

PAYMENT OF WAGES (DEDUCTIONS FOR NATIONAL DEFENCE FUND AND SAVINGS SCHEME) RULES, 1972

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G.S.R. 1346, dated the 10th October, 1972-P.W.A./Sec. 7 (2) (ii)/Rules.1-Whereas certain draft rules of the Payment of Wages (Deductions for National Defence Fund and Defence Savings Scheme) Rules, 1972, was published as required by sub-section (5) of Sec. 26 of the Payment of Wages Act, 1936 (4 of 1936) at pages 442-444 of the Gazette of India, Pt. II, Sec. 3, sub-section (i), dated the 5th February, 1972, under the notification of the Government of India in the Ministry of Labour and Rehabilitation (Department of Labour and Employment) No. G.S.R. 152, dated the 19th January, 1972, inviting objections and suggestions from all persons likely to be affected thereby for a period of three months from the date of publication of the said notification in the Gazette; And whereas the said Gazette was made available to the public on the 4th March, 1972; And whereas the objections and suggestions received from the public on the said draft have been considered by the Central Government; Now, therefore, In exercise of the powers conferred by Section 26 of the said Act, the Central Government hereby makes the following rules of the Payment of Wages (Deductions for National Defence Fund and Defence Savings Scheme) Rules, 1972, namely :

1. Short title, application and extent :-

- (1) These rules may be called the Payment of Wages (Deductions for National Defence Fund and Defence Savings Scheme) Rules, 1972.
- (2) These rules shall apply to persons employed on railways, mines and oil fields.

(3) They extend to the whole of India.

2. Definitions :-

In these rules,-

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

(b) "section" means a section of the Act.

3. Conditions for making deductions :-

These conditions for making deductions in pursuance of Cl. (ii) of sub-section (2) of Section 7 from the wages of the employed persons for contribution to the National Defence Fund or to any Defence Savings Scheme approved by the State Government with the written authorisation of the president or secretary of the registered trade union of which the employed person is a member shall be as follows :

(a) the president or, in his absence, the secretary of such trade union shall forward,-

(i) in duplicate to the employer, a copy of the list of the employed persons, who are members of the trade union indicating therein the amount or extent of deductions which are to be made from the wages of each employed person and also, where the deductions are to continue for more than one wage period, the total period during which such deductions are to be made and a copy of the resolution adopted at a meeting of such trade union authorising such deductions ; and

(ii) a copy of the said list resolution to the person who acts as an Inspector for the purposes of the Act ;

(b) the employer shall display in a conspicuous place of the establishment one of the two copies of the said list and resolution received from the president or secretary, as the case may be, of the trade union, for at least a period of three consecutive days immediately preceding the day on which the deductions are to be made from the wages of the employed person; and

(c) if any employed person objects in writing to deduction being made from his wages upto the amount or extent of deductions indicated in the list displayed by the employer, no deductions shall be made from his wages except in accordance with the written authorisation of such employed person.

