

## **BOMBAY WAGE BOARD (GUJARAT) RULES, 1961**

### **CONTENTS**

- 1. .
- 1A. .
- 2. .
- 3. .
- 4. .
- 5. .
- 6. .
- 7. .
- 8. .
- 9. .
- 10. .
- 11. .
- 12. .
- 13. .
- 14. .
- 15. .
- 16. .
- 17. .
- 18. .
- 18A. .
- 19. .
- 20. .

### **SCHEDULE 1 :- SCHEDULE**

## **BOMBAY WAGE BOARD (GUJARAT) RULES, 1961**

In exercise of the powers conferred by section 123 of the Bombay Industrial Relations act, 1946 (Bom. XI of 1947), the Government of Bombay is pleased to make the following rules, namely:

### **1. . :-**

These rules may be called the Bombay Wage Board (Gujarat) Rules, 1961.

### **1A. . :-**

On and from the date on which the Bombay Industrial Relations, Act, 1946, comes into force in the areas to which it is extended by the Bombay Industrial Relations (Gujarat Extension and Amendment) Act, 1961, (Guj. No. XX of 1961), these rules shall

apply to the whole of the State of Gujarat.

**2. . :-**

In these rules, unless there is anything repugnant in the subject or context

(i) "Act" means Bombay Industrial Relations act, 1946 :

(ii) "Chairman" means a Chairman of a Wage Board:

(iii) "Chamber Meeting" means a meeting of a Wage Board held in Chambers for arriving at a decision on an industrial matter or industrial disputes referred to it:

(iv) "Member" means a Member of a Wage Board;

(v) "Secretary" means a Secretary of a Wage Board:

(vi) "Section" means a Section of the Act;

(vii) "Sitting" means a sitting of a Wage Board held for the purpose of conducting enquiry into and for hearing any industrial matter or industrial dispute referred to it:

(viii) "Statement of Claim" means a statement filed by or on behalf of a party on whose claim a reference arises;

(ix) "Written Statement" means a statement filed by an opponent in reply to a statement of claim.

**3. . :-**

A Wage Board shall have an official seal in the form of a circular rubber stamp one and a half inches in diameter.

**4. . :-**

Subject to the provisions of section 86C , the State Government may by an order notified in the Official Gazette refer to a Wage Board for decision any industrial matter or dispute relating to leave with or without pay.

**5. . :-**

The sittings or chamber meetings of a Wage Board shall be held at such time and place as the Chairman may fix.

**6. . :-**

(1) On receipt of a reference from the State Government, the Secretary shall, under the instructions of the Chairman, issue directions to the parties concerned for the preparation and filing of

the required number of copies of statement of claim. Written Statement or such other statistical statements as may be deemed necessary or for the exchange of such statements among themselves and communicate to them the dates for submission and exchange of such statements and for the hearing of the reference.

(2) The Secretary shall send copies of the directions issued under sub-rule (1) to the Members.

(3) The Chairman may convene a sitting or a chamber meeting of the Wage Board before giving instructions for issuing directions under sub-rule (1).

**7. . :-**

At all sittings and chamber meetings all the members of a Wage Board shall remain present but proceedings shall not be invalidated on account of the absence of any Member or Members if the Chairman is satisfied that for good and sufficient reasons such member or members could not remain present; provided, however, that no sittings or Chamber meetings shall be held in the absence of the Chairman or the entire group of members representing employers or employees.

**8. . :-**

Any vacancy in a Wage Board shall be filled by the State Government in accordance with the provisions of section 86B and the name of the person appointed to such vacancy shall be notified in the Official Gazette.

**9. . :-**

Subject to the provisions of section 33 , in any proceedings before a Wage Board parties may appear by duly authorised legal practitioner or by an officer of the union which has a right to represent the party under section 30 or by the Government Labour Officer of the local area concerned or an officer of an employers' association, as the case may be.

**10. . :-**

If, without good cause shown, any party to the proceedings before a Wage Board fails to attend or to be represented at the proceedings, the Wage Board may proceed as if the party had duly attended or had been duly represented.

**11. . :-**

When in any matter it appears necessary that Government should

be represented and heard on any point arising therein, the Wage Board shall give intimation of the matter to the Secretary to Government in the Labour Department.

**12. . :-**

The proceedings before a Wage Board shall be held in public; provided that Wage Board may at any stage direct that any witnesses shall be examined or the proceedings shall be held in camera.

**13. . :-**

(1) A Wage Board may for the purpose of any reference made to it form a Committee or Committees for a local area or areas from among its Members and may co-opt on such Committee or Committees such other person or persons, representing employers and employees from such local area or areas as it deems necessary; provided that the number of persons representing employees and employers respectively on the Committee shall be equal.

(2) A Committee so formed shall make such enquiry as may be directed by the Wage board and submit its report to the Wage Board.

**14. . :-**

On receipt of a report under sub-rule (2) of rule 13, the Wage Board shall after holding further hearing if necessary decide the matter.

**15. . :-**

All questions arising for any decision at any meeting of a Wage board shall be decided by the majority vote of the Members present (Including the Chairman). In the event of an equality of votes the Chairman shall also have a second or casting vote.

**16. . :-**

Every order or decision of a Wage Board shall be signed by all the Members of the Wage Board concerned and shall bear the official seal.

**17. . :-**

(1) A Wage Board shall, save in cases falling under section 86-F, forward, copies of any order or decision made by it to the parties concerned, the Commissioner of Labour, the Registrar and the Industrial Court:

Provided that if any additional copy of such order or decision is required by the party or other person concerned it shall be supplied by the Secretary at the cost prescribed for certified copies of documents in the Schedule appended to these rules.

(2) On receipt of a copy of such order or decision, the Registrar shall enter it in the register kept for the purpose and shall publish it in the Official Gazette.

**18. . :-**

The Chairman may correct any clerical mistake or error arising from an accidental slip or omission in any order or decision made by it.

**18A. . :-**

(1) Documents in the possession of the Wage Board, which any person has a right to inspect, shall be open to inspection in the office of the Secretary during the usual office hours on payment of the fees prescribed therefore under the schedule.

(2) A certified copy of any such document may be obtained by such person from the Secretary on payment of the fees prescribed therefore under the Schedule.

**19. . :-**

The Chairman and Members of a Wage Board or any other person authorised in writing by the Chairman in this behalf may at any time during the pendency of any industrial matter or dispute before Wage Board enter any building, factory, workshop or other place or premises whatsoever and inspect the same or any work, machinery appliance, or articles therein or interrogate any person therein in respect of anything situated therein or any matter relating to the said industrial matter or dispute.

**20. . :-**

Minutes of the proceedings at the sitting and chamber meetings shall be maintained by the Wage Board and shall form part of the record of the proceedings.

**SCHEDULE 1**

**SCHEDULE**

<b>SCHEDULE</b>		
		Rs. nP.
1.	Inspection and search of	

1.	Inspection and search of documents referred to in rule 17 (1) and 18-A in the possession of the	
	Wage Board (per day).	00.75
2.	Type copying and comparing charges of certified	
	copies of any such document (Per folio of 100	
	words).	00.50.