of the Industrial Relations Code, 2020) Before the
 Conciliation officer/ Arbitrator/ Tribunal or, National Tribunal ----- ,**

In the matter of :..... Reference No.....

A.....

Complainant(s);

Versus

B.....

Opposite Party(ies).

The petitioner(s) begs/beg to complain that the Opposite Party(ies) has/have been guilty of a contravention of the provisions of section 90 of the Industrial Relations code, as shown below:

(Here set out briefly the particulars showing the manner in which the alleged contravention has taken place and the grounds on which the order or act of the management is challenged.)

The complainant(s) accordingly prays/pray that the Conciliation officer/ Arbitrator/ Industrial Tribunal or National Tribunal may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

The number of copies of the complaint and its annexure required under rule 91 of the Industrial Relations Code are submitted herewith.

Dated this.....day of.....20.....

Signature of the Complainant(s)

Verification

I do solemnly declare that what is stated in paragraph above is true to my knowledge and that what is stated in paragraphs above is stated upon information received and

believed by me to be true. This verification is signed by me at.....on

.....day.....of.....20.....

Signature or Thumb impression of the person verifying.

[S.No. F.14(1)(5) Industrial Relations/ Code/Shram/Vidhi/2021]**By the order of Governor,**

Om Prakash Saharan,

Additional Labour Commissioner and**Joint Secretary to the Government.**

Government Central Press, Jaipur.

 सत्यमेव जयते	राजस्थान राजपत्र विशेषांक	RAJASTHAN GAZETTE Extraordinary
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भाग 4 (ग)

उप-खण्ड(II)

राज्य सरकार तथा अन्य राज्य प्राधिकारियों द्वारा जारी किये गये कानूनी आदेश
तथा अधिसूचनाएं।

LABOUR DEPARTMENT
NOTIFICATION
Jaipur, August 12, 2026

S.O.40.-Whereas a draft of the Code on Wages (Rajasthan) Rules, 2026 was published as required by sub-section (1) of section 67 of the Code on Wages, 2019 (Central Act No. 29 of 2019) published in the Rajasthan Gazette Extraordinary part 4 (ga) up-khand (II) dated January 13, 2026 for inviting objections and suggestions from all persons likely to be affected thereby, before expiry of forty five days from the date on which copies of the Official Gazette containing the said draft rules were made available to the public;

And whereas the copies of the Official Gazette in which said draft rules were published and made available to the public on January 13, 2026;

And whereas objections and suggestions received from the public on the said draft rules were considered by the State Government;

Now, therefore in exercise of the powers conferred by section 67 of the Code on Wages, 2019 (Central Act No. 29 of 2019), the State Government hereby makes the following rules, namely:-

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.- (1) These rules may be called the Code on Wages (Rajasthan) Rules, 2026.

(2) They extend to the whole of the State of Rajasthan.

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

2. Definitions.- In these rules, unless the subject or context otherwise requires,-

(a) “authority” means the authority appointed by the State Government under sub-section (1) of section 45;

- (b) “appellate authority” means the appellate authority appointed by the State Government under sub-section (1) of section 49;
- (c) “appeal” means an appeal preferred under sub-section (1) of section 49;
- (d) “Board” means the State Advisory Board constituted by the State Government under sub-section (4) of section 42;
- (e) “Chairperson” means the chairperson of the Board;
- (f) “Code” means the Code on Wages, 2019 (Central Act No. 29 of 2019);
- (g) “committee” means a committee appointed by the State Government under clause (a) of sub-section (1) of section 8;
- (h) “day” means a period of 24 hours beginning at mid-night;
- (i) “family” means all or any of the following relatives of an employee namely:-
 - (i) a spouse;
 - (ii) a minor legitimate or adopted child dependent upon the employee;
 - (iii) a child who is wholly dependent on the earnings of the employee, and who is,-
 - (a) receiving education, till he attains the age of twenty-one years; and
 - (b) an unmarried daughter;
 - (iv) a child who is infirm by reason of any physical or mental abnormality or injury and is wholly dependent on the earnings of the employee, so long as the infirmity continues; and
 - (v) dependent parents (including father-in-law and mother-in-law of a woman employee), whose income from all sources does not exceed such income as may be specified by the State Government, from time to time;
- (j) “Form” means a form appended to these rules;
- (k) “highly skilled occupation” means an occupation which calls in its performance a specific level of perfection and required competence acquired through intensive technical or professional training or practical occupational experience for a considerable period and also requires of an employee to assume full responsibility for his judgment or decision involved in the execution of such occupation;
- (l) “Inspector-cum-Facilitator” means a person appointed by the State Government, by notification under sub-section (1) of section 51;
- (m) “member” means a member of the Board and includes its Chairperson;
- (n) “Geographical Area” means, the areas notified as such by the State Government, from time to time;

- (o) “registered trade union” means a trade union registered under the Industrial Relations Code, 2020 (Central Act No 35 of 2020);
 - (p) “Schedule” means the schedule appended to these rules;
 - (q) “section” means a section of the Code;
 - (r) “semi-skilled occupation” means an occupation which in its performance requires the application of skill gained by the experience on job which is capable of being applied under the supervision or guidance of a skilled employee and includes supervision over the unskilled occupation;
 - (s) “skilled occupation” means an occupation which involves skill and competence in its performance through experience on the job or through training as an apprentice in a technical or vocational institute and the performance of which calls for initiating and judgment; and
 - (t) “unskilled occupation” means an occupation which in its performance requires the application of simply the operating experience and involves no further skills.
- (2) All other words and expressions used in these rules and not defined in these rules shall have the meanings respectively assigned to them under the Code.

CHAPTER II

MINIMUM WAGES

3. Manner of calculating the minimum rate of wages.- (1) for the purposes of sub-section (5) of section 6, the minimum rate of wages shall be fixed on the day basis keeping in view the following criteria, namely:-

- (i) the standard working class family which includes a spouse and two children apart from the earning Employee, an equivalent of three adult consumption units;
 - (ii) net intake of 2700 calories per day per consumption unit;
 - (iii) 66 meters cloth per year per standard working class family;
 - (iv) Housing rent expenditure to constitute 10 percent of food and clothing expenditure;
 - (v) Fuel, electricity and other miscellaneous items of expenditure to constitute 20 percent of minimum wage; and
 - (vi) Expenditure for children education, medical requirement, recreation and expenditure on contingencies to constitute 25 percent of minimum wage.
- (2) when the rate of wages for a day is fixed, then, such amount shall be divided by eight for fixing the rate of wages for an hour and multiplied by twenty six for fixing the rate of wages for a month and in such division and multiplication the factors of one-half and more than one-half shall be rounded as next figure and

the factors less than one-half shall be ignored. In case of five days working week, the hourly rate of minimum wages so calculated shall be used to derive the minimum wages for the day.

4. Norms for fixation of minimum rate of wages.- (1) While fixing the minimum rates of wages under section 6, the State Government shall take into account the following:-

- (i) geographical area;
- (ii) experience in the area of employment; and
- (iii) level of skill required for working under the categories of unskilled, semi-skilled, skilled and highly skilled.

(2) The State Government shall constitute a technical committee for the purpose of advising the State Government in respect of skill categorization of occupation, arduousness of work, hazardous occupations or processes and underground work and like other categorization, which shall consist of the following members, namely:-

- (i) Labour Commissioner, Government of Rajasthan - Chairperson
- (ii) A representative from the Department of Skills Planning and Entrepreneurship, Government of Rajasthan, dealing with skill development - Member
- (iii) Director, Employment Department, Government of Rajasthan - Member
- (iv) Two technical experts in wage determination as nominated by the State Government - Members
- (v) Additional Labour Commissioner (IR), Government of Rajasthan - Member Secretary.

(3) The State Government may, on the advice of the technical committee referred to in sub-rule (2), categorize the occupations of the employees into four categories that is to say unskilled, semi-skilled, skilled and highly skilled by modifying, deleting or adding any entry in the categorization of such occupations specified in Schedule.

(4) The technical committee referred in sub-rule (2) shall while advising the State Government under sub-rule (3) take into account, to the possible extent, the national classification of occupation or national skills qualification frame work or other similar frame work for the time being formulated to identify occupations.

5. Interval for revision of variable dearness allowance.- The revision of dearness allowance shall be made twice in a year i.e. on 1st April and 1st October on the basis of price index prepared by the Labour Bureau, Ministry of Labour and Employment, Government of India.

6. Number of hours of work which shall constitute a normal working day.-(1) No employee shall be required or allowed to work in an establishment for more than forty-eight hours in a week.

(2) If an employee works on daily basis in an establishment, the period of work of such employee shall be so arranged that inclusive of his interval for rest, shall not spread over for more than ten and half hours per day.

(3) If the employee works in the establishment for six days in a week, the period of work of an employee shall be so arranged that inclusive of his interval for rest shall not spread over for more than ten and half hours per day and the seventh day of the said week for the employee shall be a paid holiday.

(4) If the employee works in the establishment for less than six days in a week arising due to provision of flexibility in working hours, the period of work of an employee shall be so arranged that inclusive of his interval for rest shall not spread over for more than twelve hours per day and the remaining days of the said week for the employee shall be paid holidays:

Provided that the flexibility in working hours shall be permitted with the consent of negotiating union or negotiating council or with the consent of majority of employees in the absence of negotiating union or negotiating council.

(5) No employee shall be allowed to work for more than five hours continuously before he has had an interval for rest of at least half an hour.

(6) The provisions of sub-rule (1), (2), (3), (4) and (5) shall, in the case of an employee employed in agricultural employment, be subject to such modifications as may, from time to time, be determined by the State Government.

7. Weekly day of rest.-(1) Subject to the provisions of this rule, an employee shall be allowed rest of one day or more than one day, as the case may be, every week, hereinafter referred to as the rest days, which in case of six day week shall ordinarily be Sunday and in case less of than six day week shall include Saturday and Sunday, but the employer may fix any other days of the week as the rest days for any employee or class of employees:

Provided that in a six day working week or less than six days working week, as the case may be, the remaining days of the week shall be paid rest days for such employees:

Provided further that an employee shall be entitled for the rest days under this sub-rule if he has worked under the same employer in case of six day week for a continuous period of not less than six days and in case of less than six day working week for a continuous period of the stipulated number of working days, as the case may be.

Provided also that the employee shall be informed of the days fixed as the rest days and of any subsequent change in the rest days before the change is effected, by display of a notice to that effect at a conspicuous place in the place of employment.

Explanation: For the purpose of computation of the continuous period of not less than six days or the stipulated number of working days in a week specified in the second proviso to this sub-rule,-

- (a) any day on which an 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 Relations Code, 2020 (Central Act No. 35 of 2020); and
- (c) any leave or holiday, with or without pay, granted by the employer to an employee in the period of six days or during the stipulated number of working days of a week as the case may be, immediately preceding the rest days, shall be deemed to be days on which the employee has worked.

(2) Any such employee shall not be required or allowed to work on the rest day unless he has or will have a substituted rest day for a whole day on one of the working days in a week 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 consecutively without a rest day for a whole day.

(3) Where in accordance with the sub-rule (1) and (2), any employee works on a rest day and has been given a substituted rest day on any one of the working 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 rest day wages calculated at the rate applicable to the next preceding day and where he works on the rest day and has been given a substituted rest day, then, he shall be paid wages for the rest day on which he worked, at the overtime rate and wages for the substituted rest day at the rate applicable to the next preceding day:

Provided that in case of six day week where,-

- (a) the minimum rate of wages of the employee as notified under the Code has been worked out by dividing the minimum monthly rate of wages by twenty- six; or
- (b) the actual daily rate of wages of the employee has been worked out by dividing the monthly rate of wages by twenty-six and such actual daily rate of wages is not less than the notified minimum daily rate of wages of the employee, then, no wages for the rest day shall be payable; and
- (c) the employee works on the rest day and has been given a substituted rest day, then, he shall be paid, only for the rest day on which he worked, an amount equal to the wages payable to him at the overtime rate;

and, if any dispute arises whether the daily rate of wages has been worked out in accordance with the provisions of this proviso, the Labour Commissioner, Rajasthan or any other officer appointed by the State Government 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 case of an employee governed by a piece-rate system, he shall be paid wages for the rest day on which he works, at the overtime rate and wages for the substituted rest day at the rate applicable to the next preceding day.

Explanation: For the purposes of 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 the terms of any award, agreement or contract of service, and in such a case, the employee shall be entitled only to more favourable terms aforesaid.

Explanation: For the purposes of this rule, 'week' shall mean a period of seven days beginning at midnight on Saturday night.

8. Night shifts.-Where an employee in an employment works on a shift which extends beyond midnight, then,-

- (a) a rest day for the whole day for the purposes of rule 7 shall, in this case means a period of twenty-four consecutive hours beginning from the time when his 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 employee was engaged in work shall be counted towards the previous day.

9. The extent and conditions for the purposes of sub-section (2) of section 13.- The number of working hours for certain categories of employees under sub-section (2) of section 13 may exceed the normal working hours, specified in rule 6:

Provided that the overtime of these categories of employees shall be as per section 14.

10. Longer wage period.-The longer wage period for the purposes of minimum rate of wages under section 14 shall be by the month.

11. Circumstances under clause (ii) of the proviso to section 10.-An employee shall not be entitled to receive wages for a full normal working day under section 10, if he is not entitled to receive such wage under any other Labour law for the time being in force.

CHAPTER III

PAYMENT OF WAGES

12. Recovery under sub-section (4) of section 18.-Where the total deductions authorized under sub-section (2) of section 18 exceed fifty percent of the wages of an employee, the excess shall be carried forward and recovered from the wages of succeeding wage period or wage periods, as the case may be, in such installments so that the recovery in any month shall not exceed the fifty percent of the wages of the employee in that month.

13. The authority under sub-section (1) of section 19.- The authority as notified by the State Government having jurisdiction over the place of work of the employee concerned shall be the authority for the purposes of sub-section (1) of section 19.

14. The manner of exhibiting the notice under sub-section (2) of section 19.- A notice referred to in sub-section (2) of section 19 shall be displayed in physical form or electronically in Hindi, English and local language at the conspicuous places in the premises of the work place, in which the employment is carried on, so that every concerned employee would be able easily to read the contents of the notice and a copy of the notice shall be sent electronically or by registered post to the inspector-cum-facilitator having jurisdiction.

15. The procedure under sub-section (3) of section 19.- The employer shall give an intimation electronically or in writingspecifying therein the detailed particulars for obtaining the approval of the imposition of fine to the Authority referred to in rule 13 who shall, before granting or refusing the approval, give opportunity of being heard to the employee and the employer concerned and shall dispose of the matter within 30 days from the date of receiving such intimation, failing which, it shall be deemed to be approved.

16. Intimation of deduction.- (1) Where an employer makes any deduction in pursuance of the proviso to sub-section (2) of section 20, he shall make intimation electronically or by registered post of such deduction to the Inspector-cum-Facilitator having jurisdiction within 10 days from the date of such deduction explaining therein the reason of such deduction.

(2) The Inspector-cum-Facilitator shall, after receiving intimation under sub-rule (1), examine such intimation and if he finds that the explanation given therein is in contravention of any provision of the Code or the rules made there

under, he shall initiate appropriate action under the Code against the employer within 30 days from the date of receipt of such intimation.

17. Procedure for deduction under sub-section (2) of section 21.-Any employer desiring to make deduction for damages or loss under sub-section (1) of section 21 from the wages of an employee shall,-

- (i) explain to the employee personally and also in writing the damage or loss of goods expressly entrusted to the employee for custody or for loss of money for which he is required to account and how such damages or loss is directly attributable to the neglect or default of the employee; and
- (ii) give the employee an opportunity to submit any explanation and thereafter deduction for any damages or loss, if made, shall be intimated to the employee within fifteen days from the date of such deduction.

18. Conditions regarding recovery of advance under section 23.-The recovery, of,-

- (i) advances of money given to an employee after the employment begins under clause (b) of section 23; or
- (ii) advances of wages to an employee not already earned under clause (c) of section 23, as the case may be, shall be made by the employer from the wages of the concerned employee in installments determined by the employer, so as any or all installments in a wage period shall not exceed fifty percent of the wages of the employee subject to the ceiling specified in rule 12 in that wage period and the particulars of such recovery shall be recorded in the register maintained in Form-I.

19. Deduction under section 24.-Deductions for recovery of loans granted for house building or other purposes approved by the State Government, and the interest due in respect thereof shall be, subject to any direction made or circular issued by the State Government, from time to time, regulating the extent to which such loans may be granted and the rate of interest that shall be payable thereon.

CHAPTER IV

STATE ADVISORY BOARD

20. Constitution of the Board.-(1) The Board shall consist of the persons to be nominated by the State Government representing employers and employees as specified in clauses (a) and (b) of sub-section (6) of section 42 and the independent persons as specified in clauses (c) of that sub-section.

(2) The persons representing employers as referred to in clause (a) of sub-section (6) of section 42 shall be twelve and the persons representing employees referred to in clause (b) of that sub-section shall also be twelve.

(3) The independent persons specified in clause (c) of sub-section (6) of section 42 to be nominated by the State Government shall consist of the following, namely:-

(i) the Chairperson;

(ii) four members- each of whom, shall be a professional in the field of wages and labour related issues;

(4) The State Government shall, while nominating the members of the Board, take into account that the independent members under sub-rule (3) shall not exceed one-third of the total members of the Board and one- third of the members of the Board shall be women.

21. Meeting of the Board.- The Chairperson may, subject to the provisions of rule 23, call a meeting of the Board, at any time, he thinks fit:

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

22. Notice of meetings.- The Chairperson shall fix the date, time and place of every meeting and a notice in writing containing the aforesaid particulars along with a list of business to be conducted at the meeting shall be sent to each member by registered post and electronically 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.

23. Functions of Chairperson.- The Chairperson shall,-

(i) preside at the meetings of the Board;

(ii) decide agenda of each meeting of the Board; and

(iii) where in the meeting of the Board, if any issue has to be decided by voting, conduct the voting and count or cause to be counted the secret voting in the meeting.

24. Quorum.-No business shall be transacted at any meeting unless at least one-third of the members and at least one representative member each of both the employers and an employee are present:

Provided that, if at any meeting less than one-third of the members are present, the Chairperson 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 number of members present.

Provided further that the date, time and place of such adjourned meeting shall be intimated to all the members electronically or by a Registered post.

25. Disposal of business of the Board.- All business of the Board shall be considered at a meeting of the Board, and shall be decided by a majority of the votes of members present and voting and in the event of an equality of votes, the Chairperson shall have a casting vote:

Provided that the Chairperson 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.

Provided further that no decision on any matter under the preceding proviso shall be taken, unless supported by not less than two-thirds majority of the members.

26. Method of voting.- Voting in meeting of the Board shall ordinarily be by show of hands, but if any member asks for voting by ballot, or if the Chairperson so decides, the voting shall be by secret ballot and shall be held in such manner as the Chairperson may decide.

27. Proceedings of the meetings.- (1) The proceedings of each meeting of the Board showing inter alia the names of the members present thereat shall be forwarded to each member and to the State Government as soon after the meeting as possible, and in any case, not less than seven days before the next meeting.

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

28. Summoning of witnesses and production of documents.-(1) The Chairperson may summon any person to appear as a witness if required in the course of the discharge of his duty and require any person to produce any document.

(2) Every person who is summoned and appears as a witness before the Board shall be entitled to an allowance for expenses incurred by him in accordance with the scale for the time being in force for payment of such allowance to witnesses appearing before a Civil Court.

29. Appointment of the committees.- The State Government may appoint as many committees under clause (a) of sub-section (1) of section 8, as it considers necessary for the purposes specified in that clause.

30. Term of office of members of the Board.- (1) The term of office of the Chairperson or a member, as the case may be, shall be normally two years, commencing from the date of appointment or nomination, as the case may be, under sub-section (4) of section 42:

Provided that such Chairperson or a member shall, notwithstanding the expiry of the said period of two years, continue to hold office until his successor is appointed or nominated, as the case may be.

(2) An independent 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 till they are replaced by respective such other official members.

(4) Notwithstanding anything contained in sub-rule (1), (2), and (3), the members of the Board shall hold office during the pleasure of the State Government.

31. Travelling allowance.- The Chairman and every member of the Board, shall be entitled to draw travelling and halting allowance for any journey performed by him in connection with his duties at the rates and subject to the conditions applicable to a Class-I officer of the State Government.

32. Officers and Staff.- The State Government may provide a Secretary not below the rank of Additional Labour Commissioner to the Government of Rajasthan, other officers and staff to the Board, as it may think necessary for the functioning of the Board.

33. Eligibility for re-nomination of the members of the Board.-An outgoing member shall be eligible for re-nomination for the membership of the Board for not more than total two terms.

34. Resignation of the Chairperson and other members of the Board.-
(1) A member of the Board, other than the Chairperson, may, by giving notice in writing to the Chairperson, resign his membership and the Chairperson may resign by a letter addressed to the State Government.

(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.

(3) When a vacancy occurs or is likely to occur in the membership of the Board, the Chairperson shall submit a report to the State Government immediately and the State Government shall, then, take steps to fill the vacancy in accordance with the provisions of the Code.

35. Cessation of membership.- If a member of the Board, fails to attend three consecutive meetings, without prior intimation to the Chairperson, he shall, cease to be a member thereof.

36. Disqualification.-(1) A person shall be disqualified for being nominated as, and for being a member of the Board,-

- (i) if he is declared to be of unsound mind by a competent court; or
- (ii) if he is an un-discharged insolvent; or
- (iii) if before or after the commencement of the Code, he 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 State Government thereon shall be final.

CHAPTER V

PAYMENT OF DUES AND CLAIMS etc.

37. Payment under clause (a) of sub-section (1) of section 44.-(1) (a)

Every employee shall make a declaration in Form-X, nominating a person conferring the right to receive the amount that may stand in his credit at the event of his death before that amount standing to his credit has become payable or where the amount has become payable, before payment has been made.

(b) If the employee has a family at the time of making nomination, the nomination shall be in favour of the spouse or the spouse in preference followed by one or more members of his family:

Provided that nomination made by an employee having a family in favour of a person other than member of his family shall be invalid.

Provided further that a fresh nomination towards his spouse shall be made by the employee on his marriage and any nomination made before such marriage shall be deemed to be invalid.

(c) Where the nomination is wholly or partly in favour of a minor, the employee may appoint a major person of his family, to be the guardian of the minor nominee or where there is no major person in the family, he may at his discretion, appoint any other person to be a guardian of the minor nominee.

(d) If the employee nominates more than one member, he shall specify in the nomination, the amount or share payable to each of his nominees at his own discretion so as to cover the whole of the amount that may stand to his credit.

(2) Where any amount payable to an employee under the Code is due after his death or on account of his whereabouts not being known, and the amount could not be paid to the nominee of the employee until the expiry of three months from the date the amount had become payable, then, such amount shall be deposited by the employer with the authority notified by the State Government having jurisdiction, who shall disburse the amount to the person nominated by the employee after ascertaining his identity within two months of the date on which the amount was so deposited with him.

38. Deposit of the undisbursed dues under clause (b) of sub-section (1) of section 44.-(1)

(1) Where any amount payable to an employee under this Code remains undisbursed because either no nomination has been made by such employee or for any other reason, such amounts could not be paid to the nominee of employee until the expiry of six months from the date the amount had become payable, all such amounts shall be deposited by the employer with the Authority as notified by the State Government having jurisdiction before the expiry of the fifteenth day after the last day of the said period of six months, through bank transfer or demand draft of a scheduled bank in favour of the Authority.

(2) The amount referred to in sub-rule (1) shall be deposited by the employer with the Authority as notified by the State Government, having jurisdiction through bank transfer or through a crossed demand draft obtained from any scheduled bank in India drawn in favour of such Authority.

39. Manner of dealing with the undisbursed dues under clause (b) of sub-section (1) of section 44.-(1) The amount referred to in sub-rule (1) of rule 38 deposited with the Authority having jurisdiction shall remain with him and be invested in the State Government Securities or deposited as a fixed deposit in a scheduled bank.

(2) The Authority having jurisdiction will exhibit, as soon as may be possible, a notice containing such particulars regarding the amount as the Authority considers sufficient for information at least for fifteen days on the notice board and also publish such notice in any one newspaper being circulating in the language commonly understood in the area in which undisbursed wages were earned.

(3) Subject to the provision of sub-rule (4), the Authority having jurisdiction shall release the amount to the nominee or to that person who has claimed such amount, as the case may be, in whose favour such Authority has decided, after giving the opportunity of being heard, the amount to be paid.

(4) If the undisbursed amount remains unclaimed for a period of seven years, the same shall be dealt within the manner as directed by the State Government from time to time in this behalf.

CHAPTER VI

FORMS, REGISTERS AND WAGE SLIP

40. Form of a single application.-(1) A single application, may be filed under sub-section (5) of section 45 in Form-II manually or electronically along with documents specified in the said Form.

(2) Where an application under sub-section (5) of section 45 is entertained, the authority shall serve upon the employer electronically or by registered post a notice in Form-VIII to appear before him on the date specified in the notice with all relevant documents and witnesses, if any, and shall inform the applicant of the date so specified.

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

(4) If the applicant or his representative fails to appear on the specified date without any reasonable cause shown in advance, the authority may dismiss the application.

41. Appeal.-(1) Any person aggrieved by an order passed by the authority under sub-section (2) of section 45 may prefer an appeal under sub-section (1) of section 49 in Form-III electronically or by registered post, along with documents mentioned by the appellant in the said Form, to the appellate authority having jurisdiction:

Provided that no appeal by an employer shall be admitted unless at the time of preferring the appeal, the appellant has deposited the amount payable under the direction appealed against with the appellate authority.

(2) Where an appeal under sub-section (1) of section 49 is entertained, the appellate authority shall serve upon the respondent electronically or by speed post a notice in Form-IX to appear before him on the date specified in the notice and shall inform the appellant of the date so specified.

(3) The appellate authority shall after hearing the appellant and the respondent shall, by order, decide the appeal.

42. Form of register, etc.- (1) Every employer of all establishments to which the Code applies shall maintain under sub-section (1) of section 50, electronically or in physical form in the formats appended to these rules, the following registers:-

(i) Employee Register in Form-IV,

(ii) Register of Wages, Overtime, Advances, Fines and Deductions for Damage and Loss in Form-I, and

(iii) Attendance Register-cum-Muster Roll in Form-V.

(2) All fines and all realizations thereof referred to in sub-section (8) of section 19 shall be recorded in a register to be kept by the employer in Form-I appended to these rules, electronically or otherwise and the authority referred to in said sub-section (8) shall be the Authority having jurisdiction, as notified by the State Government.

(3) All deductions and all realizations referred to in sub-section (3) of section 21 shall be recorded in a register to be kept by the employer in Form-I appended to these rules, electronically or otherwise.

(4) Every employer shall display a notice under sub-section (2) of section 50 in Form-VI along with abstract of the Code.

(5) Registers required to be maintained under these rules shall be preserved for a period of five years after the date of last entry made therein.

43. Wage slip.- Every employer shall issue wage slips, electronically or otherwise to the employees in Form-VII on or before payment of wages.

44. Manner of holding enquiry under sub-section (1) of section 53.- (1) When a complaint is filed before the officer appointed under sub-section (1) of section 53, hereinafter in this rule referred to as the officer, in respect of the offences referred to in said sub-section either by an officer authorised for such purpose by the State Government or by an employee aggrieved or a Trade Union under the Industrial Relations Code, 2020 (Central Act No. 35 of 2020) or an Inspector-cum-Facilitator, the officer, after considering such evidences as produced before him by the complainant, is of the opinion that an offence has been committed, shall issue summons to the offender on the address specified in the complaint fixing a date for his appearance.

(2) If the offender to whom the summons has been issued under sub-rule (1) appears or is produced before the officer, he shall explain the offender the

offence complained against him and if the offender pleads guilty, the officer shall impose penalty on him in accordance with the provisions of the Code and when the offender does not plead guilty, the officer shall take evidence of the witnesses produced by the complainant on oath and provide opportunity of cross examination of the witnesses so produced.

(3) The officer shall record the statement of the witnesses on oath and in cross examination in writing and take the documentary evidence on record.

(4) The officer shall, after the complainant's evidence is complete, provide opportunity of defence to the accused person and the witnesses produced by the accused shall be cross examined after their statements on oath by the complainant and documentary evidence in defence shall be taken on record by the officer.

(5) The officer shall after hearing the parties and considering the evidences both oral and documentary decide the complaint in accordance with the provisions of the Code.

45. The manner of composition of offences under sub-section (1) of section 56.-(1) An accused person desirous of making composition of offence under sub-section (1) of section 56, may make an application in Form-VIII electronically or manually to the Gazetted Officer notified under said sub-section (1).

(2) The Gazetted Officer referred to in sub-rule (1), shall, on receipt of such application, satisfy himself as to whether the offence is compoundable or not under the Code and if the offence is compoundable and the accused person agrees for the composition, compromise the offence for a sum of fifty per cent of the maximum fine provided for such offence under the Code, to be paid by the accused within the time specified in the order of composition issued by such officer.

(3) Where the offence has been compromised under sub-rule (2) after the institution of the prosecution, then, the officer shall send a copy of such order made by him for intimation to the officer referred to in sub-section (1) of section 53 for needful action under sub-section (6) of section 56.

CHAPTER VII

MISCELLANEOUS

46. Timely Payment of Wages.-Where the employees are employed in an establishment through contractor, then, the company or firm or association or any other person who is the proprietor of the establishment shall pay to the contractor the amount payable to him or it, as the case may be, before the date of payment of wages so that payment of wages to the employees shall be made positively in accordance with the provisions of section 17.

Explanation: For the purpose of this rule, the expression firm shall have the meaning as assigned to it in the Indian Partnership Act, 1932 (Central Act No. 9 of 1932).

47. Responsibility for payment of minimum bonus.- Where in an establishment, the employees are employed through contractor and the contractor fails to pay minimum bonus to them under section 26, then, the company or firm or association or other person as referred to in the proviso to section 43 shall, on the written information of such failure, given by the employees or any registered trade union or unions of which the employees are members and on confirming such failure, pay such minimum bonus to the employees.

48. Inspection Scheme.- (1) For the purposes of the Code and these rules, there shall be formulated an inspection Scheme by the Labour Commissioner with the approval of the State Government.

(2) In the inspection scheme referred to in sub-rule (1), apart from other structural facts, a number shall be specified in the scheme for each Inspector-cum-Facilitator and establishment.

49. Annual Return.- The return under these rules shall be filed electronically by every employer of an establishment to which the Code applies in the relevant columns of the Form specified for such purpose in the rules made under the Occupational, Safety Health and Working Conditions Code, 2020 (Central Act No. 37 of 2020). A copy of such return shall also be forwarded electronically to the Labour Bureau, Ministry of Labour and Employment, Government of India.

50. Repeal and savings.-(1) On and from the date of commencement of these rules,-

- (i) The Rajasthan Payment of Wages Rules, 1961;
- (ii) The Rajasthan Payment of Wages (Procedure) Rules, 1961;
- (iii) The Rajasthan Payment of Wages (Unclaimed Amount) Rules, 1972;
- (iv) The Rajasthan Payment of Wages (Manner of Recovery of Excess Deductions) Rules, 1966;
- (v) The Rajasthan Minimum Wages Rules, 1959;
- (vi) The Rajasthan Minimum Wages (Undisbursed Amount) Rules, 1961; and
- (vii) Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017,

are hereby repealed.

(2) The repeal of the rules specified in sub-rule (1) shall not,-

- (i) revive anything not in force or existing at the time of such repeal;
or
- (ii) affect the previous operation of any rules so repealed and orders or anything duly done or suffered thereunder;
- (iii) affect any right, privilege, obligation, or liability acquired, accrued or incurred under the rules so repealed or orders issued under such repealed rules;
- (iv) affect any investigation, inquiry, verification, adjudication and any other legal proceedings or recovery of arrears or remedy in respect of any such rights, privilege, obligation, liability, forfeiture or punishment, as aforesaid, and any such investigation, inquiry, verification proceedings, adjudication and other legal proceeding or recovery of arrears or remedy may be instituted, continued or enforced, and any penalty, fine, interest, forfeiture or punishment may be levied or imposed as if these rules had not been so repealed; or
- (v) affect any proceedings including that relating to an appeal, revision, review or reference, instituted before, on or after the commencement of these rules and such proceedings shall be continued under the said repealed rules as if these rules had not come into force and the said rules had not been repealed.
- (3) The mention of the particular matters referred to in sub-rules (2) above shall not be held to prejudice or affect the general application of provisions of the General Clauses Act, 1897 (Central Act No. 10 of 1897) with regard to the effect of repeal.

FORM-I

[see rule 18, 42 (1), (2) and (3)]

Register of Wages, Overtime, Fine, Deduction for damage and Loss

Name of the Establishment:

Name of the Owner:

PAN/TAN of the Employer:

Labour Identification Number (LIN):

Sr. No. in Employee Register	Name of the employee with father	Designation / Department	Duration of Payment of Wages (Monthly/Fortnightly /Weekly/Daily/Piece)	Wage Period From- To	Total no. of days worked during	Total overtime (hours worked or production)	Rates of wages		
							Basic	DA	Allowances

	husband's name		e rated)		the period	in case of piece workers)			
1	2	3	4	5	6	7	8	9	10

Overtime earning	Gross Payment	Deductions						
		Employee Contribution to EPF	Employee Contribution to ESIC	Other deductions	Fine imposed	Nature of acts and omissions for which fine imposed with date	Damage or loss caused to the employer by neglect or default of the employee	Amount of deductions for the damages or loss
11	12	13	14	15	16	17	18	19

Total Deductions	Total amount of wages paid	Date of Payment	Signature of Employee or Bank A/c with date of remittance
20	21	22	23

Employer's Signature

FORM-II

[see rule 40]

[SINGLE APPLICATION UNDER SUB-SECTION (5) OF SECTION 45]
BEFORE THE AUTHORITY APPOINTED UNDER SUB-SECTION (1) OF
SECTION 45

OF THE CODE ON WAGES, 2019 (Central Act No. 29 of 2019)
.....

Application No.....of 20.....

Between.....Applicant
(Through employees concerned or registered trade union or Inspector- cum-
Facilitator

Address.....

And

.....

Address.....

The application states as follows:

(1) The applicant(s) whose name(s) appear in the attached schedule was/were/has/have been employed from.....to..... as.....(category)in.....(establishment) Shri/M/s.....engaged in.....(nature of work) which is/are covered by the Code on Wages, 2019.

(2) The opponent(s) is/are the employer(s) within the meaning of section 2(l) of the Code on Wages, 2019.

(3) (a) The applicant(s) has/ have been paid wages at less than the minimum rates of wages fixed for their category (categories) of employment(s) under the Code by Rs.... Per day for the period(s) from.....to.....

(b) The applicant(s) has/ have not been paid wages at Rs..... Per day for the weekly days of rest from to...

(c) The applicant(s) has/ have not been paid wages at overtime rate(s) for the period from.....to.....

(d) The applicant(s) has/have not been paid wages for period from.....to.....

(e) Deductions have been made which are in contravention of the Code, from the wage(s) of the applicant(s) as per details specified in the annexure appended with this application.

(f) The applicant(s) has/have not been paid minimum bonus for the accounting year.....

(4) The applicant(s) estimate(s) the value of relief sought by him/ them on each amount as under:

(a) Rs.....

(b) Rs.....

(c) Rs.....

Total Rs.....

(5) The applicant(s), therefore, pray(s) that a direction may be issued under

section 45(2) of the Code on Wages, 2019for;

- (a) payment of the difference between the wages payable under the Code and the wages actually paid, payment of remuneration for the days of rest
 - (b) payment of wages at the overtime rates,
 - (c) compensation amounting to Rs.
- (6) The applicant(s) do hereby solemnly declare(s) that the facts stated in this application are true to the best of his/their knowledge, belief and information.

Dated.....

Signature or thumb-impression of the employed person(s), or official of a registered trade union duly authorized or Inspector- cum-Facilitator.

Note: The applicant(s), if required, may append annexures containing details, with this application.

FORM-III

(see rule 41)

Appeal under Section 49 (1) of the Code on Wages, 2019

Before the Appellate Authority under the Code on Wages, 2019

.....

.....

(Name and Address of appellant)

Vs.

.....

.....

(Name and Address of respondent)

DETAILS OF APPEAL:

1. Particulars of the order against which the appeal is made : Number and date:

The authority who has passed the impugned order:

Amount awarded:

Compensation awarded , if any :

2. Facts of the case:

(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate issue or fact).

3. Grounds for appeal:

4. Matters not previously filed or pending with any other Court or any Appellate Authority:

The appellant further declares that he had not previously filed any appeal, writ petition or suit regarding the matter in respect of which this appeal has been made, before any Court or any other Authority or Appellate Authority nor any such appeal, writ petition or suit is pending before any of them.

5. Reliefs sought :

In view of the facts mentioned above the appellant prays for the following relief(s) :— [Specify below the relief(s) sought]

6. List of enclosures:

1.

2.

3.

4.

Date :

Place :

Signature of the appellant.

For office use

Date of filing or

Date of receipt by post Registration No.

Authorized Signatory

FORM-IV
EMPLOYEE REGISTER

[see rule 42(1)]

Name of the Establishment :

Name of the Employer:

Name of the Owner :

PAN/TAN of the Employer:

Labour Identification Number (LIN):

Sl. No.	Employee Code	Name	Surname	Gender	Father's / Spouse Name	Date of Birth	Nationality	Education Level	Date of Joining	Designation	Category (HS/S/SS/U S)*	Type of Employment
1	2	3	4	5	6	7	8	9	10	11	12	13

Mobile No.	UAN	PAN	ESIC IP No.	AADHAAR	Bank A/c Number	Bank	Branch (IFSC)	Present Address	Permanent Address
14	15	16	17	18	19	20	21	22	23

Service No.	Book	Date of Exit	Reason for Exit	Mark of Identification	Photo	Specimen Signature/Thumb Impression	Remarks
24		25	26	27	28	29	30

*(Highly Skilled/Skilled/Semi skilled/Unskilled)

Employer

FORM-V**[see rule 42 (1)]****Muster Roll & Details of Overtime Work**

Name of the Establishment:

Address of the Establishment:

Name of the Employer / Manager:

S. N o	Name of Workmen	Father/husband's Name	Designation / Department	Attendance 1,2,3,4,5, ...	Total Days Present	No of Rest Days	No of Leaves	Total days for which payment made	Date on which OT work done	Hours of OT work	Total Hours of OT Work
1	2	3	4	5	6	7	8	9	10	11	12

Signature of Employer

FORM-VI**[see rule-42 (4)]****Notice**

1. Name & address of the Establishment:
2. Name & address of the Employer / Manager:
3. Rates of Minimum Wages:
 - a. Unskilled
 - b. Semi-skilled
 - c. Skilled
 - d. Highly skilled
4. Wage Period
5. Date of Payment
6. Working Hours

7. Weekly day of Rest
8. Name and address of the Inspector cum Facilitator;

Date:

Employer

FORM-VII

[see rule 43]

WAGE SLIP

Date of issue:

Name of the Establishment
Address
..... Period

1. Name of employee :
2. Father's /Spouse name :
3. Designation:
4. UAN:
5. Bank Account No.:
6. Wage period:
7. Rate of wages payable: a.) Basic b.) D.A. c.) other allowances
8. Total attendance/unit of work done:
9. Overtime wages:
10. Gross wages payable :
11. Total deductions: a.) PF b.) ESI c.) Others
12. Net wages paid:

Employer / Pay-in-charge signature

FORM-VIII**[see rule 45]****APPLICATION UNDER SUB-SECTION (4) OF SECTION 56 FOR
COMPOSITION OF OFFENCE**

1. Name of applicant :
2. Father's / Spouse name :
3. Address of the applicant :
4. Particulars of the offence:
.....
.....
.....
.....
5. Section of the Code under which the offence is committed
::.....
6. Maximum fine provided for the offence under the
Code:.....
7. Whether prosecution against the applicant is pending or
not.....
8. Whether the offence is first offence or the applicant had committed any other offence prior to the offence. If yes, then, full details of the prior offence.
.....
.....
.....
.....
9. Any other information which the applicant desires to provide
.....
.....
.....
.....
.....
.....

Dated:

Applicant (Name and signature)

Form-IX
{see rule 41(2)}
Notice for the disposal of Appeal

To.....

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Whereas under the code on Wages, 2019 (29 of 2019), a claim/appeal against you has been presented before me, a copy is enclosed; you are hereby called upon to appear before me either in person, or by any person duly authorized and able to answer all material questions relating to the application, or who shall be accompanied by some person able to answer all questions on date..... Month.... Year.... At o'clock in the fore/afternoon to answer the claim/appeal. You must be prepared to produced on that date all the witnesses upon whose evidence and documents upon which you intend to rely in support of your defence.

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

Given under my hand and seal, this day.....

20....

Seal

Authority
under the code on wages, 2019

FORM-X
[see rule 37]

NOMINATION FORM

1. Name of person making nomination:

(In block letters):

2. Father's/Spouse's Name:

3. Date of Birth:

4. Sex:

5. Marital Status:

6. Address:

Permanent:

Temporary:

I hereby nominate the person(s)/cancel the nomination made by me previously and nominate the person(s) mentioned below to receive any amount due to me from the employer in the event of my death:-

Name of nominee/nominees	Address	Nominee's relationship with the employee	Date of Birth	Total amount of share of accumulations in credit to be paid to each nominee	If the nominee is minor, name, relationship, and address of the guardian who may receive the amount during the minority of nominee
(1)	(2)	(3)	(4)	(5)	(6)

1. Certified that I have no family and if I acquire a family hereafter, the above nomination shall be deemed as cancelled.
2. Certified that my father/mother is/are dependent upon me.
3. Strike out whichever is not applicable.

Signature or the thumb impression of the employee
CERTIFICATE BY EMPLOYER

Certified that the above declaration and nomination has been signed/thumb impressed before me by Shri/Smt/Kuemployed in my establishment after he/she has read the entry/entries or have been read over to him/her by me and got confirmed by him/her in either of the cases.

Signature of the employer or other authorised officer of the establishment and
Designation

Place:

Date:

Name and Address of the Factory/Establishment and rubber stamp thereof

Schedule (see rule 4 (3))

Classification of Workers / Employees
1. Unskilled Workers- Beldar, Chowkidar, Jamadar, Coolie, General Helper, Cleaner, Dhobi (Washerman), Sweeper, Housekeeping staff, Peon, Waterman, Petrol Loader, Furnace Attendant, General Worker, Watchman, Gateman, Shepherd, Cyclist Rider, Night Watchman, Pump Attendant, Sanitary Jamadar, Valet, Key Keeper, Spade Man, Road Roller Attendant, Basket Carrier, Loader, Stone Breaker, Brick Kiln Worker, Stone Cutter, Stone Crusher Worker, Oilman, Trolley Puller, Bell Attendant, Liner, Labourer, Gardener, Mason Helper, Crane Attendant, Boiler Attendant, Driver Assistant, Head Helper, Unskilled Worker, Messenger, Mazdoor, Wardman, Window Cleaner, Bill Posting Helper, Sanitation Worker, Bellman, Bell Packer, Valeting Worker, Cook Helper, Helper Worker, House Carrier, Grass Cutter, Water Carrier, Nursery Worker, Animal Care Helper, Store Helper, Gatekeeper, Vegetable Cutter, Delivery Boy, Court Roller, Peon (Office), Peshkar Helper, Pumpman, Shamiyana Installer, Tent Pitcher, Canvas Fitter, Darzi & Shoppers, Carrier, Hammal, Peasant,

(and any other category not specifically named but performing unskilled work)

2. Semi-Skilled Workers- Mistri, Surveyor, Carpenter Apprentice, Tailor, Stone Dresser and Cutter, Helper Wireman, Mate, Helper, Workshop Helper, Assistant Painter, Welder, Oiler, Blacksmith, Foreman, Mate Supervisor, Assistant Conductor, Head Watchman, Assistant Fitter, Assistant Carpenter, Assistant Turner, Assistant Plumber, Assistant Mechanic, Assistant Tinker, Tyre Fitter, Dent Fitter, Polish Man, Tubewell Operator, Lineman, Line Inspector, Timekeeper, Junior Clerk, Band Checker, Doorman, Clerk-cum-Store Assistant, Assistant Wire Fitter, Assistant Store Keeper, Heavy Machine Helper, Assistant Operator, Assistant Heavy Vehicle Driver, Wireman, Lineman, Tapman, Welder, Mason, Carpenter, Plumber, Solderer, Paper Man, Glass Fitter, Distributor, Grinding Man, Cutter, Coil Winder, Paper Folder, Examiner, Gate Keeper & Ticket Collector, Dispatch Man, Lift Operator, Foundry Man, Labour Supervisor, Coalman, Mechanic, Store Worker, Watchman, Inspection Man, Delivery Man, Controller, Petrol Delivery Man, V-Man, Cone Button Maker, Chair Maker, Cycle Repairer, Carton Fitter, Baker, Shunter Worker, Tape-cum-Stapler, Jute Assembler, Loom Jointer, Ring Doffer, Rope Maker, Machine Helper, Sanitary Jamadar, Helper Man, Mason, Cement Mixer, Roller Driver, Entry Man,

(and any other category not named but performing semi-skilled work)

3. Skilled Workers- Mason, Mistri, Cook, Carpenter, Blacksmith, Tailor, Goldsmith, Machinist, Turner, Plumber, Wireman, Electrician, Foreman, Spinning Operator, Engine Driver, Mechanical Diesel & Petrol Driver, Light Vehicle Driver, Heavy Vehicle Driver, Tractor Driver, Road Roller Driver, Truck Driver, Motor Vehicle Driver, Machine Operator, Clerk, Typist, Cashier, Library Clerk, Timekeeper, Store Clerk, Supervisor, Fire Officer, Overseer, Water Supply Inspector, Chief Sanitary Inspector, Boiler Attendant, Fireman, Machineman, Conductor, Drivers, Turner, Artisans, Coach Builders, Upholsterers, Maintenance Helpers, Dressers and

(other skilled categories performing skilled work)

Path Inspector, Compounder, Draftsman, Gardener, Shift Supervisor, Machine Fitter, Turner, Pressman, Binder, Lower Division Jobber, Lower Division Sizer, Weaving Jobber, Cloth Jobber, Dyer, Calenderer, Machinist, Fitter, Water Tester, Polisher, Radio Servicer, Auto Mechanic, Sheet Metal Worker, Furniture Designer, Jeweller, Barber, Carpenter, Photographer, Artist, Auto Electrician, Umbrella Maker, Lathe Operator, Screen Maker, Machine Maker, Narsi (Tailor), In-charge, Security Man, Godown Keeper, Elevator Operator, Television Operator, Foreman, Moulder, Fabricator, Timekeeper, Coal Master, Hall Maker, Tailor, Salesman, Purification Operator, Paper Cutting Operator, Assistant Manager, Electrician, Supervisor, Computer Operator, Offset/Litho/Mono Operator, Die Printer, Carpenter, Proof Reader (Checker), Block Printer, Block Maker, Stage Designer, Binder, Stitcher, Caster, Linotype Printer, Dyer, Compositor, Social Worker, Sewing Machine Driver, Plate Cutter, Dyeing Master, Container Man, Foreman, Carding Machine Operator, Boiling Press Operator, Jobber, Cloth Inspector, Weighing Scale Operator, Welder, Ramming, Printing Paster, Boiler Attendant, Felt Master, Cushion & Mattress Fitter, Colour Master, Motor Mechanic, Scooter Mechanic, Driller, Draftsman, Vulcanizer, Grinder, Brakesman, Press Fitter, Elevator, Coal Pressman, Blast Operator, Miller or Mill Machine Operator, Generator Operator, Quality Control Man, Path Inspector, Laboratory Assistant, Laboratory Attendant, Junior Technical Assistant, Assistant and any other category whose name is not specified but who performs skilled work.

4, Highly Skilled (Highly Skilled Workers)- Stenographer, Accountant, Computer Operator, Manager, Sales Supervisor, Sales Representative, Medical Representative, Chemist, Librarian, Office Superintendent, Lab Technician, Telephone Operator, ECG Technician, Radiographer, Manpower Planner, Pharmacist, Senior Technical Assistant,

Cook/Chef, Nurse, and any other category whose name is not specified but who performs highly skilled work.

[F14(8)(1)wage code/shram/vidhi/2021/00068]

**By the order of Governor,
Om Prakash Saharan,
Additional Labour Commissioner and
Joint Secretary to the Government.**

Government Central Press, Jaipur.