

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART III

Laws, Regulations and Rules passed thereunder.

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GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ LABOUR AND EMPLOYMENT DEPARTMENT

Notification

Jammu, the 15th of January, 2021.

SO-16.óóThe following draft rules, which the Jammu and Kashmir Government proposes to make in exercise of the powers conferred by section 67 of the Code on Wages, 2019 (29 of 2019) read with section 24 of the General Clauses Act, 1897 (10 of 1897) and in supersession of the :ô

- (i) The Jammu and Kashmir Payment of Wages Rules, 1972;
- (ii) The Jammu and Kashmir Minimum Wages Rules, 1972;

made by the Jammu and Kashmir Government in exercise of the powers conferred by the Payment of Wages Act, 1936 (4 of 1936), the minimum

Objections and suggestions, if any, may be addressed to Commissioner Secretary, Labour and Employment (secyledjk@gmail.com) and Additional Secretary, Labour and Employment Department, Civil Secretariat, J&K.

Objections and suggestions, which may be received from any person with respect to the said draft notification before expiry of the period specified above, will be considered by the Jammu and Kashmir Government.

CHAPTER I

Preliminary

- 1. **Short title, extent and commencement**.ô (l) These rules may be called the Code on Wages Jammu and Kashmir Rules, 2021.
- (2) These rules may extend to the territorial jurisdiction of Jammu and Kashmir.
- (3) They shall come into force after the date of their final publication in the Official Gazette, on the date of the commencement of the Code on Wages, 2019 (29 of 2019).
- 2. **Definitions**.ô In these rules, unless the subject or context otherwise requires,ô
 - (a) õauthorityö means the authority appointed by the Jammu and Kashmir Government under sub-section (1) of section 45;
 - (b) õappellate authorityö means the appellate authority appointed by the Jammu and Kashmir Government under subsection (1) of section 49;

- (c) õappealö means an appeal preferred under sub-section (1) of section 49:
- (d) õBoardö means the Jammu and Kashmir Advisory Board constituted by the Jammu and Kashmir Government under subsection (4) of section 42;
- (e) õChairpersonö means the Chairperson of the Board;
- (f) õCodeö means the Code on Wages, 2019 (29 of 2019);
- (g) õcommitteeö means a committee appointed by the Jammu and Kashmir Government under clause (a) of sub-section (1) of section 8;
- (h) õdayö means a period of 24 hours beginning at mid-night;
- (i) õFormö means a form appended to these rules;
- (j) õhighly skilled occupationö 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;
- (k) õInspector-cum-Facilitatorö means a person appointed by the Jammu and Kashmir Government, by notification under sub-section (1) of section 51;
- (l) õmemberö means a member of the Board and includes its Chairperson;
- (m) õMunicipal Corporation areaö means an area which falls under the Jammu/Srinagar Municipal Corporation;
- (n) õMunicipal Committee/Municipal Council areaö means an area which falls under Municipal Committee/Municipal Council;
- (o) õrural areaö means the area which does not fall under Municipal Corporation and Municipal Committee/Municipal Council;

- - (p) õregistered trade unionö means a trade union registered under The Trade Unions Act, 1926 (16 of 1926);
 - (q) õScheduleö means the schedule to these rules;
 - (r) õsectionö means a section of the Code;
 - (s) õsemi-skilled occupationö 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;
 - (t) õskilled occupationö 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;
 - (u) õunskilled occupationö means an occupation which in its performance requires the application of simply the operating experience and involves no further skills;
 - (v) all other words and expressions used herein in these rules and not defined shall have the meanings respectively assigned to them under the Code.

CHAPTER II

Minimum Wages

- 3. **Manner of calculating the minimum rate of wages**.ô (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 :ô
 - (I) the standard working class family which includes a spouse and two children apart from the earning worker; an equivalent of three adult consumption units;
 - (II) A 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 per cent of food and clothing expenditure ;
- (V) Fuel, electricity and other miscellaneous items of expenditure to constitute 20 per cent of minimum wage; and
- (VI) Expenditure for children education, medical requirement, recreation and expenditure on contingencies.
- Note: ô The provisions of the rule 3 are based on the criteria declared in the judgment in Workmen Represented by Secretary vs. Management of Reptakos Brett. and Co. Ltd. and Anr., 1992 AIR 504 pronounced by the Honøble Supreme Court and on the recommendations of the 15th Indian Labour Conference (ILC) to constitute 25 per cent 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.
- 4. **Norms for f'ixation of minimum rate of wages**.ô (l) While fixing the minimum rate of wages under section 6, the Jammu and Kashmir Government shall divide the concerned geographical area into three categories, that is to say area under Municipal Corporations area under Municipal Committees/Municipal Councils and Rural area.
- (2) The Jammu and Kashmir Government shall constitute a technical committee for the purpose of advising the Jammu and Kashmir Government in respect of skill categorization, which shall consist of the following members, namely :ô
 - (i) Commissioner/Secretary to Government, Labour and Employment (Jammu and Kashmir)-Chairperson;

- - (ii) Commissioner/Secretary to the Government, J&K, Law, Justice and Parliamentary Affairs Department-Member;
 - (iii) Labour Commissioner, J&K-Member-cum-Secretary;
 - (iv) Director, Skill Development and Entrepreneurship, Government of J&K-Member;
 - (v) Director Employment, Government of J&K-Member;
 - (vi) Additional/Deputy Secretary to Govt. J&K, Labour and Employment Department-Member; and
 - (vii) Two technical experts in wage determination as nominated by the Jammu and Kashmir Government-Members.
- (3) The Jammu and Kashmir Government shall, 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-A.
- (4) The technical committee referred in sub-rule (2) shall while advising the Jammu and Kashmir Government under sub-rule (3) take into account to the possible extent, the national classification of occupation or national skills qualification framework or other similar framework for the time being formulated to identify occupations.
- 5. Time interval for revision of dearness allowance.ô Endeavour shall be made so that the cost of living allowance and the cash value of the concession in respect of essential commodities at concession rate shall be computed once before 1st April and then before 1st October in every year to revise the dearness allowance payable to the employees on the minimum wages.
- 6. Number of hours of work which shall constitute a normal working day.ô (1) The normal working day under clause (a) of subsection (1) of section 13 shall be comprised of eight hours of work and one or more intervals of rest which in total shall not exceed one hour.

- (2) The working day of an employee shall be so arranged that inclusive of the intervals of rest, if any, it shall not spread over more than twelve hours on any day.
- (3) The provisions of sub-rules (1) and (2) 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 Jammu and Kashmir Government.
- (4) Nothing in this rule shall be deemed to affect the provisions of the Factories Act, 1948 (63 of 1948).
- 7. Weekly day of rest.ô (1) Subject to the provisions of this rule, an employee shall be allowed a day of rest every week (hereinafter referred to as õthe rest dayö) which shall ordinarily be Sunday, but the employer may fix any other day of the week as the rest day for any employee or class of employees:

Provided that an employee shall be entitled for the rest day under this sub-rule if he has worked under the same employer for a continuous period of not less than six days:

Provided further that the employee shall be informed of the day fixed as the rest day and of any subsequent change in the rest day before the change is effected, by display of a notice to that effect in the place of employment at the place specified by the Inspector-cum-Facilitator in this behalf.

Explanation: ô For the purpose of computation of the continuous period of not less than six days specified in the first proviso to this sub-rule, 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, a day on which an employee is laid off on payment of compensation under the Industrial Disputes Act, 1947 (14 of 1947), and any leave or holiday, with or without pay, granted by the employer to an employee in the period of six days immediately preceding the rest day, 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 five days 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 foregoing provisions of this rule, any employee works on a rest day and has been given a substituted rest day on anyone of the five 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,ô
 - (a) for rest day wages calculated at the rate applicable to the next preceding day; and
 - (b) 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 where,ô

- 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
- (ii) 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
- (iii) 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

Provided further that in case of an employee governed by a piecerate system, the wages for the rest day, or the substituted rest day, as the case may be, shall be such as the Jammu and Kashmir Government may, from time to time determine having regard to the minimum rate of wages fixed under the Code, in respect of the employment.

- Explanation: ô In this sub-rule inext preceding dayø means the last day on which the employee has worked, which preceding the 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: ô For the purposes of this rule, -weekø shall mean a period of seven days beginning at midnight on Saturday night.

- 8. **Night shifts**.ô Where an employee in an employment works on a shift which extends beyond midnight, then,ô
 - (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

- 9. The extent and conditions for the purposes of subsection (2) of section 13.ô In case of employees,ô
 - (a) engaged in any emergency which could not have been foreseen or prevented;
 - (b) engaged in work of the nature of preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working in the employment concerned;
 - (c) whose employment is essentially intermittent;
 - (d) engaged in any work which for technical reasons has to be completed before the duty is over; and
 - (e) engaged in a work which could not be carried on except at times dependent on the irregular action of natural forces; the provisions of rules 6, 7 and 8 shall apply subject to the condition that,ô
 - (i) the spread over of the hours of work of the employee shall not exceed 16 hours in any day; and
 - (ii) the actual hours of work excluding the intervals of rest and the periods of inaction during which the employee may be on duty but is not called upon to display either physical activity or sustained attendance shall not exceed 9 hours in any day.
- 10. **Longer wage period**.ô The longer wage period for the purposes of minimum rate of wages under section 14 shall be by the month.

CHAPTER III

Payment of Wages

11. **Recovery under sub-section (4) of section 18**.ô Where the total deductions authorized under sub-section (2) of section 18 exceed fifty per cent of the wages of an employee, the excess shall be carried

- 12. **The authority under sub-section (1) of section 19**.ô The Assistant Labour Commissioner 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.
- 13. The manner of exhibiting the notice under sub-section (2) of section 19.ô A notice referred to in sub-section (2) of section 19 shall be displayed 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 to the Inspector-cum-Facilitator having jurisdiction.
- 14. The procedure under sub-section (3) of section 19.ô The employer shall give an intimation in writing specifying therein the detailed particulars for obtaining the approval of the imposition of fine to the Assistant Labour Commissioner referred to in rule 12 who shall, before granting or refusing the approval, give opportunity of being heard to the employee and the employer concerned.
- 15. **Intimation of deduction**.ô (1) Where an employer makes any deduction in pursuance of the proviso to sub-section (2) of section 20, he shall make intimation 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 thereunder, he shall initiate appropriate action under the Code against the employer.
- 16. **Procedure for deduction under sub-section (2) of section 21**.ô Any employer desiring to make deduction for damages or loss under sub-section (1) of section 21 from the wages of an employee shall,ô
 - (i) explain to the employee personally and also in writing the damage or loss of goods expressly entrusted to the employee

- - (ii) thereafter, give the employee an opportunity to offer any explanation and deduction for any damages or loss, if made, shall be intimated to the employee within fifteen days from the date of such deduction.
- 17. Conditions regarding recovery of advance under section 23.ô The recovery, as the case may be of,ô
 - (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, shall be made by the employer from the wages of the concerned employee in instalments determined by the employer, so as any or all instalments in a wage period shall not exceed fifty per cent of the wages of the employee in that wage period and the particulars of such recovery shall be recorded in the register maintained in Form-I.
- 18. **Deduction under section 24**.ô Deductions for recovery of loans granted for house building or other purposes approved by the Jammu and Kashmir Government, and the interest due in respect thereof shall be, subject to any direction made or circular issued by the Jammu and Kashmir Government from time to time regulating the extent to which such loans may be granted and the rate of interest shall be payable thereon.

CHAPTER IV

Jammu and Kashmir Advisory Board

- A. Procedure of Jammu and Kashmir Advisory Board under subsection (10) of section 42.
- 19. Constitution of the Board.ô (1) The Board shall consist of the persons to be nominated by the Jammu and Kashmir Government representing employers and employees as specified in clauses (a)

- (2) The persons representing employers as referred to in clause (a) of sub-section (6) of section 42 shall not be less than eight and the persons representing employees referred to in clause (b) of that subsection shall also not be less than eight.
- (3) The independent persons specified in clause (c) of subsection (6) of section 42 to be nominated by the Jammu and Kashmir Government shall consist of the following, namely :ô
 - (i) The Chairperson;
 - (ii) Two Members of State Legislature;
 - (iii) Adm. Secretary, Labour and Employment Department, J&K (Member);
 - (iv) Labour Commissioner, J&K (Member-cum-Secretary);
 - (v) Two members each of whom, shall be a professional in the field of wages and labour related issues;
 - (vi) one member who is or has been a presiding officer of an Industrial Tribunal constituted by the Jammu and Kashmir Government under section 7-A of the Industrial Disputes Act, 1947 (14 of 1947); and
- (4) The Jammu and Kashmir Government shall, while nominating the members of the Board, take into account that the independent members under sub-rule (2) shall not exceed one-third of the total members of the Board and one-third of the members of the Board shall be women.
- 20. **Meeting of the Board**.ô The Chairperson may, subject to the provisions of rule 22, 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.

- 21. **Notice of meetings**.ô 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.

- 22. Functions of Chairperson.ô The Chairperson shall,ô
- (i) preside at the meetings of the Board:

Provided that in the absence of the Chairperson at any meeting, the members shall elect from amongst themselves by a majority of votes, a member who shall preside at such meeting;

- (ii) decide agenda of each meeting of the Board;
- (iii) wherein 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.
- 23. **Quorum**.ô 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.

24. **Disposal of business of the Board**.ô 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

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.

- 25. **Method of voting**.ô Voting in 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.
- 26. **Proceedings of the meetings**.ô (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 Jammu and Kashmir 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.
- 27. Summoning of witnesses and production of documents.ô (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 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.
- 28. **Appointment of the committees**.ô The Jammu and Kashmir Government may constitute as many committees under clause (a) of subsection (1) of section 8 as it considers necessary for the purposes specified in that clause.
- B. Terms of office of members of the Board under sub-section (11) of section 42.

- 29. **Term of office of members of the Board**.ô (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 his appointment or nomination, as the case may be, under sub-section (11) 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-rules (1), (2) and (3), the members of the Board shall hold office during the pleasure of the Jammu and Kashmir Government.
- 30. **Travelling allowance**.ô 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 specified for other similar BORADS in J&K by the Finance Department.
- 31. Officers and staff.ô The Labour Commissioner, Jammu and Kashmir Government shall be the Ex-Office Secretary of the Board and office of The Labour Commissioner, J&K shall provide Secretariat Assistance to the Board.
- 32. Eligibility for re-nomination of the members of the Board.ô An outgoing member shall be eligible for re-nomination for the membership of the Board for not more than total two terms.
- 33. **Resignation of the Chairperson and other members of the Board**.ô (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 Jammu and Kashmir 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 Jammu and Kashmir Government immediately and the Jammu and Kashmir Government shall, then, take steps to fill the vacancy in accordance with the provisions of the Code.
- 34. **Cessation of membership**.ô 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.
- 35. **Disqualification**.ô (1) A person shall be disqualified for being nominated as, and for being a member of the Board,ô
 - (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 Jammu and Kashmir Government thereon shall be final.

CHAPTER V

Payment of Dues, Claims, etc.

- 36. Payment under clause (a) of sub-section (1) of section 44.ô 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 Assistant Labour Commissioner 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.
- 37. Deposit of the undisbursed dues under clause (b) of subsection (1) of section 44.ô (1) Where any amount payable to an

- (2) The amount referred to in sub-rule (1) shall be deposited by the employer with the Assistant Labour Commissioner having jurisdiction through bank transfer or through a crossed demand draft obtained from any scheduled bank in India drawn in favour of such Assistant Labour Commissioner.
- 38. Manner of dealing with the undisbursed dues under clause (b) of sub-section (1) of section 44.ô (1) The amount referred to in sub-rule (1) of rule 37 (hereinafter in this rule referred to as the amount) deposited with the Assistant Labour Commissioner having jurisdiction shall remain with him and be invested in the Jammu and Kashmir or State Government Securities or deposited as a fixed deposit in a scheduled bank.
- (2) The Assistant Labour Commissioner having jurisdiction will exhibit, as soon as may be possible, a notice containing such particulars regarding the amount as the Assistant Labour Commissioner considers sufficient for information at least for fifteen days on the notice board and also publish such notice in any two newspapers 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 Assistant Labour Commissioner 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 Assistant Labour Commissioner 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 Jammu and Kashmir Government from time to time in this behalf.

Forms, Registers and Wage Slip

- 39. **The form of a single application**.ô A single application may be filed under sub-section (5) of section 45 in Form-II along with documents specified in such Form.
- 40. **Appeal.**ô 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, along with documents mentioned by the appellant in such Form, to the appellate authority having jurisdiction.
- 41. **Form of register, etc.**ô (1) 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 Assistant Labour Commissioner having jurisdiction.
- (2) 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.
- (3) Every employer of an establishment to which the Code applies shall maintain registers under sub-section (1) of section 50 in Form-I and Form-IV, electronically or otherwise.
- 42. **Wage slip**.ô Every employer shall issue wage slips, electronically or otherwise to the employees in Form-V under sub-section (3) of section 50 on or before payment of wages.
- 43. Manner of holding enquiry under sub-section (1) of section 53.ô (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 authorized for such purpose by the Jammu and Kashmir Government or by an employee aggrieved or a registered trade union registered under the Trade Unions Act, 1926 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

- (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. The officer shall record the statement of the witnesses on oath and in cross-examination in writing and take the documentary evidence on record.
- (3) The officer shall, after the complainant evidence is complete, provide opportunity of defense 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 defense shall be taken on record by the officer.
- (4) 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.
- 44. The manner of imposing fine under sub-section (1) of section 56.ô (1) An accused person desirous of making composition of offence under sub-section (1) of section 56 may make an application in Form-VI electronically or otherwise to the Gazetted Officer notified under said sub-section (1) of section 56.
- (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

CHAPTER VII

Miscellaneous

- 45. **Timely payment of wages**.ô 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**: ô For the purpose of this rule, the expression õfirmö shall have the meaning as assigned to it in the Indian Partnership Act, 1932 (9 of 1932).
- 46. **Inspection scheme**.ô (1) For the purposes of the Code and these rules, there shall be formulated an inspection scheme by the Labour Commissioner (Jammu and Kashmir) with the approval of the Jammu and Kashmir 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.

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Commissioner/Secretary to Government, Labour and Employment J&K.

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Schedule A

[See Rule 4 (3)]

	[See Rule 4 (3)]
S. No. óóóóóóóó	Unskilled 66666666666666666666666666666666666
1	2
óóóóóóóó 1	odádadádádádádádádádádádádádádádádádádád
2	Calfboy
3	Cattleman
4	Cleaner (Motor Shed, Tractor, Cattle, Yard, M. T.)
5	Collecting loose fodder
6	Dairy coolie
7	Mazdoor (Arportculturist Compost, Dairy& Haystaking, Irrigation, Manure, Stacking, Milk-room, Ration-room Store, Anti-Malaria, M. R.)
8	Driver (Mule, Bullock, Camel, Donkey)
9	Dresser
10	Driver (Bullocks Mule)
11	Grazler

13 (Store-Mazdoor)

Dairyman

- 14 Carrier (Stone)
- 15 Breaker (using manual appliances)
- 16 Helper

- 17 Messenger (Office)
- 18 Mali

19 Syce 20 Tying and Carrying loose hay 21 Sweeper 22 Weighing and Carrying bales 23 Weighman (Bales pally) 24 Waterman 25 Stableman 26 Trollyman 27 Valveman 28 Watchman 29 White Washer Wooderman 30 31 Wooder Woman 32 Borryman 33 Coalman 34 Condenser 35 Attendant 36 Grass Cutter 37 Muchhers Jamadars 38 Condenser Attendant

39

40

41

42

Shunters

Bajri Spreader

Beater Women

Turner

- - 43 Bell-Woman
 - 44 Chain Man
 - 45 Boat Man
 - 46 Bucket Man
 - 47 Labourer (Boiler, Cattle Yard, Cultivation, General Loading and Unloading, Bunding, Carting-Fertilizers, Harvesting, Miscellaneous Seeding, Sowing, Thatching, Transplanting, Weeding)
 - 48 Cleaner (Crane, Truck, Cinder for ash Pit)
 - 49 Cartman
 - 50 Caretaker (Bridge)
 - 51 Carrier (Water)
 - 52 Chowkidar
 - 53 Concrete (Hand Mixer)
 - 54 Daffadar
 - 55 Driver (Bullock, Camel, Donkey, Mule)
 - 56 Flag Man
 - 57 Flagman (Blast Train)
 - 58 Khalasi not attending to machines
 - 59 Gangmen
 - 60 Gatingman (Permanent Way)
 - 61 Handle Man, Jumper Man
 - 62 Kamin (Female Work)
 - 63 Khalas
 - 64 Bridge

- 65 Electrical
- 66 Marine
- 67 Moplah
- 68 Store
- 69 Steam Road
- 70 Share
- 71 Roller Survey
- 72 Labourer (Garden)
- 73 Mazdoor
- 74 Hole Cutter
- 75 Lorry Trainees
- 76 Petrolman
- 77 Searcher
- 78 Signalman
- 79 Strikers
- 80 Yaks Controller
- 81 Cleaner
- 82 Dresser/Dressing Mazdoor
- 83 Loader
- 84 Mazdoor (Male/Female)
- 85 Messenger (Male/Female)
- 86 Trammer
- 87 Caretaker (except in Copper, Chromite and Graphite mines where it is semiskilled)

- 88 Office Peon/Peon (except in Bauxite Mines)
- 89 Sweeper (Male/Female)
- 90 Carrier
- 91 Number Taker
- 92 Trolly Triper
- 93 Water Carrier
- 94 Earth Cutter
- 95 Survey Khalasi
- 96 Gate Man
- 97 Concrete (Hand Mixer)
- 98 Dismantling stocks
- 99 Lampman
- 100 Beldar/Beldar (Canteen)
- 101 Coolie
- 102 Peon
- 103 Cook-helper
- 104 Office Boy
- 105 Quarry Worker
- 106 Jelly Maker
- 107 Over Burden Remover
- 108 Waste Removing Mazdoor
- 109 Unloader
- 110 Excavating Labour
- 111 Digger

- 113 Attender
- 114 Lorry Helper
- 115 Surface Loader
- 116 Wood Cutter
- 117 Surface Mukar
- 118 Underground Mukar
- 119 Striker (Moplah Gang)
- 120 Tall Boy
- 121 Tile
- 122 Person employed in loading and unloading
- 123 Person employed in sweeping and cleaning and other categories by whatever name called which are of unskilled nature
- 124 Any other category of employees by whatever name called which are of unskilled nature.

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- - S. No. Semi-Skilled

2

- 1 Assistant (Chowdhary)
- 2 Attendant (Bull-calving lines, Chowkidar, Chaff Cutter, Hostel, Dry Stock, Grain Crusher, Pump Siekline)
- 3 Stable, Yard Stock
- 4 Assistant Plumber
- 5 Attendant
- 6 Bhisti
- 7 Brander
- 8 Bullman
- 9 Butterman
- 10 Coachman
- 11 Cobbler
- 12 Cultivator
- 13 Daftry
- 14 Deliveryman
- 15 Dhobi
- 16 Dresser
- 17 Fireman
- 18 Gowala
- 19 Hammerman
- 20 Helper (Blacksmith)

- 23 Jamadar
- 24 Khalasi
- 25 Mali Senior
- 26 Mate/Mistry
- 27 Mazdoor (Literate)
- 28 Nalband
- 29 Oilman
- 30 Ploughman
- 31 Vtackers
- 32 Supervisor
- 33 Thatcher
- 34 Valveman
- 35 Valveman (Senior)
- 36 Wireman Fixing Tin Cables
- 37 Cook
- 38 Dandee
- 39 Frash
- 40 Hacksawman
- 41 Helper (Locco-Crane/Truck)
- 42 Manjhee (Boatman)
- 43 Belchawala

- 44 Muccadam (without competency certificate under Metalliferous Bulldozer Driver Mines Regulations, 1961)
- 45 Bhisti (with Mushk)
- 46 Boatman (Head)
- 47 Breaker
- 48 Breaker (Stone, Rock, Rock Stone, Stone Metal)
- 49 Canweaver
- 50 Chainman (Head)
- 51 Charpoy-Stringer
- 52 Checker
- 53 Cracker
- 54 Dollyman
- 55 Assistant
- 56 Driller
- 57 Driver (Skin)
- 58 Excavator
- 59 Ferroman
- 60 Fireman (Brick Kiln, Steam Road Roller)
- 61 Gatekeeper
- 62 Gharami
- 63 Classman
- 64 Grater
- 65 Greaser-cum-Fireman
- 66 Grinder

- 7 Hammerman
- 68 Helper (Artisan)
- 69 Helper (Sawyer)
- 70 Keyman
- 71 Khalasi (Head Survey, Rivertters-Moplah Gang, Supervisory)
- 72 Labourer (Rock-Cutting)
- 73 Lascar
- 74 Mali (Head)
- 75 Stockers and Boilerman
- 76 Thoombaman (Spade Worker)
- 77 Tindals
- 78 Trollyman (Head Motor)
- 79 Fitter (Assistant Semi-Skilled)
- 80 Jamadar (Semi-Skilled)
- 81 Mate (Stone)
- 82 Kasab
- 83 Khalasi (Structural)
- 84 Masalchi P. M. Mates
- 85 Miner
- 86 Untrained Mate/Mining Mate/Mate without Competency Certificate under Metalliferous Mines Regulations, 1961
- 87 Butler/Cook
- 88 Breaker (using mechanical appliances)
- 89 Crech Ayah/Ayah/Untrained Crech Attendant

- - 90 Assistant Driller
 - 91 Oilman/Oiler
 - 92 Chowkidar/Watchman
 - 93 Helper (Mason, Carpenter, Blacksmith)
 - 94 Tindals
 - 95 Topas
 - 96 Topkar (Big Stone Breaker)
 - 97 Trolly Jamadar
 - 98 Winchman
 - 99 Attendance-keeper
 - 100 Assistant Wireman
 - 101 Mate
 - 102 Mate (Blacksmith, Road, Carpenter)
 - 103 Engine Driver and/or Feeder
 - 104 Fitter
 - 105 Gang
 - 106 Mazdoor Mason
 - 107 Permanent Way
 - 108 Pump-Driver, Turner
 - 109 Mazdoor (Heavy-weight)
 - 110 Chargeman
 - 111 Mistri (Head)
 - 112 Muccadam

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	óóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóó			
114	Runner (Post Dak)			
115	Oilman			
116	Quarry man			
117	Quarry Operator			
118	Stoneman			
119	Stocker			
120	Thatcher			
121	Pump Attendant			
122	Bearer			
123	Breakman			
124	Crowlder Man			
125	Laboratory Boy			
126	Pointsman Sencummy			
127	Stone mines and other categories by whatever name called which are of Semi-Skilled nature			

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which are of Semi-Skilled nature

128 Any other category of employees by whatever name called

- - S. No. Skilled

- - 2 Blacksmith
 - 3 Blacksmith (Class-II)
 - 4 Boilerman
 - 5 Carpenter
 - 6 Carpenter (Class-II) Carpenter-cum-Blacksmith
 - 7 Chowdhary
 - 8 Driver
 - 9 Driver (Engine Tractor, M. T. Motor)
 - 10 Electrician
 - 11 Fitter
 - 12 Mason
 - 13 Mason Class-II
 - 14 Machine Hand (Class-II, III, IV)
 - 15 Machineman
 - 16 Mate Gr.-I (Senior)
 - 17 Mechanic
 - 18 Milk Writer
 - 19 Mistry (Head)
 - 20 Moulder
 - 21 Muster Writer
 - 22 Operator (Tube-well)

- 23 Painter
- 24 Plumber
- 25 Welder
- 26 Upholsterer
- 27 Wireman
- 28 Chipper
- 29 Chipper-cum-Grinder
- 30 Cook (Head)
- 31 Driller
- 32 Driller (Well Boring)
- 33 Driver (Loco/Truck)
- 34 Electrician (Assistant)
- 35 Mechanic (Tube-Well)
- 36 Mistry (Stell, Tube-Well, Telephone)
- 37 Meter Reader
- 38 Meterorogical Observer Navghani
- 39 Operator (Batching Plant, Cinema Project, Clamp Shelf, Compressor, Grane, Dorrick, Diesel Engine, Doser, Dragling Drill Dumber, Excavator, Fork Lift Generator, Grader, Jack Hammer and Payment Breaker Loader, Pump, Pile Driving, Scrapper, Screening Plant, Shoval, Tractor, Vibrator, Weight Batcher, Railway Guards, Repairer (Battery)
- 40 Sharper/Slotter

- - 42 Surveyor (Silt)
 - 43 Trades-Man
 - Train Examiner 44
 - 45 Turner/Miller
 - 46 Tyre Vulcaniser
 - 47 Sawyer
 - 48 Sawyer (Selection Grade Class-II) Serang
 - 49 Serangpile
 - 50 Driving Pantooms with Boiler
 - 51 Shapesman
 - 52 Shift-incharge
 - 53 Sprayman
 - 54 Sprayman (Roads)
 - 55 Stone Cutter
 - Stone Cutter (Selection Grade, Grade-II, Class-II) 56
 - 57 Stone Chisler
 - 58 Stone Chisler (Class-II)
 - 59 Stone Blasterer
 - Sub-Overseer (Unqualified) 60
 - 61 Surveyors
 - 62 Pump Driver
 - Pump Driver (Selection Grade), Grade-II and III, Class-II) 63

- Pump Driver (Selection Grade P. E. Driver)
- 65 Pumpman
- 66 Pumpman (Assistant)
- 67 Plumber
- 68 Polisher (with spray) Grade-II
- 69 Ratan Man
- 70 Rivet Cutter (Assistant)
- 71 Rivetter
- 72 Rivetter (Cutter)
- 73 Road Inspector Grade-II, Railway Plate Layer
- 74 Rod Bender
- 75 Haulage Operator
- 76 Dispensary Attendant
- 77 Work Sakar
- 78 Mica Cutter Grade-I
- 79 Dresser Grade-I Mica
- 80 Supervisory Fireman
- 81 Fireman only in Mines
- 82 Compressor Driver
- 83 Pump Man Driver 96. Grinder in Mica Mines
- 84 Surveyors (Assistant)
- 85 Tailor
- 86 Tailor (Upholstry)

- - 87 Transprayer
 - 88 Tarman
 - 89 Line Man
 - 90 Tiler Class-II
 - 91 Wall (Floor Root)
 - 92 Tiler (Selection Grade)
 - 93 Tin-Smith
 - 94 Tin Smith(Selection Grade Grade-II and III, Class-II) Tinker
 - 95 Well Sinker
 - 96 Assistant Mistry
 - 97 Armature Winder Grade-II and III
 - 98 Bhandari
 - 99 Blacksmith
 - 100 Blacksmith (Selection Grade, Grade-II, III, Class-II and III)
 - 101 Boilerman
 - 102 Boilerman Grade-II and III
 - 103 Boiler Foreman Grade-II
 - 104 Work (Assistant)
 - 105 Brick Layer
 - 106 Bricklayer (Selection Grade, Class-II)
 - 107 Blaster
 - 108 Chowkidar (Head)
 - 109 Security Guard (without arms)

- 110 Carpenter
- 111 Carpenter (Selection Grade, Grade-II and III, Class-I and III Assistant)
- 112 B. I. M. Road
- 113 Cabinet Maker
- 114 Caneman
- 115 Cutter Maker Chargeman, Class-II and Class-III, Carpenter Ordinary
- 116 Checkder (Junior)
- 117 Chick Maker
- 118 Chickman (Junior) Concrete Mixure Mixer
- 119 Concrete Mixure Operator
- 120 Cobbler
- 121 Coremaker
- 122 Driver
- 123 Driver Motor Vehicle
- 124 Motor Vehicle Selection Grade
- 125 Motor Lorry
- 126 Motor-Lorry Grade-II
- 127 Lorry Grade-II
- 128 Diesel Engine
- 129 Diesel Engine Grade-II
- 130 Mechanical Road Roller I/c and Cement Mixer etc.
- 131 Road Roller

- 132 Road Roller Driver Grade-II
- 133 Driver (Engine Static Stone Crusher, Tractor/Bull Dozer, Steam Road Roller, Water Pump, Mechanical Assistant, Road Roller, Mechanical, Steam Crane, Tractor with Bull Dozer Mechanical, Transport, Engine Static and Road Roller Boiler Attendant
- 134 Engine Operator (Stone Crusher Mechanical)
- 135 Distemprer, Electrician, Electrician (Grade-II, Class-II and Class-III)
- 136 Fitter
- 137 Fitter (Selection Grade, Grade-II and III) Class-II and III Assistant, Pipe Class-II, Pipeline ending Bars for)
- 138 Reinforcement-cum-Mechanic, Mechanic and Plumber
- 139 Gharami (Head)
- 140 Glazier
- 141 Hole Drillar for Blasting
- 142 Joiner
- 143 Joiner (Cable, Cable Grade-II)
- 144 Lineman (Grade-II, III, High Tension/Low Tension)
- 145 Mason
- 146 Mason (Selection Grade, Grade-II, III and Class-B Mistry)
- 147 Stone (Stone Class-II, Brick Work, Stone Work)
- 148 Brick-layer
- 149 Tile Flooring
- 150 B. I. M. Muccadam (Head)

- 151 Stone Cutting
- 152 Ordinary Machanic
- 153 Mechanic
- 154 Mechanic (Class-II, Air Conditioning, Air Conditioning Grade-II
- 155 Diesel Grade-II
- 156 Road Roller Grade-II
- 157 Assistant Radio
- 158 Manson (Gharami)
- 159 Mistry
- 160 Mistry Grade-II, Air Conditioning Grade-II, P. Way, Survey, Santras Works
- 161 Mason Class-A
- 162 Moulder
- 163 Moulder (Brick Tile)
- 164 Painter
- 165 Painter (Selection Grade, Grade-II and III, Class-II, Assistant Lotter and Polisher, Polisher, Rough)
- 166 Plasterer
- 167 Plasterer (Mason Grade-II)
- 168 Plumber
- 169 Plumber (Selection Grade, Class-II, Assistant Lotter and Polisher, Rough)
- 170 Plasterer

- - 171 Plasterer (Mason Grade-II)
 - 172 Plumber (Selection Grade, Class-II, Assistant Senior, Junior, Mistry Grade-II)
 - 173 Plumbing Mistry
 - 174 Plumber-cum-Fitter
 - 175 Polisher
 - 176 Polisher (Floor)
 - 177 Sirdhar Lathe Man
 - 178 Geologist
 - 179 Trailors
 - 180 Turner
 - 181 Upholsterer
 - 182 Upholsterer (Grade-II and III)
 - 183 Painter Spray (Class-II)
 - 184 Wood Cutter
 - 185 Wood Cutter Section Grade
 - 186 Wood Cutter Class-II
 - 187 Work Sircar
 - 188 Welder
 - 189 Airwineh Haulage Operator
 - 190 Auto-electrician
 - 191 Painter
 - 192 Blacksmith
 - 193 Tailor

194 Compressor Operator 195 Blaster/Shot-firer 196 Driver 197 Head Cook 198 Carpenter 199 Concrete Mixer Operator 200 Compressor Attendant 201 Air Compressor Attendant 202 Tractor Driver 203 Vehicle Driver 204 Chemist and Assistant/Chemist 205 Sub-Overseer (Unqualified) 206 Driller 207 Handhole Driller 208 Drill Mechanic 209 Driver Auto 210 Electrician 211 Wirelesss Operator Asstt. Foreman 212 Foreman 213 Fitter 214 Ferry Driver

215 Issuer Loco

216 Super Foreman

- - 217 Hoist Operator
 - 218 IMCE Driver
 - 219 Driver
 - 220 Loco Driver
 - 221 Loader Operator
 - 222 Linesman
 - 223 Mechanic/ Machinist
 - 224 Mason
 - 225 Midwife
 - 226 Tinsmith
 - 227 Supervisory Mechanic
 - 228 Pump Attendant only in Gypsum, Barytes and Rock Phosphates
 - 229 Pump Operator/Driver
 - 230 Mining Mate with competency certificate under Metalliferous Mines\Regulations, 1961
 - 231 Mistry
 - 232 Skilled Mazdoor
 - 233 Turner
 - 234 Senior Mechanic
 - 235 Pipe Fitter
 - 236 Supervisor
 - 237 Drafts Man
 - 238 Wireman
 - 239 Timber Man/Timber Mistry Elect.

240 Stone Crusher Operator 241 Crusher Operator 242 Moulder 243 Welder 244 Operator 245 Work Mistry 246 Engine Driver 247 Mining Engine Driver Grade-II 248 Engineman 249 Valveman 250 Cutter 251 Winding Engine Driver Grade-II 252 Security Guard (Unarmed)/Head Chowkidar 253 Shovel Operator 254 Limco Loader Operator 255 Surface Supervisor 256 Dozer Operator 257 Compressor Driller 258 Dumper Tractor Operator 259 Boiler Man (with Certificate) 260 Machinery Attendant

262 Crech Attendant only in Magnesite, Manganese and Mica

261 Air Conditions Mechanic

Mines

- 263 Power Shovel Operator
- 264 Power and Pump House Operator
- 265 Miner Grade-I
- 266 Tractor Operator 80. Tub Repairer 81. Lathe Mistry
- 267 Stationery Engine Attendant 83. Generator Operator 84. Loading Foreman
- 268 Diesel Mechanic
- 269 Ferro Printer-cum-Chairman
- 270 White Washing and Colour Washing Man
- 271 Operator Pneumatic Tools, Operator (Fitter)
- 272 Boreman
- 273 Borer
- 274 Wireman (Grade-II and III, Mechanic, Electrical)
- 275 White Washer
- 276 White Washer (Selection Grade, Class-II)
- 277 Wireman
- 278 Welder (Class-II, Bridge Work)
- 279 Welder Gas
- 280 Muccatam (with Competency Certificate under Metalliferous Mines Regulations, 1961)
- 281 Security Guard (without arms) and other categories by whatever name called which are of skilled nature
- 282 Assistant (Farm)
- 283 Assistant (Cashier)

- 284 Librarian
- 285 Telex or Telephone Operator
- 286 Hindi Translator
- 287 Telex or Telephone Operator
- 288 Hindi Translator
- 289 Accounts Clerk
- 290 Clerks
- 291 Computer/Data Entry Operator
- 292 Telephone Operator, Typist
- 293 Store Attendant
- 294 M. C. Clerk
- 295 Munshi (Matriculate, Non-Matriculate)
- 296 Store Clerk (Matriculate Non-Matriculate)
- 297 Storekeeper
- 298 Storekeeper Grade-I, Grade-II (Matriculate)
- 299 Timekeeper
- 300 Timekeeper (Matriculate Non-Matriculate)
- 301 Book Keeper
- 302 Work Munshi
- 303 Work Munshi (Subordinate)
- 304 Magazine Clerk
- 305 Teller Clerk
- 306 Store Clerk

- - 307 Tally Clerk
 - 308 Store Issuer
 - 309 Tool Keeper
 - 310 Computer/Date Entry Operator
 - 311 Record Keeper
 - 312 Tracer
 - 313 File Clerk
 - 314 Register Keeper
 - 315 Timekeeper
 - 316 Clerk
 - 317 Munshi
 - 318 Typist and other categories by whatever name called which are of clerical nature
 - 319 Any other category of employees by whatever name called which are of skilled nature.

- S. No. Highly Skilled

- 1 Artificier Class-I
- 2 Blacksmith Class-I
- 3 Carpenter Class-I
- 4 Machine
- 5 Hand Class-I
- 6 Mason Class-I
- 7 Mechanic (Senior)
- 8 Painter (Grade-I, Class-I, Spray) Plasterer (Mason) Class-I
- 9 Plumber (Head Class-I)
- 10 Mistry Grade-I
- 11 Polisher (with Spray Grade-I)
- 12 Road Inspector Grade-I
- 13 Sawyer Class-I
- 14 Stone Cutter Class-I
- 15 Stone Cutter Grade-I
- 16 Stone Chisler Class-I
- 17 Stone Mason Class-I
- 18 Sub-Overseer (Qualified)
- 19 Tiler Class-I
- 20 Tinsmith Grade-I and Class-I
- 21 Upholsterer Grade-I
- 22 Varnisher Class-I

- Welder-cum-Fitter and Air Conditioning Mechanic
- 24 Welder (Gas) Class-I
- 25 White Washer Class-I
- 26 Wireman Grade-I, Class-I
- 27 Wood Cutter Class-I
- 28 Grinder (Tool) Grade-I
- 29 Operator (Batching Plant Grade-I)
- 30 Leader Grade-I
- 31 Pile Driving Grade-I
- 32 Pump Grade
- 33 Scrapper Grade-I
- 34 Screening Plant Grade-I
- 35 Pump Grade-I
- 36 Scrapper Grade-I
- 37 Security Guards (with arms)
- 38 Armature Winder Grade-I
- 39 Blacksmith Grade-I and Class-I
- 40 Boilerman Grade-I
- 41 Boilerman Foreman Grade-I
- 42 Brick Layer Class-I
- 43 Cable Joiner Grade-I
- 44 Carpenter Grade-I and Class-I
- 45 Celo Cutter and Decorator

- 47 Checker (Sr.) Driver Lorry Grade-I
- 48 Motor Lorry Grade-I
- 49 Motor Vehicle Class-I and Diesel Engine Grade-I
- 50 Road Roller Grade-I
- 51 Pump Class Electrician Grade-I and Class-I/Grade-I
- 52 Fitter (Grade-I, Class-I)
- 53 Pipe Class-I (Head)
- 54 Foreman (Assistant) Line Man Grade-I Mason (Skilled Grade-I, Class-I)
- 55 Mast Rig
- 56 Mechanic Class-II and Class-II
- 57 Mechanic (Diesel Grade-I and Road Roller Grade-I
- 58 Air Conditioning Grade-I/Class-I, Mistry Grade-I
- 59 Mistry (Air Conditioning Grade-I)
- 60 Overseer
- 61 Overseer (Senior and Junior)
- 62 Dragline Grade-I
- 63 Drill Grade-I
- 64 Dumper Grade-I
- 65 Excavator Grade-I
- 66 Fork Lift Grade-I
- 67 Generator Grade-I

- - 68 Rigger Grade-I
 - 69 Rigger Grade-II
 - 70 Charper/Sletter Grade-I
 - 71 Shovel and Dragline Tractor Grade-I
 - 72 Tradesman Class-I
 - 73 Turner/Miller Grade-I
 - 74 Work (Assistant) Grade-I
 - 75 Compounder
 - 76 Surveyor
 - 77 Winding Engine Driver
 - 78 Operator (Heavy Earth Moving Shovel and Bulldozer)
 - 79 Head Mistry
 - 80 Staff Nurse with Diploma
 - 81 Drill Operator other than Jack Hammer
 - 82 Electrical Supervisor with Competency Certificate
 - 83 Underground Shift Boss
 - 84 Head Mechanic
 - 85 Qualified and Experienced Welder
 - 86 Machine Tool Mechanic
 - 87 Mechanical/Plant Foreman
 - 88 Mining Supervisor
 - 89 Vocational Training Instructor/Teacher
 - 90 Head Electrician

- 91 Accountant
- 92 Steno with 7 years of service
- 93 Store In-charge
- 94 Shift In-charge
- 95 Supervisor
- 96 In-charge of Watch and Ward
- 97 Security Guard (Armed)
- 99 Crane Grade-I
- 100 Diesel Engine Grade-I
- 101 Dozer Grade-I
- 102 Clamp Shell Grade-I
- 103 Compressor Grade-I
- 104 Grader Grade-I
- 105 Tractor Grade-I
- 106 Vibrator Grade-I
- 107 Screening Plant Grade-I
- 108 Shovel Grade-I
- 109 Shovel and Dragline
- 110 Tyrevulcanser Grade-I
- 111 Security Guard (with Arms) and other categories by whatever name called which are of Highly-Skilled nature
- 112 Any other category of employees by whatever name called which are of Highly-Skilled nature.

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54 The J&K Official 666666666666666666666666666666666666	al Gazette, 15th Jan., 2021/25th Pau óóóóóóóóóóóóóóóóóóóóóóóóóóó	
.oss Name of the Employer : PAN/TAN of the Employer :	Rates of wages 6 6 6 6 6 6 6 6 6 DA Allowances 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6	Attendance
and Loss Name of t PAN/TAI	Rat 6 6 6 6 6 6 8 8 9 9 9 9 9 9 9 9 9 9 9 9	Date of Payment (a) (b) (c) (c) (c) (d) (d) (d) (e) (e) (e) (e) (e) (e) (e) (e) (e) (e
2) and (3)] on for Damage	Total overtime (hours worked or production in case of piece workers)	Total amount of wages paid 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
FORM-I [See rule-17 and rule-41(1), (2) and (3)] ges, Overtime, Fine, Deduction for Dama	ge Total no days noworked during the period ô ô ô ô ô ô ô ô	Amount of deduction from wages 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6
FORM-I [See rule-17 and rule-41(1), (2) and (3) [Register of Wages, Overtime, Fine, Deduction for Damage and Loss Nar PAI	Wag Peric Fron To ô ô ô ô ô ô	Damage or loss caused to the employer by neglect or default of the employee δ
Register of W	n/ Duration of Payment of Wages (Monthly/Fortnightly/Weekly/Daily/Piece rated)	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
ent: umber (LIN):	Designation/ Department 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Amou fir fir impc impc 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
Name of the Establishment: Name of the Owner: Labour Identification Number (LIN)	Name of the employee employee 3 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Nature of a and omissio for which fi imposed w date 3 0 0 0 0 0 12
Name of the Establi: Name of the Owner Labour Identificatio	Sr. No. in Employee Register Register 0 0 0 0 0 0 0	Overtime earning (6 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0

[See rule 39]

[SINGLE APLICATION UNDER SUB-SECTION (5) OF SECTION 45]

BEFORE THE AUTHORITY APPOINTED UNDER SUB-SECTION (1) OF SECTION 45 OF THE CODE ON WAGES, 2019 (29 OF 2019)

AREA.....

FOR

	Application No of 20
Between A	ABC and (State the number) other
	Through employees concerned or registered trade union or Inspector-cum- Facilitator
	Address
	And
	XYZ
	Address
The	application states as follows :ô
(1)	The applicant(s) whose name(s) appear in the attached schedule was/were/has/have been employed from
	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(1) 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
	(a) The applicant(s) has/have not been paid wages at Rs per day for the weekly days of rest from to
	(b) The applicant(s) has/have not been paid wages at overtime rate(s) for the period from to
	(c) The applicant(s) has/have not been paid wages for period from to

56 óóóó		J&K Official Gazette, 15th Jan., 2021/25th Pausa, 1942. [No. 42-a óóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóóó
		(e) The applicant(s) has/have not been paid minimum bonus for the accounting year
(4)		applicant(s) estimate(s) the value of relief sought by him/them on amount as under,ô
	(a)	Rs
	(b)	Rs
	(c)	Rs
		Total Rs
(5)		applicant(s), therefore, pray(s) that a direction may be issued under ton 45(2) of the Code on Wages, 2019 for,ô
	(a)	payment of the difference between the wages payable under the Code and the wages actually paid ; $ \\$
	(b)	payment of remuneration for the days of rest;
	(c)	payment of wages at the overtime rates;
	(d)	compensation amounting to Rs.
(6)	this	applicant(s) do hereby solemnly declare(s) that the facts stated in application are true to the best of his/their knowledge, belief and rmation.
Dated	·	
		Signature or thumb-impression of the employed person(s), or official of a registered trade union duly authorized or Inspector-cum-Facilitator.

 $\begin{tabular}{ll} \textbf{Note}: \^{o} & The applicant(s), if required, may append annexures containing details, \\ & with this application. \end{tabular}$

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FORM-III

(See rule 40)

Appeal under section 49(1) of the Code on Wages, 2019 before the Appellate Authority under the Code on Wages, 2019

A. B. C.
Address
Vs.
C. D. E.
Address
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 :ô
(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.

58 The J&K Official Gazette, 15th Jan., 2021/25th Pausa, 1942. [No. 42-a 666666666666666666666666666666666666
In view of the facts mentioned above the appellant prays for the following relief(s)ô [Specify below the relief(s) sought]
6. List of enclosures :ô
1.
2.
3.
4.
Date:
Place :
Signature of the appellant.
For office use
666666666666666666666666666666666666666
Date of filing or
Date of receipt by post Registration No.
Authorized Signatory.
6666666

[See rule 41(3)]

EMPLOYEE REGISTER		
Name of the Establishment:	ame of the Employer:	
Name of the Owner:	AN/TAN of the Employer:	
Labour Identification Number (LIN):		
SI. Employee Name Surname Gender Father No. Code Spouse of Name Bir	f Level of	
0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	
Desig- Category Type of Mobile UAN PAN nation (HS/S/SS/US)* Employ- No. ment ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô ô	17 18 19 20	
(IFSC) Address Address Book of for	27 28 29 30	

FORM-V

[See rule 42]

WAGE SLIP

Date	of issue:			
Nam	e of the Establishment	Address	sPe	eriod
1.	Name of employee:			
2.	Father			
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:			
			Pay-I	Employer/ n-charge Signature.

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[See rule 44]

APPLICATION UNDER SUB-SECTION (4) OF SECTION 56 FOR COMPOSITION OF OFFENCE

1.	Name of applicant :
2.	Father Spouse Name :
3.	Address of the applicant :
4.	Particulars of the offence:
5.	Section of the Code under which the offence is committed
6.	Miximum 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
Date	ed:

Applicant (Name and Signature)