

**The West Bengal Payment of
Gratuity Rules, 1973**

THE WEST BENGAL PAYMENT OF GRATUITY RULES, 1973

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No. 131-IR/IR/EIL/IR-5/72. dated 11th January 1973.—In exercise of the powers conferred by sub-section (1) of section 15 of the Payment of Gratuity Act, 1972 (Act 39 of 1972), and in supersession of the West Bengal Employees Payment of Compulsory Gratuity Rules, 1971, as published in the "*Calcutta Gazette, Extraordinary*," dated the 10th September 1971, the Governor is pleased hereby to make the following rules, namely:—

1. Short title and Commencement.—(1) These rules may be called the West Bengal Payment of Gratuity Rules, 1973.

(2) These rules shall be deemed to have come into force on and from the 16th September, 1972.

2. Definition.—(1) In these rules, unless there is anything repugnant in the subject or context,—

- (a) "Act" means the Payment of Gratuity Act, 1972 (Act 39 of 1972);
- (b) "appellate authority" means the State Government or any authority specified by it under sub-section (7) of section 7;
- (c) "form" means a form appended to these rules;
- (d) "nomination" means nomination made under section 6; and
- (e) "section" means a section of the Act.

(2) All words and expressions used in these rules, unless otherwise defined, shall have the same meaning as in the Act.

3. Notice of applicability, change of particulars or closure.—

(1) Within thirty days of these rules becoming applicable to a factory, shop, establishment or plantation, as the case may be, a notice in Form A shall be served by the employer concerned on the controlling authority of the area:

Provided that in the case of a factory, shop, establishment or plantation, to which these rules are applicable with effect from the enforcement of these rules, such notice may be served on the controlling authority within such longer period as may be specified by the State Government by a notification in this behalf.

(2) Within thirty days of any change taking place in regard to any information furnished in Form A, the employer concerned shall serve a notice of such change to the controlling authority of the area in Form B.

(3) Where an employer intends to close down his business, he shall serve a notice of such intended closure in Form C on the controlling authority of the area at least sixty days before the date of intended closure.

(4) All notices to be served under this rule shall be served either personally on a person specified for the purpose by the controlling authority with receipt therefor or by registered post with acknowledgement due.

4. Display of notice and abstract of the Acts and the rules.—

(1) Every employer shall display conspicuously a notice at or near the main entrance of the factory, plantation, shop or establishment, as the case may be, in bold letters in English, Bengali and in a language understood by the majority of the employees specifying the name of the officer with designation authorised by the employer to receive on his behalf notices or applications under the Act or these rules.

(2) Every employer shall display an abstract of the Act and these rules in English, Bengali and in a language understood by the majority of the employees at a conspicuous place at or nearabout the main entrance of the factory, plantation, shop or establishment, as the case may be.

(3) A fresh notice or abstract of the Act or the rules, as the case may be, shall be displayed immediately after the notice or abstract of the Act or the rules, as the case may be, referred to in sub-rules (1) and (2) becomes illegible or requires a change.

5. Form of notice under proviso to section 2(h)(ii).—(1) A notice under the proviso to sub-clause (ii) of clause (h) of section 2 shall be in Form D and sent in triplicate to the employer concerned who shall return one copy thereof to the employee concerned and sent the other copy to the controlling authority, after recording its receipt and such notice shall be attested by two witnesses.

(2) An employee who gives a notice under sub-rule (1) may cancel it by a notice in triplicate in Form E to the employer concerned, who shall follow the same procedure as in sub-rule (1) in disposing of the notice and such notice of cancellation shall also be attested by two witnesses.

6. Nomination.—(1) The nomination under sub-section (1) of section 6 shall be in duplicate in Form F and submitted by personal service, after taking receipt, either to the employer concerned, or if so directed, to an officer authorised in this behalf by the employer concerned—

- (i) in the case of an employee, who is already in employment for a year or more on the date of commencement of these rules, ordinarily, within ninety days from such date, and
- (ii) in the case of an employee, who completes one year of service after the date of commencement of these rules, ordinarily, within thirty days of the completion of one year of service after such date:

Provided that nomination in Form F shall be accepted by the employer concerned also after the specified period, if filed with reasonable grounds for the delay, and no nomination shall be invalid merely because it was filed after the specified period.

(2) Within thirty days of the receipt of a nomination in Form F under sub-rule (1), the employer concerned shall get the service particulars of the employee, as mentioned in the nomination, verified with reference to the

records of the factory, plantation, shop or establishment, as the case may be, and return to the employee concerned, after obtaining a receipt therefor, the duplicate copy of the nomination in Form F duly attested either by the employer concerned or an officer authorised in this behalf by him, as a token of recording of the nomination by the employer concerned and the other copy of the nomination shall be recorded and preserved permanently by the employer for future reference.

(3) If an employee had no family at the time of making a nomination under sub-rule (1) or if a nominee predeceases the employee, the employee concerned shall, within thirty days of acquiring a family or death of the nominee, as the case may be, file a fresh nomination, as required under sub-section (4) of section 6, in duplicate in Form G, to the employer concerned, or if so directed by him, to an officer authorised in this behalf by the employer concerned, and thereafter the provisions of sub-rule (2) shall apply *mutatis mutandis* as if it was filed under sub-rule (1).

(4) A notice for modification of any nomination made under sub-rules (1) and (3) shall be submitted in duplicate in Form H to the employer concerned, or if so directed by him, to an officer authorised in this behalf by the employer concerned, and thereafter, the provisions of sub-rule (2) shall apply *mutatis mutandis* as if it was filed under sub-rule (1).

(5) A nomination or a fresh nomination or a notice of modification of nomination shall be signed or, if the person making the nomination is illiterate, thumb impressed in the presence of two witnesses, who shall also sign a declaration to that effect in the nomination, fresh nomination or notice of modification of nomination, as the case may be, and such nomination, fresh nomination or notice of modification of nomination shall be filed by personal service, after taking receipt and take effect from the date of receipt thereof by the employer.

7. Application for gratuity.—(1) An employee, who is eligible for payment of gratuity under the Act, shall apply, ordinarily within one hundred and twenty days from the date the gratuity became payable, in Form I to the employer concerned:

Provided that where the date of superannuation, retirement or resignation of an employee is known the employee concerned, may apply in Form I to the employer concerned before thirty days of the date of superannuation, retirement or resignation, as the case may be.

(2) A nominee of an employee, who is eligible for payment of gratuity under the second proviso to sub-section (1) of section 4, shall apply ordinarily within one hundred and eighty days from the date the gratuity became payable to him, in Form J to the employer concerned:

Provided that an application in plain paper with sufficient particulars shall also be accepted and the employer concerned may obtain such other particulars as may be deemed necessary by him.

(3) An heir of an employee, who is eligible for payment of gratuity under the second proviso to sub-section (1) of section 4, shall apply ordinarily within one year from the date the gratuity became payable to him, in Form K to the employer concerned.

(4) In case gratuity became payable under the Act before the date of commencement of these rules, the periods of limitation specified in sub-rules (1), (2) and (3) shall be deemed to be operative from the date of commencement of these rules.

(5) An application for payment of gratuity filed after the expiry of the periods specified in this rule shall also be entertained by the employer concerned, if the applicant adduces sufficient cause for the delay in preferring his claim, and no claim for gratuity under the Act shall be invalid merely because the claimant failed to present his application within the specified period and any dispute in this regard shall be referred to the controlling authority and his decision thereon shall be final.

(6) An application under this rule for payment of gratuity shall be presented to the employer concerned, or if so directed by him, to an officer authorised in this behalf by the employer either by personal service or by registered post with acknowledgement due.

8. Notice for payment of gratuity.—(1) Within thirty days of receipt of an application under rule 7 for payment of gratuity, the employer concerned shall,—

- (i) if the claim is found admissible on verification, issue a notice in duplicate in Form L to the applicant employee, nominee or heir, as the case may be, specifying the amount of gratuity payable and fixing a date not being later than forty-fifth day after the date of receipt of the application, for payment thereof, or
- (ii) if the claim for gratuity is not found admissible, issue a notice in duplicate in Form M to the applicant employee, nominee or legal heir, as the case may be, specifying the reasons why the claim for gratuity is not considered admissible.

Explanation.—In either case a copy of the notice shall be endorsed to the controlling authority.

(2) In case payment of gratuity is due to be made in the employer's office, the date fixed for purpose in the notice in Form L under clause (i) of sub-rule (1) shall be re-fixed by the employer, if a written application in this behalf is made by the payee explaining why it is not possible for him to be present in person on the date specified.

(3) If the claimant for gratuity is a nominee or an heir, the employer concerned may ask for such witness or evidence as may be deemed relevant for establishing his identity or maintainability of his claim and in that case the time-limit specified for issuance of notices under sub-rule (1) shall be operative with effect from the date such witness or evidence as called for by the employer, is furnished to the latter:

Provided that issuance of an appropriate notice under sub-rule (1) shall not be delayed beyond ninety days from the date of receipt of an application under rule 7, except with the consent of the applicant or approval of the controlling authority in writing.

(4) A notice in Form L or M shall be served on the applicant either by personal service after taking receipt or by registered post with acknowledgement due.

9. Mode of payment of gratuity.—(1) The gratuity payable under the Act shall ordinarily be paid in cash or, if so desired by the payee in Demand Draft or bank cheque personally to the eligible employee, nominee or heir, as the case may be:

Provided that in case the eligible employee, nominee or heir, as the case may be, so desires and the amount of gratuity payable is less than one thousand rupees, payment may be made by postal money order after deducting the postal money order commission therefor from the amount payable:

Provided further that the employer concerned and the eligible employee, nominee or heir, as the case may be, may devise between them any other mode of payment mutually acceptable to both the sides.

(2) The employer shall maintain a register recording details of payment made on account of gratuity and shall intimate to the controlling authority of the area the details of payment made in each case.

10. Application to controlling authority for direction.—(1) If any employer—

- (i) refuses to accept nomination or entertain an application sought to be filed under rule 7, or
- (ii) issues a notice under sub-rule (I) of rule 8 either specifying an amount of gratuity, which is considered by the applicant less than what is payable or rejecting eligibility to payment of gratuity, or
- (iii) having received an application under rule 7, fails to issue any notice, as required under rule 8, within the time-limit specified therein, and if there is any other dispute in any matter under the Act,

the claimant employee, nominee or heir, as the case may be, within ninety days of the occurrence of the cause for the application, apply in triplicate in Form N to the controlling authority for issuing a direction under sub-section (4) of section 7:

Provided that the controlling authority may accept an application under this sub-rule, on sufficient cause being shown by the applicant, after the expiry of the specified period.

(2) Applications under sub-rule (1) and other documents relevant to such an application shall be presented in person to the controlling authority at any time during hours fixed by him for the purpose or shall be sent to the controlling authority by register post and the controlling authority shall at once endorse or cause to be endorsed on each such application or other document the date of presentation or receipt thereof, as the case may be.

11. Procedure for dealing with application for direction.—(1) Within thirty days of the receipt of an application under rule 10 or as soon thereafter as may be possible, the controlling authority shall, by issuing a notice in Form O, call upon the applicant as well as the employer concerned to appear before him on a specified date, not being earlier than fourteen days after the date of service of the notice, either by himself or through his authorised representative together with all relevant documents and witnesses, if any;

Provided that the date fixed for hearing may be extended by the controlling authority either *suo moto* or on application by either of the parties.

(2) Any person desiring to act on behalf of an employer or employee, nominee or heir, as the case may be, shall present to the controlling authority a letter of authority from the employer or the person concerned, as the case may be, on whose behalf he seeks to act together with a written statement explaining his interest in the matter and praying for permission so to act and the controlling authority shall record thereon an order either according his approval or specifying, in the case of refusal to grant the permission prayed for, the reasons for the refusal.

(3) A party appearing by an authorised representative shall be bound by the acts of the representative.

(4) After completion of hearing on the date fixed under sub-rule (1), or after such further evidence, examination of documents or witnesses and hearing, as may be deemed necessary, the controlling authority shall record his finding as to whether any amount is payable to the applicant under the Act and a copy of the finding shall be given to each of the parties.

(5) If the employer concerned fails to appear on the specified date of hearing without sufficient ground, the controlling authority may proceed to hear and determine the application *ex-parte* and if the applicant fails to appear on the specified date of hearing without sufficient ground, the controlling authority may dismiss the application:

Provided that an order under this sub-rule may, on good cause being shown within thirty days of the said order, be reviewed and the application re-heard after giving not less than fourteen days' notice to the opposite party of the date fixed for re-hearing of the application.

12. Place and time of hearing.—The sittings of the controlling authority shall be held at such times and at such places as he may fix and he shall inform the parties of the same in such manner as he things fit.

13. Administration of oath.—The controlling authority may authorise a clerk of his office to administer oaths for the purpose of making affidavits.

14. Summoning and attendance of witnesses.—The controlling authority may, at any stage of the proceedings before him, either upon or without an application by any of the parties involved in the proceedings before him, and on such terms as may appear to the controlling authority just, issue summons to any person in Form P either to give evidence or to produce documents or for both purposes on a specified date, time and place.

15. Service of summons or notice.—(1) Subject to the provisions of sub-rule (2), any notice, summons, process or order issued by the controlling authority may be served either personally or by registered post with acknowledgement due or in any other manner, as prescribed under the Code of Civil Procedure, 1908 (Act 5 of 1908).

(2) Where there are numerous persons as parties to any proceeding before the controlling authority and such persons are members of any trade

union or association or are represented by an authorised person, the service of notice on the Secretary, or where there is no Secretary, on the principal officer of the trade union or association, or on the authorised person, as the case may be, shall be deemed to be service on such persons.

16. Maintenance of records of cases by the controlling authority.—(1) The controlling authority shall record the particulars of each case under section 7, in Form Q and at the time of passing orders shall sign and date the particulars so recorded.

(2) The controlling authority shall, while passing orders in each case, also record the findings on the merits of the case and file it together with the memoranda of evidence with the order sheet.

(3) Any record, other than a record of any order or direction, which is required by these rules to be signed by the controlling authority, may be signed on behalf of and under direction of the controlling authority by any subordinate officer appointed in writing for this purpose by the controlling authority.

17. Direction for payment of gratuity.—If a finding is recorded under sub-rule (4) of rule 11 that the applicant is entitled to payment of gratuity under the Act, the controlling authority shall issue a notice to the employer concerned in Form R specifying the amount payable and directing payment thereof to the applicant under intimation to the controlling authority within thirty days from the date of receipt of the notice and a copy of the notice shall be endorsed to the applicant employee, nominee or heir, as the case may be.

18. Appeal from the orders of controlling authority.—(1) The appeal under sub-section (7) of section 7 shall be in the form of a memorandum setting forth concisely the facts of the case, grounds of objection to the order or direction against which the appeal is preferred and the relief sought for, and every such memorandum of appeal shall be accompanied by a certified copy of the controlling authority's order or direction, which is the subject matter of the appeal.

(2) The memorandum of appeal under sub-rule (1) shall be submitted to the ¹[appellate] authority and a copy thereof shall be served on all the opposite parties, including the controlling authority, either by personal service after obtaining receipt or by registered post with acknowledgement due.

(3) Within fourteen days of the receipt of a copy of the memorandum of appeal—

- (a) the controlling authority shall forward all the records of the case against which the appeal has been preferred,
- (b) the opposite party shall submit his written statement containing comments on each paragraph of the memorandum of appeal and additional pleas, if any,

to the appellate authority and the opposite party shall serve a copy of the written statement on the appellant either by personal service after obtaining receipt or by registered post with acknowledgement due.

¹ Substituted by Notification No. 5094-I.R./EIL/I.R.-5/72 dated 20th July, 1973 (published in the Calcutta Gazette dt. 16th August, 1973 at page 1532 of Pt. I) for the word "Controlling".

(4) The appellate authority shall record its decision after giving the parties to the appeal a reasonable opportunity of being heard and shall forward a copy of the decision to the parties concerned and the controlling authority and the records of the controlling authority received under sub-rule (3) shall be returned to him by the appellate authority while forwarding a copy of the decision to him under this rule—

if the appeal be disposed of ex parte or struck out or dismissed for default, the appellate authority can, within 60 days from the date of the order, restore it to file if sufficient cause be shown for the appellant's non-appearance on the date of the hearing of the appeal.

(5) The controlling authority shall, on receipt of the decision of the appellate authority, make necessary entry in the records of the case maintained in Form S under sub-rule (1) of rule 16.

(6) On receipt of the decision of the appellate authority, the controlling authority shall, if required under that decision, modify his direction for payment of gratuity and issue a notice to the employer concerned in Form S specifying the modified amount payable and directing payment thereof to the applicant, under intimation to the controlling authority within fifteen days of the receipt of the notice by the employer and a copy of the notice shall be endorsed to the applicant employee, nominee, heir, as the case may be, and to the appellate authority.

19. Application for recovery of gratuity.—In case an employer fails to pay the gratuity due under the Act in accordance with the notice of the controlling authority under rule 17 or sub-rule (6) of rule 18, the employee concerned, his nominee or heir, as the case may be, to whom the gratuity is payable, may apply to the controlling authority in duplicate in Form T for the recovery thereof under section 8.

20. Copies of decision, records and documents.—(1) Any employee or employer or a representative of an employee or employer shall be entitled to inspect any application, document or record filed with the controlling authority in a case in which the employee or the employer is a party, and may obtain copies thereof and of the decision of the controlling authority in relation to that case on payment of the requisite fees specified in the Schedule appended to these rules.

(2) An application for copy under sub-rule (1) shall be in Form U and shall be presented in person to the controlling authority during the hours fixed for the purpose by the controlling authority or shall be sent to him by registered post and shall be accompanied by a fee of seventy-five paise, which shall be paid in court-fee stamps affixed to the application.

(3) All copies shall be prepared on folios, and if it be not possible at once to inform the applicant what court-fee stamps and folios will be required in respect of the copies applied for, the requisite information shall be communicated to the applicant as soon as may be possible thereafter, but not later than seven days from the date on which the application is received by noting on the counterfoil portion of the application.

(4) In the case of certified copies, the court-fee chargeable under the West Bengal Court-Fees Act, 1970 (X of 1970), shall be levied by affixing the necessary stamp to the first folio of the copy.

(5) On receipt of the information referred to in sub-rule (3), the applicant shall present the requisite foils and court-fee stamps to the controlling authority along with the counterfoil of his original application, on which the receipt of the court-fee stamps and folios filed shall be acknowledged, and the date on which the copy will be ready for delivery noted and the counterfoil shall then be returned to the applicant.

(6) If the requisite folios and court-fee stamps are not filled within seven days from the date on which the information referred to in sub-rule (3) is communicated to the applicant, the application shall be liable to be struck off and an application so struck off shall not be revived, but in such case, a fresh application may be made.

(7) Urgent copies shall ordinarily be ready on the day following the date of payment of the urgent fees specified in this behalf in the Schedule and compliance with other requisites.

21. Register of application for copies.—Application for copies shall be numbered consecutively and entered in a register maintained for the purpose in Form V.

22. Register of Court-fees.(1) A Court-fee register shall be maintained in Form W by the controlling authority.

(2) Court-fee stamps shall be cancelled by punching in the manner laid down in section 44(2) of the West Bengal Court-Fees Act, 1970 (X of 1970).

FORM A

[See sub-rule (1) of rule 3]

Notice of Opening

To

The Controlling Authority

(give here the address)

Take notice that the West Bengal Payment of Gratuity Rules, 1973, are applicable to my factory/plantation/shops/establishment, with effect from

.....
(date here)

Necessary particulars regarding my factory/plantation/shops/establishment are given in the statement below:

Statement

1. Name or description of the factory/plantation/shops/establishment with full address.
2. Address for communication.
3. If a proprietary undertaking, names and full residential address of the owners/partners.
4. If a joint stock company—
 - (a) Names and full residential address of every director.
 - (b) Names and full residential address of every person owning or controlling twenty per centum or more of the shares.
5. Number of persons employed.
6. Maximum number of persons employed on any day during the preceding twelve months with date.
7. Number of employees covered by the Act.
8. Whether a factory or a plantation or a shop or an establishment.
9. Articles produced or dealt with or services rendered. If so, the details.
10. Whether seasonal (in case of factory).
11. Date of opening.

2. I declare that the particulars mentioned in the above statement are true and correct to the best of my knowledge and belief.

Place

Date

*Signature of the employer with name
and designation or rubber stamp*

Copy to the Labour Department, Government of West Bengal.

Note.—Strike out the words not applicable.

FORM B

[See sub-rule (2) of rule 3]

Notice of change

From
(Name and address of the factory/plantation/shop/establishment.)

Take notice that the following changes have occurred in the particulars furnished by me in the notice datedin Form A with effect from
(Here specify the details of the changes)

Place

Date

*Signature of the employer with name
and designation or rubber stamp*

To

The Controlling Authority

Copy to the Labour Department, Government of West Bengal.

FORM C

[See sub-rule (3) of rule 3]

Notice of Closure

From :
(Here give the full name of the person(s) signing the notice with description of the position he holds, the name of the factory/plantation/shop/establishment and full postal address thereof.)

To : The Controlling Authority
(Address here)

As required under sub-rule (3) of rule 3, I/we hereby give notice on behalf of the before-mentioned factory/plantation/shop/establishment that a final decision has been taken to close the factory/plantation/shop/establishment with effect from

(Here insert the date.)

The reasons for such closure and other relevant details are given in the statement below.—

Statement

1. Name and description of the factory/plantation/shop/establishment with full address.
2. Address for communication.
3. If a proprietary undertaking, names and full residential address of the owners/partners.
4. If a joint stock company—
 - (a) Names and full residential address of every employer.
 - (b) Names and full residential address of every person owning or controlling twenty per centum or more of the shares.
5. Number of persons employed on the date of notice.
6. Number of persons entitled to gratuity.
7. Amount of gratuity involved.
8. Date on which closure will be effective.
9. Reasons of closure.
10. Date for payment of gratuity.

I hereby declare that the particulars mentioned in the above statement are true and correct to the best of my knowledge and belief.

Place

Date

*Signature with official seal or description
of the post or position held.*

Copy to the Labour Department, Government of West Bengal.

FORM D

[See sub-rule (I) of rule 5]

Notice for excluding husband from family

From :—

1. Name of the female employee.
2. Name or description of factory/
plantation/shop/establishment where
employed.
3. Post held with Ticket or Serial No., if
any.
4. Department/Branch/Section where
employed.
5. Permanent address.

Take notice that I, Shrimati, desire to exclude my
husband Shri, from my family for the purposes
of the Payment of Gratuity Act, 1972 (Act 39 of 1972).

Place

Date

*Signature / Thumb impression of the
employee.*

Declaration by witnesses

The above notice was signed/thumb impressed before me.

Name in full and full address
of witnesses

Signature of witnesses

- 1.
- 2.

- 1.
- 2.

Place

Date

To

The Controlling Authority
(Through the employer)

(Name and address of the employer here)

For use by the employer

Received and recorded in this factory/plantation/shop/establishment.

Reference No.

Date

*Signature of the employer or an officer
authorised in this behalf by the employer.
Seal or rubber stamp of the factory /
Plantation / shop / establishment.*

To

1. (Employee).
2. The Controlling Authority.

Note.—Strike out the words not applicable.

FORM E

[See sub-rule (2) of rule 5]

Notice of cancellation of notice for excluding husband from family

1. Name of the female employee—
2. Name or description of factory/plantation/shop/establishment where employed:
3. Post held with Ticket or Serial No., if any:
4. Department/Branch/Section where employed:
5. Permanent address:

Take notice that I, Shrimati....., hereby cancel the notice dated, whereby I excluded my husband, Shri, from my family for the purposes of the Payment of Gratuity Act, 1972. The earlier notice was recorded under your reference No.

Place.....
Date.....

Signature / Thumb impression of the employee.

Declaration by witnesses

The above notice of cancellation was signed/thumb impressed before me.

Name in full and full address
of witnesses

Signature of witnesses

1.

1.

2.

2.

Place.....

Date.....

To

The Controlling Authority
(through the employer)

(Name and address of the employer.)

For use by the employer

Received and recorded in this factory/plantation/shop/establishment.

Reference No.

*Signature of the employer or
officer authorised.*

Date.....

*Seal or rubber stamp of the factory/
plantation / shop / establishment.*

To

1. (Employee).

2. The Controlling Authority.

Note.—Strike out the words not applicable.

FORM F

[See sub-rule (1) of rule 6]

Nomination

To.....

(Give here the name or description of the factory/plantation/shop/establishment with full address).

I, Shri/Shrimati/Kumari.....whose particulars
(Name in full here)

are given in the statement below, hereby nominate the person(s) mentioned below to receive the gratuity payable after my death as also the gratuity standing to my credit in the event of my death before that amount has become payable, or having become payable has not been paid and direct that the said amount of gratuity shall be paid in proportion indicated against the name(s) of the nominee(s).

2. I hereby certify that the person(s) nominated is a/are member(s) of my family within the meaning of clause (h) of section 2 of the Payment of Gratuity Act, 1972 (Act 39 of 1972).

3. I hereby declare that I have no family within the meaning of clause (h) of section 2 of the said Act.

4. (a) My father/mother/parents is/are not dependent on me.

(b) My husband's father/mother/parents is/are not dependent on my husband.

5. I have excluded my husband from my family by a notice dated, the, to the Controlling Authority in terms of the proviso to clause (h) of section 2 of the said Act.

6. Nomination made herein invalidates my previous nomination.

Nominee(s)

Name in full with full address of nominee(s)	Relationship with the employee	Age of nominee	Proportion by which the gratuity will be shared
(1)	(2)	(3)	(4)

1.

2.

3.

so on

Statement

1. Name of employee in full:
2. Sex:
3. Religion:
4. Whether unmarried/married/widow/
widower:

5. Department/Branch/Section where employed:
6. Post held with Ticket No. or Serial No., if any:
7. Date of appointment:
8. Permanent address:

Village	Thana	Sub-division
Post Office	District	State

Place.....	<i>Signature / Thumb impression</i>
Date.....	<i>of the employee.</i>

Declaration by witnesses

Nomination signed/thumb impressed before me.

Name in full and full address
of witnesses

Signature of witnesses

1.

1.

2.

2.

Place

Date

Certificate by the employer

Certified that the particulars of the above nomination have been verified and recorded in this factory/plantation/shop/establishment.

Employer's Reference No., if any—

*Signature of the employer / officer
authorised.*

Date.....

Designation
*Name and Address of the factory /
plantation / shop / establishment
or rubber stamp thereof.*

Acknowledgement by the employee

Received the duplicate copy of nomination in Form F filed by me on
.....duly certified by the employer.

Date.....

Signature of the employee.

Note.—Strike out the words/paragraph not applicable.

FORM G

[See sub-rule (3) of rule 6]

Fresh Nomination

To

(Give here the name or description of the factory/plantation/shop/establishment with full address.)

I, Shri/Shrimati/Kumariwhose
(Name in full here)

particulars are given in the statement below—,

(a) have acquired a family within the meaning of clause (h) of section 2 of the Payment of Gratuity Act, 1972 (Act 39 of 1972), with effect from thein the manner indicated below,
(date here)

(b) hereby inform that
(Name in full here)

whom I declared as a nominee in my nomination in Form F recorded by you on thedied on
(date here) (date here)

and, therefore, I nominate afresh the person(s) mentioned below to receive the gratuity payable after my death as also the gratuity standing to my credit in the event of my death before that amount has become payable, or having become payable had not been paid and direct that the said amount of gratuity shall be paid in proportion indicated against the name(s) of the nominee(s).

2. I hereby certify the person(s) nominated is a/are member(s) of my family within the meaning of clause (h) of section 2 of the said Act.

3. (a) My father/mother/parents is/are not dependent on me.

(b) My husband's father/mother/parents is/are not dependent on my husband.

4. I have excluded by husband from my family by a notice dated, theto the controlling authority in terms of the proviso
(date here)

to the clause (h) of section 2 of the said Act.

Nominee(s)

Name in full with full address of nominee(s)	Relationship with the employee	Age of nominee	Proportion by which the gratuity will be shared
(1)	(2)	(3)	(4)
1.			
2.			
3.			
so on			

Manner of acquiring a "family"

(Here give details as to how a family was acquired i.e. whether by marriage or parents being rendered dependant or through other process like adoption).

Statement

1. Name of the employee in full
2. Sex:
3. Religion:
4. Whether unmarried/married/widow/
widower:
5. Department/Branch/Section where
employed:
6. Post held with Ticket No. or Serial
No., if any:
7. Date of appointment:
8. Permanent address:

Village

Thana

Sub-division

Post Office

District

State

Place.....

*Signature / Thumb impression
of the employee.*

Date.....

Declaration by witnesses

Fresh Nomination signed/thumb impressed before me.

Name in full and full address
of witnesses

Signature of witnesses

1.

1.

2.

2.

Place

Date

Certificate by the employer

Certified that the particulars of the above nomination have been verified and recorded in this factory/plantation/shop/establishment.

Employer's Reference No., if any.

*Signature of the employer / officer
authorised.*

Date.....

Designation
Name and Address of the factory /
plantation / shop / establishment
or rubber stamp thereof.

Acknowledgement by the employee

Received the duplicate copy of the nomination in Form G filed by me on
.....duly certified by the employer.

Date.....

Signature of the employee.

Note.—Strike out the words/paragraph not applicable.

FORM H

[See sub-rule (4) of rule 6]

Modification of Nominations

To.....

(Give here the name or description of the factory/plantation/shop/establishment with full address.)

I, Shri/Shrimati/Kumari.....whose

(Name in full here)

particulars are given in the statement below, hereby give notice that the nomination filed by me onand recorded under your reference

(date)

No., dated shall be modified in the following manner:—

(Here give details of the modifications intended.)

Statement

1. Name of the employee in full
2. Sex:
3. Religion:
4. Whether unmarried/married/widow/
widower:
5. Department/Branch/Section where
employed:
6. Post held with Ticket No. or Serial
No., if any:
7. Date of appointment:
8. Address in full:

Place.....

*Signature/Thumb impression of
the employee.*

Date.....

Declaration by witnesses

Modification of nomination signed/thumb impressed before me.

Name in full and full address
of witnesses

Signature of witnesses

1.

1.

2.

2.

Place.....

Date.....

Certificate by the employer

Certified that the above modifications have been recorded.

Employer's Reference No., if any

*Signature of the employer / officer
authorised.*

Date.....

*Designation
Name and Address of the factory /
plantation / shop / establishment
or rubber stamp thereof.*

Acknowledgement by the employee

Received the duplicate copy of the notice for modification in Form H filed by me on.....duly certified by the employer.

Date.....

Signature of the employee.

Note.—Strike out the words not applicable.

FORM I

[See sub-rule (1) of rule 7]

Application for gratuity by an employee

To.....

(Give here the name or description of the factory/plantation/shop/establishment with full address.)

Sir/Gentlemen,

I beg to apply for payment of gratuity to which I am entitled under sub-section (1) of section 4 of the Payment of Gratuity Act, 1972 (Act 39 of 1972), on account of my superannuation/retirement/resignation after completion of not less than five years of continuous service/total disablement due to accident/total disablement due to disease with effect from the Necessary particulars relating to my appointment in the factory/plantation/shop/establishment are given in the Statement below.

Statement

1. Name in full:
2. Address in full:
3. Department/Branch/Section where last employed:
4. Post held with Ticket No. or Serial No., if any:
5. Date of appointment:
6. Date and cause of termination of service:

7. Total period of service:
8. Amount of wages last drawn:
9. Amount of gratuity claimed:

2. I was rendered totally disabled as a result of
(Here give the details of the nature of disease or accident.)

The evidences/witnesses in support of my total disablement are as follows:—

(Here give details.)

3. Payment may please be made in cash/open or crossed bank cheque/
Bank Draft.

4. As the amount of gratuity payable is less than rupees one thousand, I shall request you to arrange for payment of the sum due to me by Postal Money Order at the address mentioned above after deducting postal money order commission therefrom.

Yours faithfully,

*Signature / thumb impression of the
applicant employee.*

Place

Date

Notes.—(1) Strike out the words not applicable.

(2) Strike out paragraph or paragraphs not applicable.

FORM J

[See sub-rule (2) of rule 7]

Application for gratuity by a nominee

To.....

(Give here the name or description of the factory/plantation/shop/establishment with full address.)

Sir/Gentlemen,

I beg to apply for payment of gratuity to which I am entitled under sub-section (1) of section 4 of the Payment of Gratuity Act, 1972 (Act 39 of 1972), as a nominee of late.....

(Name of the employee)

who was an employee of your factory/plantation/shop/establishment and died on the The gratuity is payable on account of the death

of the aforesaid employee while in service/superannuation of the aforesaid employee on /retirement or resignation of the aforesaid employee on, after completion of years of service/total disablement of the aforesaid employee due to accident or disease while in service with effect from the Necessary particulars relating to my claim are given in the statement below.

Statement

1. Name of applicant nominee:
2. Address in full of the applicant nominee:
3. Marital status of the applicant nominee (unmarried/married/widow/widower):
4. Name in full of the employee:
5. Marital status of employee:
6. Relationship of the nominee with the employee:
7. Total period of service of the employee:
8. Date of appointment of the employee:
9. Date and cause of termination of service of the employee:
10. Department/Branch/Section where the employee last worked:
11. Post last held by the employee with Ticket No. or Serial No., if any:
12. Total wages last drawn by the employee:
13. Date of death and evidence/witness as proof of death of the employee:
14. Reference No. of recorded nomination, if available:
15. Total gratuity payable to the employee:
16. Share of gratuity claimed:
 2. I declare that the particulars mentioned in the above statement are true and correct to the best of my knowledge and belief.
 3. Payment may please be made in cash/crossed or open bank cheque.
 4. As the amount payable is less than rupees one thousand, I shall request you to arrange for payment of the sum due to me by Postal Money Order at the address mentioned above after deducting postal money order commission therefrom.

Place.....
Date.....

Yours faithfully,
*Signature / Thumb impression of
the applicant nominee*

Notes.—(1) Strike out the words not applicable.
(2) Strike out the paragraph or paragraphs not applicable.

FORM K

[See sub-rule (3) of rule 7]

Application for gratuity by an heir

To.....

(Give here the name or description of the factory/plantation/shop/establishment with full address).

Sir/Gentlemen,

I beg to apply for payment of gratuity to which I am entitled under sub-section (1) of section 4 of the Payment of Gratuity Act, 1972 (Act 39 of 1972), as an heir of late.....

(Name of the employee)

who was an employee of your factory/plantation/shop/establishment and died on the..... without making any nomination. The gratuity is payable on account of the death of the aforesaid employee while in service/superannuation of the aforesaid employee on the retirement or resignation of the aforesaid employee on the after completion of..... years of service/total disablement of the aforesaid employee due to accident or disease while in service with effect from Necessary particulars relating to my claim are given in the statement below:

Statement

1. Name of applicant heir:
2. Address in full of applicant legal heir:
3. Marital status of the applicant heir (unmarried/married/widow/ widower):
4. Name in full of the employee:
5. Relationship of the applicant with the employee:
6. Religion of both the applicant and the employee:
7. Date of appointment and total period of service of the employee:
8. Department/Branch/Section where the employee worked last:
9. Post last held by the employee with Ticket or Serial No., if any:
10. Total wages last drawn by the employee:
11. Date and cause of termination of service of the employee (death or otherwise):
12. Date of death of the employee and evidence/witness in support thereof:
13. Total gratuity payable to the employee:

14. Percentage of the gratuity claimed:
15. Basis of the claim and evidence/witness in support thereof:

2. I declare that the particulars mentioned in the above statement are true and correct to the best of my knowledge and belief.

3. Payment may please be made in cash/open or crossed bank cheque/Bank Draft

4. As the amount payable is less than rupees one thousand, I shall request you to arrange for payment of the sum due to me by Postal Money Order at the address mentioned above, after deducting postal money order commission therefrom.

Yours faithfully,

*Signature / Thumb impression of
applicant legal heir*

Place.....

Date.....

Note—Strike out the words not applicable.

FORM L

[See clause (i) of sub-rule (1) of rule 8]

Notice for Payment of Gratuity

To.....

(Name and address of the applicant employee/nominee/heir.)

You are hereby informed as required under clause (i) of sub-rule (1) of rule 8 of the West Bengal Payment of Gratuity Rules, 1973 that a sum of Rs. (Rupees) is payable to you as gratuity/as your share of gratuity in terms of nomination made by on and recorded in this factory/plantation/shop/establishment/as an heir of, an employee of this factory/plantation/shop/establishment.

2. Please call at on
(Here specify place) (date)
at for collecting your payment in cash/open or crossed cheque/
(time)
demand draft.

3. Crossed Cheque/Demand Draft for the amount due shall be sent to you on receiving back the enclosed clearance certificate duly signed by you and attested by a Gazetted Officer.

4. Amount payable shall be sent to you by Postal Money Order at the address given in your application after deducting the postal money order commission, as desired by you, by

Brief statement of calculation.

1. Total period of service of the employee concerned—
..... years months.

2. Wages last drawn:
3. Proportion of the admissible gratuity payable in terms of nomination/as an heir:
4. Amount payable:

Place.....

Date.....

*Signature of the employer /
Authorised Officer
Name or description of factory /
plantation / shop / establishment or
rubber stamp thereof.*

Copy to the Controlling Authority.

Note—Strike out the words not applicable.

Clearance Certificate

Received a sum of Rs. from
(Name of shop/establishment/factory/plantation)
as being the gratuity due to me under the Payment of Gratuity Act, 1972 in
full and final settlement of my claims on that account.

*Signature / Thumb impression of
the payee.*

Attestation

The payee is known to me and signed before me

Date.....

Place.....

*Signature of a Gazetted Officer
Official Seal.*

FORM M

[See clause (ii) of sub-rule (1) of rule 8]

Notice Rejecting Payment of Gratuity

To.....

(Name and address of the applicant employee/nominee/heir.)

You are hereby informed as required under clause (ii) of sub-rule (1) of rule 8 of the West Bengal Payment of Gratuity Rules, 1973, that your claim

for payment of gratuity as indicated on your application in Form
under the said rules is not admissible for the reasons stated below.

Reasons

(Here specify the reasons)

*Signature of the employer /
Authorised Officer*

Place.....

*Name or description of factory /
plantation / shop / establishment or
rubber stamp thereof.*

Date.....

Copy to the Controlling Authority.

Note—Strike out the words not applicable.

FORM N

[See sub-rule (1) of rule 10]

Application for Direction

Before the Controlling Authority under the Payment of Gratuity Act,
1972 (Act 39 of 1972),

Application No. Dated

Between

(Name in full of the applicant with full address)

And

(Name in full of the employer concerned with full address)

The applicant is an employee of the abovementioned employer/a nominee
of late....., an employee of the abovementioned employer/an heir of
late....., an employee of the abovementioned employer, and is entitled
to payment of gratuity under section 4 of the Payment of Gratuity Act, 1972
(Act 39 of 1972), on account of his own/aforesaid employee's superannuation
on...../his own retirement/aforesaid employee's resignation

(date)

on..... after completion of years of continuous

(date)

service/his own/aforesaid employee's total disablement with effect from
..... due to accident/disease, death of the aforesaid

(date)

employee on

2. The applicant submitted an application under rule 7 of the West
Bengal Payment of Gratuity Rules, 1973, on the
but the abovementioned employer refused to entertain it/issued a notice dated
the, under clause (i) of sub-rule (1) of rule 8 of offering an amount of
gratuity which is less than my due/issued a notice dated the,
under clause (ii) of sub-rule 1 of rule 8 rejecting my eligibility to payment of
gratuity. The duplicate copy of the said notice is enclosed.

3. The applicant submits that there is a dispute on the matter.
(Here specify the dispute).

4. The applicant furnishes the necessary particulars in the annexure hereto and prays that the Controlling Authority may be pleased to determine the amount of gratuity payable to the petitioner and direct the above-mentioned employer to pay the same to the petitioner.

5. The applicant declares that the particulars furnished in the annexure hereto are true and correct to the best of his knowledge and belief.

Date.....

*Signature / Thumb impression of
the applicant.*

Annexure

1. Name in full of applicant with full address:
2. Basis of claim:
(Death/Superannuation/Retirement/Resignation/Disablement of employee):
3. Name and address in full of the employee:
4. Marital status of the employee (unmarried/married/widow/widower):
5. Name and address in full of the employer:
6. Department/Branch/Section where the employee was last employed (if known):
7. Post held by the employee with Ticket or Serial No., if any (if known):
8. Date of appointment of the employee (if known):
9. Date and cause of termination of service of the employee (superannuation/retirement/resignation/disablement/death):
10. Total period of service by the employee:
11. Wages last drawn by the employee:
12. If the employee is dead, date and cause thereof:
13. Evidence/witness in support of death of the employee:
14. If a nominee, No. and date of recording of nomination with the employer:
15. Evidence/witness in support of being an heir, if a legal heir:
16. Total gratuity payable to the employee (if known):

17. Percentage of gratuity payable to the applicant as a nominee/heir:
18. Amount of gratuity claimed by the applicant.

Place.....
Date.....

*Signature/Thumb impression of
the applicant.*

Note.—Strike out the words not applicable.

FORM O

[See sub-rule (1) of rule 11]

Notice for appearance before the Controlling Authority

From: The Controlling Authority under the Payment of Gratuity Act, 1972
(Act 39 of 1972).

To:
(Name and address of the employer/applicant).

Whereas Shri, an employee under you/a nominee(s)/an heir(s) of Shri....., an employee under the above-mentioned employer, has/have filed an application under sub-rule (1) of rule 10 of the West Bengal Payment of Gratuity Rules, 1973 alleging that—

(A copy of the said application is enclosed).

Now, therefore, you are hereby called upon to appear before me at
.....either personally or through a person
(place)

duly authorised in this behalf for the purposes of answering all material questions relating to the application on theday of.....
.....19.....at.....o'clock in the forenoon/afternoon in support of/ to answer the allegation; and as the day fixed for your appearance is appointed for final disposal of the application, you must be prepared to produce on that day all the witness upon whose evidence, and the documents upon which you intend to rely in support of your allegation/ defence.

Take notice that in default of your appearance on the day before-mentioned the application will be dismissed/heard and determined in your absence.

Given under my hand and seal, thisday of19.....

Controlling Authority.

Note.—Strike out the words and paragraph not applicable.

FORM P

[See rule 14]

Summons

Before the Controlling Authority under the Payment of Gratuity Act, 1972
(Act 39 of 1972)

To
(Name and address)

Whereas your attendance is required to give evidence/you are required to produce the documents mentioned in the list below, on behalf of
.....in the case arising out of the claim for gratuity by
.....from
and referred to this Authority by an application under rule 10 of the West Bengal Payment of Gratuity Rules, 1973, you are hereby summoned to appear personally before this Authority on the day of19
at o'clock in the forenoon/afternoon and to bring with you (or to send to this Authority) the said documents.

List of documents

1.

2.

3.

so on

Date, thisday of19.....

Controlling Authority

Notes.—(1) The portion not applicable to be deleted.

(2) The summons shall be issued in duplicate. The duplicate is to be signed and returned by the person served before the date fixed.

(3) In case the summons is issued only for producing a document and not to give evidence, it will be sufficient compliance to the summons if the documents are caused to be produced before the Controlling Authority on the day and hour fixed for the purpose.

FORM Q

[See sub-rule (1) of the rule 16]

Particulars of Application under section 7

1. Serial No.
2. Date of the application
3. Name and address of the applicant

4. Name and address of the employer
5. Amount of gratuity claimed
6. Plea of the employer and his examination, if any
7. Finding, and a brief statement of reasons therefor (to be enclosed on a separate sheet of paper, if necessary)
8. Amount awarded
9. Cost, if any, awarded to witnesses', expenses.

Dated.....

Signed

Attached on a separate sheet the substance of the evidence.

FORM R

[See rule 17]

Notice for Payment of Gratuity

To

(Name and address of the employer)

Whereas Shri/Srimati/Kumari,
of, an employee under you/a
(address)
nominee(s)/an heir(s) of latean employee under you, filed an
application under rule 10 of the West Bengal Payment of Gratuity Rules, 1973
before me;

And whereas the application was heard in your presence on.....
(date)

and after the hearing I have come to the finding that the said Shri/
Srimati/Kumari....., is entitled to a payment of
Rs.as gratuity under the Payment of Gratuity Act, 1972
(Act 39 of 1972);

Now, therefore, I hereby direct to pay the said sum of Rs.to
Shri/Srimati/Kumari....., within thirty days
of receipt of this notice with an intimation thereof to me.

Given under my hand and seal, thisday of19.....

Controlling Authority.

Copy to

(Applicant under rule 8.)

He is advised to contact the employer for collecting payment.

Note.—The portion not applicable to be deleted.

FORM S

[See sub-rule (5) of rule 18]

Notice for Payment of Gratuity as Determined by Appellate Authority

To

(Name and address of employer)

Whereas a notice was given to you onin Form R requiring
(date here)
you to make a payment of Rs.(Rupees)
only to Shri/Smt./Kumari.....as gratuity under
(name here)
the Payment of Gratuity Act, 1972;

And whereas you/the applicant preferred an appeal before the appellate
authority and the appellate authority has decided that an amount of Rs.
(Rupees) only is payable to Shri/Smt./
Kumari.....as gratuity under the Payment of
(name here)
Gratuity Act, 1972;

Now, therefore, I hereby direct you to pay the said sum of Rs.
(Rupees.....) only to Shri/Smt./Kumari
(name here)
.....within thirty days of the receipt of this notice with an
intimation thereof to me.

Given under my hand and seal thisday of.....19.....

.....
Controlling Authority.

Copy to—

1. Applicant. He is advised to contact the employer for collecting the payment.
2. Appellate Authority.

Note.—The portion not applicable to be deleted.

FORM T

[See rule 19]

Application for Recovery of Gratuity

Before the Controlling Authority under the Payment of Gratuity Act, 1972.
(Act 39 of 1972).

Application No.....Date.....

Between

(Name in full of the applicant with address)

And

(Name in full of the employer with full address).

The applicant is an employee of the above-mentioned employer/a nominee of late....., an employee of the above-mentioned employer/an heir of late , an employee of the above-mentioned employer, and you were pleased to direct the said employer in your notice dated, the....., under rule 17/18 of the West Bengal Payment of Gratuity Rules, 1973, for payment of a sum of Rs., as gratuity payable under the Payment of Gratuity Act, 1972 (Act 39 of 1972).

2. The applicant submits that the said employer failed to pay the said amount of gratuity to me as directed by you, although I approached him for payment.

3. The applicant, therefore, prays that a certificate may be issued under section 8 of the said Act for recovery of the said sum of Rs., due to me as gratuity in terms of your direction.

Place.....

*Signature / Thumb impression
of the applicant.*

Date.....

Note.—Strike out the words not applicable.

FORM U

[See sub-rule (2) of rule 20]

Application for copies

(To be preserved for one year)

To

The Controlling Authority under the Payment of Gratuity Act, 1972.

.....
(Here insert the address)

Sir,

I require a certified/uncertified copy of the documents mentioned below, which may be supplied.

Date.....

Signature of the applicant.

Description of document of which copy is required.

Description, No. and year of the case of which it forms part, names of the parties, etc.

Report of the clerk-in-charge of the records Folios and Court-fees required.

Signature of the clerk-in-charge.

Received copy and unused folios and stamp.

Date.....

Signature of the applicant

Date.....

(Counterfoil of Application for copies)

Received application for copies being Serial No....., Dated.....
Folios and Court fees required.

Signature of the clerk-in-charge

Dated.....

FORM V

[See rule 21]

Register of application for copies

(To be preserved for three years)

Serial No.	Date of application	Name of applicant	Certified or uncertified	Case No.	Description of document to be copied	Date on which number of folios and stamps required were notified
1	2	3	4	5	6	7

Date on which requisites were filed	Number of stamp sheets filed (with price of each)	Number of adhesive stamps filed (with price of each)	Extra fee for urgent copy filed	Amount of Court-fee for authentication filed	Number of stamp sheets (with price of each) used
8	9	10	11	12	13

Number of adhesive stamps used (with price of each)	Number and price of stamp papers returned unused	Number and price of adhesive stamps returned	Court fee for certified copy used	Extra fee for urgent copy used
14	15	16	17	18

Date on which copy is ready for delivery	Date of delivery of copy and unused folio, etc.	If application is rejected, the date and causes thereof	Remarks
19	20	21	22

FORM W

[See rule 22]

Register of Court-fees received

(To be preserved for three years)

Date	Serial No.	Case No.	Nature of document for which filed	Fees for application of copies and all other fees including urgent fees for copies	Total	Remarks
1	2	3	4	5	6	7

THE SCHEDULE

(See rule 20)

The application for copies of documents shall be presented to the Controlling Authority together with the fees prescribed in this Schedule.

Category of documents	Fees payable
1. Documents containing 150 words or less	1. An impressed stamped paper of 25 paise (i.e., a folio)
2. Documents containing 151 to 300 words	2. An impressed stamped paper of 25 paise (i.e., a folio) with an adhesive stamp of 25 paise affixed thereto
3. Documents containing more than 300 words	3. In addition to fees payable under item 2 above for the first 300 words, an additional impressed stamped paper of 25 paise (i.e., a folio), and an adhesive stamp of 25 paise for every 300 words or part thereof in excess of 150 words.

Provided that fees payable for each 150 words or part thereof shall not exceed 25 paise.

- Notes.—(i) Each folio will contain up to 300 words; but when the number of words does not exceed 150, no adhesive stamp of 25 paise need be affixed to it.
- (ii) The adhesive Court-fee stamps required for the copies shall be affixed to the folios across the perforated line with the figure heads above the perforated line in such a way that the portion below may clearly show the value of the Court-fee stamps.

Urgent fee (in addition to normal fees).

Category of documents (1)	Additional fee payable (2)
1. Documents containing 600 words or less	.. 1. Re. 1.
2. Documents containing more than 600 words	.. 2. 25 paise for every 150 words or any fraction thereof (four figures counting as one word).

By order of the Governor,

S. N. ROY,

Dy. Secy. to the Government of
West Bengal.

**GOVERNMENT OF WEST BENGAL
LABOUR DEPARTMENT
LW BRANCH
2, Brabourne Road, 7th floor, Calcutta-1**

No.717-LW

Dated, Calcutta the 28th July 1995.

NOTIFICATION

In exercise of the power conferred by Sub-Section (7) of Section 7 of the Payment of Gratuity Act, 1972 (39 of 1972), the Governor is pleased hereby to specify the officers mentioned in Column-I of the Schedule below to be the authorities for the purpose of entertaining appeals contemplated under the said Sub-section for the area mentioned in the corresponding entry in Column-II of the said schedule within which they shall exercise jurisdiction. This supersedes all Notifications published earlier in this regard.

SCHEDULE

Column-I	Column-II
1. Deputy Secretary to the Government of West Bengal Labour Department, In-charge of Labour Welfare Branch	Calcutta, Howrah and 24-Parganas (South) Districts
2. Joint Labour Commissionerat Siliguri	Darjeeling, Malda, Uttar Dinajpur and Dakshin Dinajpur Districts
3. Deputy Labour Commissioner at Jalpaiguri	Jalpaiguri District and Cooch-Bihar District
4. Deputy Labour Commissioner at Berhampore	Murshidabad District
5. Deputy Labour Commissioner, Midnapur with H.O. at Kharagpur	Midnapore District
6. Deputy Labour Commissioner at Barrackpore	North 24-Parganas District and Nadia District
7. Deputy Labour Commissioner at Durgapur	Durgapur Zone comprising the Districts of Bankura, Purulia, Bribhum & Burdwan
8. Deputy Labour Commissioner at Serampore	Hooghly District

By Order of the Governor,

Sd: D. K. DUTTA

Deputy Secy. to the Government of West Bengal

**GOVERNMENT OF WEST BENGAL
LABOUR DEPARTMENT
LW BRANCH**

2, Brabourne Road, 7th floor, Calcutta-1

No.718-LW

Dated 29.7.1995.

NOTIFICATION

In exercise of the power conferred by section 7A of Payment of Gratuity Act, 1972 (39 of 1972) (hereinafter referred to as the said Act), the Governor is hereby pleased to appoint the following Inspectors to be the Inspectors of the purpose of the said Act in relation to all establishments for which the Government of West Bengal is the appropriate Government under Clause (a) (ii) of Section 2 of the said Act, for the areas within their respective jurisdictions.

- (i) Inspectors, Minimum Wages and Agricultural Minimum Wages Inspectors appointed u/s. 19(1) of the Minimum Wages Act, 1948 and
- (ii) Labour Inspectors appointed u/s. 28(1) of the Contract Labour (Regulation & Abolition) Act, 1970.

By Order of the Governor,

Sd: D. K. DUTTA

Deputy Secy. to the Government of West Bengal

GOVERNMENT OF WEST BENGAL
LABOUR DEPARTMENT
LW BRANCH
2, Brabourne Road, 7th floor, Calcutta-700 001

No. 789-LW/Gr.-5/96

Dated, Calcutta, the 7th October, 1996.

NOTIFICATION

In exercise of the power conferred by Section 3 of the Payment of Gratuity Act, 1972 (39 of 1972) (hereinafter referred to as the said Act) and in supersession of this Department Notification No. 412-S.S. dated 3.2.83, the Governor is pleased hereby to appoint the Officers' mentioned in Column-I of the Schedule below to be the Controlling Authority for the purpose of the said Act for the area mentioned in the corresponding entry in Column-II of the said schedule:

SCHEDULE

Column-I	Column-II
1. Three Assistant Labour Commissioners, West Bengal, posted in the Enforcement of Law Section of the Labour Directorate.	The areas under the Calcutta Municipal Corporation plus the areas under the Baranagar, Dum Dum, North Dum Dum, South Dum Dum and Bidhannagar Municipalities falling within the Barrackpore Sub-Division of the North 24-Parganas District.
2. All Assistant Labour Commissioners, West Bengal posted in the Regional Labour Offices under the Labour Directorate.	Respective area for which each holds charge as Assistant Labour Commissioner.

By Order of the Governor,

Sd/- D. K. DUTTA
Deputy Secy. to the Government of West Bengal.

GOVERNMENT OF WEST BENGAL
LABOUR DEPARTMENT
LW BRANCH
Writers' Buildings, Calcutta-700 001
Block III, Ground floor

No. 74-LW/Gr.-5/96

Dated 17th February, 1999.

NOTIFICATION

In exercise of the power conferred by Section 3 of the Payment of Gratuity Act, 1972 (39 of 1972), (hereinafter referred to as the said Act) the Governor is hereby pleased to make the following amendment in the Labour Department Notification No. 789-LW/Gr.-5/96 dated 7th October, 1996 (hereinafter referred to as the said Notification), appointing Controlling Authority for the purpose of the said Act.

In the said notification for the entry at serial number 1, substitute the following entry.

AMENDMENT

Column-I	Column-II
1. All Assistant Labour Commissioners, West Bengal, posted in the Headquarters of the Labour Directorate.	The areas under the Calcutta Municipal Corporation plus the areas under the Baranagar, Dum Dum, North Dum Dum, South Dum Dum and Bidhannagar Municipalities falling within the Barrackpore Sub-Division of the North 24-Parganas District.

By Order of the Governor,

Sd/- D. K. DUTTA

Deputy Secy. to the Government of West Bengal.