CHAPTER I
PRELIMINARY

1. *Short title.*- These rules may be called the Maharashtra Code on Wages Rules, 2025.

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

(a) "Authority" means the authority appointed by the State Government under sub-section *(1)* of section 45;

(b) "appellate authority" means the appellate authority appointed by the State Government under sub-section *(1)* of section 49;

(c) "appeal" means an appeal preferred under sub-section *(1)* of section 49;

(d) "Board" means the Maharashtra State Advisory Board constituted by the State Government under sub-section *(4)* of section 42;

(e) "Cantonment" means any area notified as cantonment area under the Cantonment Act, 2006 (41 of 2006);

(f) "Chairperson" means the Chairperson of the Board;

(g) "Code" means the Code on Wages, 2019 (29 of 2019);

(h) "day" means a period of twenty four hours beginning at mid-night;

(i) "family" means all or any of the following relatives of an employee, namely:-

(a) a spouse;

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(b) a minor legitimate or adopted child dependent upon the employee;

(c) a child who is wholly dependent on the earnings of the employee, and who is,-

(i) receiving education, till he attains the age of twenty-one years; and

(ii) an unmarried daughter;

(d) a child who is infirm by reason of any physical or mental abnormality or injury and is wholly dependent on the earnings of the employee, so long as the infirmity continues;

(e) dependent parents (including father-in-law and mother-in-law of a woman employee), whose income from all sources does not exceed such income as may be specified by the State Government, from time to time;

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(j) "Form" means a form appended to these rules;

(k) "highly skilled occupation" means an occupation which calls in its performance a specific level of perfection and required competence acquired through intensive technical or professional training or practical occupational experience for a considerable period and also requires of an employee to assume full responsibility for his judgement or decision involved in the execution of such occupation;

(l) "Inspector-cum-Facilitator" means a person appointed by the State Government, by notification under sub-section *(1)* of section 51;

(m) "member" means a member of the Board and includes its

Chairperson;

(n) "municipal corporation" means a municipal corporation constituted or deemed to have been constituted under the Maharashtra Municipal Corporations Act (LIX of 1949) and includes the Mumbai Municipal Corporation constituted under the Mumbai Municipal Corporation Act (III of 1888);

(o) "municipal council" means a municipal council constituted or deemed to be constituted under the Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships Act, 1965 (Mah. XLI of 1965);

(p) "registered trade union" means a trade union registered under the Trade Unions Act, 1926 (16 of 1926);

(q) "Schedule" means the Schedule appended to these rules;

(r) "section" means a section of the Code;

(s) "semi-skilled occupation" means an occupation which in its performance requires the application of skill gained by the experience on job which is capable of being applied under the supervision or guidance of a skilled employee and includes supervision over the unskilled occupation;

(t) "skilled occupation" means an occupation which involves skill and competence in its performance through experience on the job or through training as an apprentice in a technical or vocational institute and the performance of which calls for initiating and judgement;

(u) "State Government" means the Government of

Maharashtra;

(v) "unskilled occupation" means an occupation which in its performance requires the application of simply the operating experience and involves no further skills.

(2) Words and expressions used in these rules and not defined herein, but are defined in the Code shall have the same meanings as are respectively assigned to them in the Code.

CHAPTER II
MINIMUM WAGES

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

(*i*) the standard working class family which includes a spouse and two children apart from the earning employee that is an equivalent of three adult consumption units;

(*ii*) a net intake of two thousand seven hundred calories per day per consumption unit;

(*iii*) sixty six meters cloth per year per standard working class family;

(*iv*) housing rent expenditure to constitute ten percent. of food and clothing expenditure;

(*v*) fuel, electricity and other miscellaneous items of expenditure to constitute twenty percent. of minimum

wage; and

(*vi*) expenditure for children education, medical requirement, recreation and expenditure on contingencies to constitute twenty five percent. of minimum wage.

(2) When the rate of wages for a day is fixed, then, such amount shall be divided by eight for fixing the rate of wages for an hour and multiplied by twenty six for fixing the rate of wages for a month and in such division and multiplication the factors of one-half and more than one-half shall be rounded as next figure and the factors less than one-half shall be ignored. In case of a five days working week, the hourly rate of minimum wages so calculated shall be used to derive the minimum wages for the day.

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

(i) Geographical area.- The Geographical area is divided into following zones:-

(a) Zone I- It shall comprise of the areas falling within local limits of 'A' and 'B' grade municipal corporations and an area of ten kilometres from the boundaries thereof, cantonment areas and also includes areas notified as industrial areas under the Maharashtra Industrial Development Act, 1961 (Mah. III of 1962) within the limits of Greater Mumbai, Thane, Palghar, Raigad, Pune, Nasik, Aurangabad and Nagpur Districts;

(b) Zone-II- It shall comprise of the areas falling within the limits of 'C' and 'D' grade municipal corporations, 'A'

and 'B' grade municipal councils and also includes areas notified as industrial areas and all types of industrial estates under the Maharashtra Industrial Development Act, 1961 (Mah. III of 1962) which are not covered in Zone- I;

(c) Zone-III- It shall comprise of all other areas in the State which are not included in Zone-I and Zone-II;

(ii) Experience.- Experience in the area of employment; and

(iii) Skill.- level of skill required for working under the categories of unskilled, semi-skilled, skilled and highly skilled specified in the Schedule appended hereto.

(iv) Arduousness of work.- Building and other construction works, chemical processes, fireworks, forging work, furnace operation, hazardous works in cement industries, and glass industries and such similar works.

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5. *Interval for revision of variable dearness allowance.*- 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 the 1st April and then before the 1st October in every year to revise the variable dearness allowance payable to the employees on the minimum wages considering the Average Consumer Price Index Number for Industrial Workers published by the Labour Bureau, Ministry of Labour and Employment, Government of India.

6. *Hours of work.- (1)* No employee shall be required or allowed to work in an establishment for more than forty-eight hours in a week.

(2) If an employee works on daily basis in an establishment,

the period of work of such employee, inclusive of his interval for rest, shall be so arranged that shall not spread over for more than ten and half hours per day.

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

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

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

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

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

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class of employees:

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

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

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

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Explanation.- For the purpose of computation of the continuous period of not less than six days or the stipulated number of working days in a week specified in the second proviso to this sub-rule, *(a)* any day on which an employee is required to attend for work but is given only an allowance for attendance and is not provided with work, *(b)* any day on which an employee is laid off on payment of compensation under the Industrial Disputes Act, 1947 (14 of 1947), and *(c)* any leave or holiday, with or without pay, granted by the employer to an employee in the period of six days or during the stipulated number of working days of a week as the case may be, immediately preceding the rest days, shall be deemed to be days on which the employee has worked.

(2) Any such employee shall not be required or allowed to work on the rest day unless he has or will have a substituted rest day

for a whole day on one of the working days in a week immediately before or after the rest day:

Provided that, no substitution shall be made which will result in the employee working for more than ten days consecutively without a rest day for a whole day.

(3) Where in accordance with the foregoing provisions of this rule, any employee works on a rest day and has been given a substituted rest day on any one of the working days before or after the rest day, the rest day shall, for the purpose of calculating the weekly hours of work, be included in the week in which the substituted rest day occurs.

(4) An employee shall be granted for rest day wages calculated at the rate applicable to the next preceding day; and where he works on the rest day and has been given a substituted rest day, then, he shall be paid wages for the rest day on which he worked, at the overtime rate and wages for the substituted rest day at the rate applicable to the next preceding day:

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Provided that, in case of six day week where,-

(i) 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 arises whether the daily rate of wages has been worked out in accordance with the provisions of this proviso, the Commissioner of Labour, Maharashtra State or the office in-charge having geographical jurisdiction may, on application made to him in this behalf, decide the same, after giving an opportunity to the parties concerned to make written representations:

Provided further that, in case of an employee governed by a piece-rate system, he shall be paid wages for the rest day on which he works, at the overtime rate and wages for the substituted rest day at the rate applicable to the next preceding day.

Explanation.-In this sub-rule 'next preceding day' means the last day on which the employee has worked, which precedes the rest day or the substituted rest day, as the case may be; and where the substituted rest day falls on a day immediately after the rest day, the next preceding day means the last day on which the employee has worked, which precedes the rest day.

(5) The provisions of this rule shall not operate to the prejudice of more favourable terms, if any, to which an employee may be, entitled under any other law or under the terms of any award, agreement or contract of service, and in such a case, the employee shall be entitled only to more favourable terms aforesaid.

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Explanation.- For the purposes of this rule, 'week' shall mean a period of seven days beginning at midnight on Saturday night.

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

(a) a rest day for the whole day for the purposes of rule 7 shall, in this case means a period of twenty-four consecutive hours beginning from the time when his shift ends; and

(b) the following day in such a case shall be deemed to be the period of twenty-four hours beginning from the time when such shift ends, and the hours after midnight during which such employee was engaged in work shall be counted towards the previous day.

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9. *Hours of work of classes of employees under sub-section (2) of section 13*.- In case of classes of employees mentioned in sub-section *(2)* of section 13, the spread over of the hours of work may exceed twelve hours in any day.

10. *Longer wage period*.- The longer wage period for the purposes of minimum rate of wages under section 14 shall be by the month.

11. *Calculation of wages for part time employee*- If any employee who is not in employment for normal working day but has worked for not less than four hours in working day shall be eligible for minimum wages computed by dividing the daily rate of minimum wages by eight (hours) with fifteen percent. rise in it and quotient being stepped up to the nearest paisa.

CHAPTER III

PAYMENT OF WAGES

12. *Recovery under sub-section (4) of section 18.*- Where the total deductions authorized under sub-section *(2)* of section 18 exceed fifty per cent. of the wages of an employee, the excess shall be carried forward and recovered from the wages of succeeding wage period or wage periods, as the case may be, in such instalments so that the recovery in any month shall not exceed the fifty per cent. of the wages of the employee in that month.

13. *Authority under sub-section (1) of section 19.*- The Commissioner of Labour, Maharashtra State shall be the authority to provide approval for imposition of fine under sub-section *(1)* of section 19.

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14. *Manner of exhibiting notice under sub-section (2) of section 19.*- 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 in Marathi or Hindi or English. A copy of the notice shall be sent to the Inspector-*cum*-Facilitator having jurisdiction either physically or electronically or by registered post.

15. *Procedure under sub-section (3) of section 19.*- The employer shall give an intimation electronically or in writing specifying therein the detailed particulars for obtaining the approval of the imposition of fine to the Commissioner of Labour, Maharashtra State who shall, before granting or refusing the approval, give an opportunity of being heard to the

employee and the employer concerned and shall dispose of the matter within thirty days from the date of receiving such intimation, failing which it shall be deemed to be approved.

16. *Intimation of deduction.- (1)* Where an employer makes any deduction in pursuance of the proviso to sub-section *(2)* of section 20, he shall make intimation electronically or by registered post of such deduction to the Inspector-*cum*-Facilitator having jurisdiction, within ten 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 within thirty days from the date of receipt of such intimation.

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17. *Procedure for deduction under sub-section (2) of section 21.*- Any employer desiring to make deduction for damages or loss under sub-section *(1)* of section 21 from the wages of an employee shall,-

(i) explain to the employee in writing the value of damage or loss of goods expressly entrusted to the employee for custody or loss of money for which he is required to account and how such damages or loss is directly attributable to the neglect or default of the employee; and

(ii) give the employee an opportunity to submit any explanation and thereafter, deduct damages or loss, if made, and shall be intimated to the employee within fifteen days from the date of such deduction.

18. *Conditions regarding recovery of advance under section 23.*- The recovery of,-

(i) advances of money given to an employee after the employment begins under clause *(b)* of section 23; or

(ii) advances of wages to an employee not already earned under clause (*c*) of section 23,

as the case may be, shall be made by the employer from the wages of the concerned employee in installments determined by the employer, so as any or all installments in a wage period, shall not exceed fifty per cent. of the wages of the employee subject to the ceiling specified in rule 12 in that wage period and the particulars of such recovery shall be recorded in the register maintained therefor.

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CHAPTER IV
STATE ADVISORY BOARD

19. *Meeting of Board.*- The Chairperson may, subject to the provisions of rule 20, call a meeting of the Board, at any time he thinks fit:

Provided that, on a 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.

20. *Notice of meetings.*- The Chairperson shall fix the date, time and place of every meeting and a notice in writing containing the aforesaid particulars alongwith 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 emergency meeting, notice of seven days only may be given to every member.

21. *Functions of Chairperson.*- The Chairperson shall,-

(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) where in the meeting of the Board, if any issue has to be decided by voting, conduct the voting and count or cause to be counted the secret voting in the meeting.

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22. *Quorum.*- No business shall be transacted at any meeting unless at least one-third of the members and at least one representative member each of both the employers and the employees 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.

23. *Disposal of business of Board.*- All business of the Board shall be considered at a meeting of the Board, and shall be decided by a majority of the votes of members present and voting and in the event of an equality of votes, the Chairperson shall have a casting vote:

Provided that, the Chairperson may, if he thinks fit, direct that any matter shall be decided by the circulation of necessary papers and by securing written opinion of the members:

Provided further that, no decision on any matter under the preceding proviso shall be taken, unless supported by not less than two-thirds majority of the members.

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24. *Method of voting.*- 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.

25. *Proceedings of meetings.*- *(1)* The proceedings of each meeting of the Board showing *inter alia* the names of the members present thereat shall be forwarded to each member and to the State Government as soon as possible after the meeting 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 either without any modification or with such modification, if any, as may be considered necessary at the next

meeting.

26. *Summoning of witnesses and production of documents.- (1)* The Chairperson may summon any person to appear as a witness, if required, in the course of the discharge of his duty and require any person to produce any document.

(2) Every person who is summoned and appears as a witness before the Board shall be entitled to an allowance for expenses 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.

27. *Term of office of members of Board.-* (1) Subject to the provisions of these rules, the term of office of a member, other than an official member, shall be normally two years commencing from the date of his appointment or nomination, as the case may be, under sub-section (1) of section 42:

Provided that such 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) A member representing employers or employees or independent persons 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 the other official members appointed in their place.

(4) Notwithstanding anything contained in sub-rules (1), (2), and (3), the members of the Board shall hold office during the pleasure of the State Government.

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28. *Travelling allowance.*- The Chairperson and every non-official member of the Board or committee, shall be entitled to draw travelling and halting allowance for any journey performed by him in connection with his duties at the rates and subject to the conditions applicable to a Group A officer of the State Government.

29. *Eligibility for re-nomination of members of Board.*- An outgoing non-official member shall be eligible for re-nomination for the membership of the Board for not more than total three terms.

30. *Resignation of members of Board.*- *(1)* A member of the Board, other than official members, may, by giving notice in writing to the Chairperson, resign his membership.

(2) A resignation shall take effect from the date of communication of its acceptance or on the expiry of thirty 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 State Government shall take steps to fill the vacancy in accordance with the provisions of the Code.

31. *Cessation of membership.*- If a member of the Board, fails to attend three consecutive meetings, without prior intimation to the Chairperson, he shall, cease to be a member thereof. The report of such cessation shall be submitted to the State Government. A person who ceases a member shall also be intimated.

32. *Disqualification.*- *(1)* A person shall be disqualified for

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being nominated as, and for being a member of the Board,–

(i) if he is declared to be of unsound mind by a competent court; or

(ii) if he is an un-discharged insolvent; or

(iii) if before or after the commencement of the Code, he has been convicted of an offence involving moral turpitude.

(2) If any question arises whether a disqualification has been incurred under sub-rule (*1*) or not, then the decision of the State Government thereon shall be final.

33. *Officers and staff.- (1)* The State Government may provide officers and staff to the Board, as it may think necessary for the functioning of the Board.

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(2) The State Government may appoint an officer of Labour Department not below the rank of Assistant Commissioner of Labour as a Secretary to the Board. The State Government may also appoint an officer of Labour Department not below the rank of Assistant Commissioner of Labour as a Secretary to the committees.

CHAPTER V

PAYMENT OF DUES, CLAIMS, ETC.

34. *Payment under clause (a) of sub-section (1) of section 44.- (1) (a)* Every employee shall make a declaration in Form I nominating a person conferring the right to receive the amount that may stand in his credit in the event of his death before that amount standing to his credit has become payable or where the amount has become payable, before payment has been made.

(b) If the employee has a family at the time of making

nomination, the nomination shall be in favour of the spouse or the spouse in preference followed by one or more members of his family:

Provided that, nomination made by an employee having a family in favour of a person other than member of his family shall be invalid:

Provided further that, after marriage of an employee a fresh nomination including spouse shall be made, specifying amount or share payable to each of his/her nominees. Nomination made before such marriage shall be deemed to be cancelled.

(c) Where the nomination is wholly or partly in favour of a minor, the employee may appoint a major person of his family, to be the guardian of the minor nominee or where there is no major person in the family, he may at his discretion, appoint any other person to be a guardian of the minor nominee.

(d) If the employee nominates more than one member, he shall specify in the nomination, the amount or share payable to each of his nominees at his own discretion so as to cover the whole of the amount that may stand to his credit.

(2) Where any amount payable to an employee under the Code is due after his death or on account of his whereabouts not being known, and the amount could not be paid to the nominee of the employee until the expiry of three months from the date the amount had become payable, then, such amount shall be deposited by the employer with Assistant Commissioner of Labour 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

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so deposited with him.

35. *Deposit of undisbursed dues under clause (b) of sub-section (1) of section 44.- (1)* Where any amount payable to an employee under this Code remains undisbursed because either no nomination has been made by such employee or for any other reason, such amounts could not be paid to the nominee of employee until the expiry of six months from the date the amount had become payable, all such amounts shall be deposited by the employer with Assistant Commissioner of Labour having geographical jurisdiction as mentioned in the order before the expiry of the fifteenth day after the last day of the said period of six months.

(2) The amount referred to in sub-rule *(1)* shall be deposited by the employer with Assistant Commissioner of Labour having geographical jurisdiction as mentioned in the order through bank transfer or through a crossed demand draft obtained from any Nationalised/ scheduled bank in India drawn in favour of such Assistant Commissioner of Labour having jurisdiction.

36. *Manner of dealing with undisbursed dues under clause (b) of sub-section (1) of section 44.- (1)* The amount referred to in sub-rule *(1)* of rule 35 (hereinafter in this rule referred to as "the amount") deposited with Assistant Commissioner of Labour having jurisdiction shall remain with him and be invested in the Central or State Government Securities or deposited as a fixed deposit in a Nationalised Bank.

(2) Authority appointed by the State Government will exhibit, as soon as maybe possible, a notice containing such particulars regarding the amount as he considers sufficient for information at least for fifteen days on the notice board and also publish

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such notice in official website or in *Official Gazettes* of State Government as well as publish in any two local newspapers of vernacular language commonly understood in the area in which undisbursed wages were earned.

(3) Subject to the provision of sub-rule *(4),* the Assistant Commissioner of Labour 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 Commissioner of Labour having jurisdiction 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 year after publication, the amount shall be transferred to the Maharashtra Labour Welfare Board for promoting the welfare of labour. If any claim arises within the seven years from the date of such deposit notwithstanding anything contained in sub-rule *(3),* Assistant Commissioner of Labour having jurisdiction may decide and direct the Board to disburse the amount to the claimant.

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CHAPTER VI
FORMS, REGISTERS AND WAGE SLIP

37. *Application for claim.*– *(1)* An application for claim under section 45 of the Code, may be filed in Form II manually or electronically along with documents specified in the said Form.

(2) On receipt of an application under sub-section *(4)* of section 45, the authority shall serve upon the employer electronically or by registered post a notice in Form III to appear before him on the date specified in the notice with all relevant documents and witnesses, if any, and shall inform the applicant of the date so specified.

(3) If the employer or his representative fails to appear on the specified date, the authority may hear and determine the application *ex-parte*.

(4) If the applicant or his representative fails to appear on the specified date without any reasonable cause shown in advance, the authority may dismiss the application.

38. *Appeal.- (1)* Any person aggrieved by an order passed by the authority under sub-section *(2)* of section 45 may prefer an appeal under sub-section *(1)* of section 49 in Form-IV electronically or by registered post, along with documents mentioned by the appellant in the said Form, to the appellate authority having jurisdiction:

Provided that, no appeal by an employer shall be admitted unless at the time of preferring the appeal, the appellant has deposited the claim amount with the appellate authority.

(2) Where an appeal under sub-section *(1)* of section 49 is entertained, the appellate authority, shall serve upon the respondent electronically or by registered post a notice in Form V to appear before him on the date specified in the notice and shall inform the appellant of the date so specified.

(3) The appellate authority shall after hearing the appellant and the respondent shall, by Order, decide the appeal.

39. *Registers.- (1)* Every employer of an establishment to which the Code applies shall maintain, electronically or in physical form, in the formats appended to these rules, the following registers:-

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(i) Employee Register in Form VI,

(ii) Register of Attendance, Wages, Overtime, Fines and Deductions for Damage and Loss in Form VII.

(2) All fines and all realisations thereof referred to in sub section *(8)* of section 19 shall be recorded in a register to be kept by the employer electronically or in physical form in Form - VII appended to these rules, and the authority referred to in said sub-section *(8)* shall be the Commissioner of Labour, Maharashtra State.

(3) All deductions and all realisations referred to in sub-section *(3)* of section 21 shall be recorded in a register to be kept by the employer electronically or in physical form in Form VII appended to these rules.

(4) Registers required to be maintained under these rules shall be preserved for a period of five years after the date of last entry made therein.

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40. *Wage slip*.- Every employer shall issue wage slips, electronically or otherwise, to the employees in Form VIII on or before payment of wages.

41. *Manner of holding enquiry under sub-section (1) of section 53*.- *(1)* When a complaint is filed before an 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 State Governrment or by an employee aggrieved or a registered trade union registered under the Trade Unions Act, 1926 (16 of 1926) or an Inspector-cum-Facilitator, the officer, after considering such evidences as may be produced before him by the complainant, is of the opinion that an offence

has been committed, shall issue summons to the offender on the address specified in the complaint fixing a date for his appearance .

(2) If the offender to whom the summons has been issued under sub-rule *(1)* appears or is produced before the officer, he shall explain the offender the offence alleged to have committed by 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 an 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.

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(3) The officer shall after the complainant's evidence is complete, provide an opportunity of defence to the accused person and the witnesses produced by the accused shall be cross examined after their statements on oath by the complainant and documentary evidence in defence shall be taken on record by the officer.

(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.

42. *Manner of composition of offences under sub-section (1) of section 56.- (1)* An accused person desirous of making composition of offence under sub-section *(1)* of section 56 may make an application in Form IX electronically or manually to the *Gazetted* Officer notified under the said sub-section *(1).*

(2) The *Gazetted* Officer referred to in sub-rule *(1)* shall on receipt of such application, satisfy himself as to whether the offence is compoundable or not under the Code and if the offence is compoundable and the accused person agrees for the composition, compromise the offence for a sum of fifty per cent. of the maximum fine provided for such offence under the Code, to be paid by the accused within thirty days of the order of composition issued by such officer.

(3) Where the offence has been compromised under sub-rule *(2)* after the institution of the prosecution, then, the officer shall send a copy of such order made by him for intimation to the officer referred to in sub-section *(1)* of section 53 for needful action under sub-section *(6)* of section 56.

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CHAPTER VII
MISCELLANEOUS

43. *Payment of wages.*-Where the employees are employed in an establishment through contractor, then, the company or firm or association or any other person who is the proprietor of the establishment shall pay to the contractor the amount towards wages payable to him or it**,** in respect of the wages of employees in accordance with the provisions of the Code.

Explanation.- For the purpose of this rule, the expression "firm" shall have the meaning as assigned to it in the Indian Partnership Act, 1932 (9 of 1932).

44. *Responsibility for payment of minimum bonus.*- Where in an establishment, the employees are employed through contractor and the contractor fails to pay minimum bonus to them under section 26, then, the company or firm or association or other person as referred to in the proviso to section 43 shall, on the

written information of such failure, given by the employees or any registered trade union or unions of which the employees are members and on confirming such failure, pay such minimum bonus to the employees.

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FORM- I
(*See* rule 34)

NOMINATION FORM

To,

(Give here name or description of the establishment with full address)

1. **I, Shri/Smt. _____(Name in full)_____ whose particulars are given in the statement below, hereby nominate the person(s) mentioned below to receive the amount after my death or also the amount 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 legal dues 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 with meaning of clause (i) of Rule2 of Code on Wages 2025.**
3. **I hereby declare that, I have no family within the meaning of Rule 2 of the said Rule.**
4. **(i) My father/Mother/Parents is/are not dependent on me.**
   (ii) My husband(s) father/mother/parents is/are not dependent on my husband.
5. **I have excluded my husband(s) from my family by a notice dated _____ to the Authority in terms of the Rule (*2*)(*1*)(*2*) of the the Maharashtra Code on Wages Rules 2025.**
6. **Nomination made herein invalidates my previous nomination.**

NOMINEE(S)

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

STATEMENT

1) **Name of the Employer:**
2) **Sex:**
3) **Religion:**
4) **Whether Unmarried/ Married/ Widow/ Widower:**
5) **Department/ Branch/ Section where employed:**
6) **Post held with Registration Number or serial number (if any):**
7) **Date of Appointment:**
8) **Permanent Address:**

Village:_____

District:_____

Post: _____

Sub-division: _____

Taluka: _____

State: _____

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Place: _____

Date: _____

Signature/Thumb impression of the employee

FORM-II

(*See* rule 37(1))

(APPLICATION FOR CLAIMS UNDER SECTION 45)

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

FOR……. DISTRICT……

Application No.....of 20…….

Between ABC and (State the number) …….……other Applicant…….

(Through employees concerned or registered trade union or Inspector- cum- Facilitator

Address…….

And

XYZ……

Address……

The application states as follows:

(1) The applicant(s) whose name(s) appear in the attached schedule was/were/has/have been employed from ……to…….. as……...(category) in…….(establishment) Shri/M/s……engaged in …….(nature of work) which is/are covered by the Code on Wages, 2019.

(2) The opponent(s) is/are the employer(s) within the meaning of section 2(l) of the Code on Wages, 2019.

(3) (a) The applicant(s) has/ have been paid wages at less than the minimum rates of wages fixed for their category (categories) of employment(s) under the Code by Rs…. ……..Per day for the period(s) from……to…….

*(b)*The applicant(s) has/ have not been paid wages at Rs…….. Per day for the weekly days of rest from to…

(c) he applicant(s) has/ have not been paid wages at overtime rate(s) for the period from……..to….

(d) The amount of rupees ……. has been illegally deducted from the applicants wages for the period from ….. to …….

(e) The applicant(s) has/have not been paid wages for period from……to……

(f) The applicant(s) has/have not been paid minimum bonus for the accounting year……..

(4) The applicant(s) estimate(s) the value of relief sought by him/ them on each amount as under:

(a)Rs…….

(b)Rs…….

(c)Rs…….

Total Rs…….

(5) The applicant(s), therefore, pray(s) that a direction may be issued under section 45(*2*) of the Code on Wages, 2019 for;

(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) The applicant(s) do hereby solemnly declare(s) that the facts stated in this application are true to the best of his/their knowledge, belief and information.

Dated…….

Signature or thumb-impression of the employed person(s),
or official of a registered trade union duly authorized
or Inspector- *cum*-Facilitator.

Note: The applicant(s), if required, may append annexures containing details, with this application.

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FORM- III
(*See* rule 37(*2*))

NOTICE

Form of Summons to be given to the Opponents to appear before the Authority when an application under sub-section (*4*) of Section 45 is entertained.

To, _____
(Title of the application)

(Name, Description and Place of Residence)

Whereas Shri/Smt. _____ has made the above said application to me under the Code on Wages 2019, you are hereby summoned to appear before me in person or by Duly authorised agent, or who is able to answer all material questions relating to the applications or who shall be accompanied by some person able to answer all such questions on the _____ day of 20___ at time _____ o'clock in the _____ to answer the claim and as the day fixed for the appearance is appointed for the final disposal of the application.

You must be prepared to produce on that day all the witnesses upon whose evidence and all the documents upon which you intend to rely in support of your defense. Take notice that, in default of your appearance on the day before mentioned the application will be heard and determined in your absence. And you may if you so desire file at least 3 days before the date of hearing a written statement to the application along with documents referred to in the written statement accompanied by the list thereof and also supply copies thereof to the applicants and obtained receipt therefore and file it along with written statement.

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

Given under my hand and seal this _____ day of _____20

seal

FORM IV

(*See* rule 38(*1*))

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 ……APPELLANT

Vs.

C.D.E.

Address……..RESPONDENT

(1) DETAILS OF APPEAL:

(a) Particulars of the order against which the appeal is made:

(b) Number and date:

(c) The authority who has passed the impugned order:

(d) Amount awarded:

(e) Compensation awarded, if any:

(2) Facts of the case:

(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate issue or fact).

(3) Grounds for appeal:

(4) Matters not previously filed or pending with any other Court or any Appellate Authority:

The appellant further declares that he had not previously filed any appeal, writ petition or suit regarding the matter in respect of which this appeal has been made, before any Court or any other Authority or Appellate Authority nor any such appeal, writ petition or suit is pending before any of them.

(5) Reliefs sought:

In view of the facts mentioned above the appellant prays for the following relief(s) :— [Specify below the relief(s) sought]

(6) List of enclosures:

1.

2.

3.

4.

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Date:

Place:

Signature of the appellant.

……

For office use

Date of filing or

Date of receipt by post
Registration No.

Authorized Signatory.

……

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FORM-V

(*See* rule 38(*2*))

NOTICE

Notice for Appearance before the Appellate Authority.

From,

The Appellate Authority under the Code On Wages Act, 2019.

To,

Name and Address of

1. **Employer**

   _____

   _____

   _____

2. **Applicant**

   _____

   _____

   _____

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Whereas, Shri _____ a employee/ worker under your/ a person authorised by shri_____ a workmen under you / the Legal

Representative of _____who was a workmen under you has filed an application under rule 38 of the Maharashtra Code On Wages Rules 2025. alleging that, (a copy of the said application is enclosed) Now, therefore you are hereby called upon to appear before me at (place) _____ either personally or through a person duly authorised in this behalf for the purpose of answering all material questions regarding to the appeal on the _____ day of _____ 20___ at _____o'clock in the forenoon/afternoon in support of / to answer the allegation.

As the day fixed for your appearance is appointed for final disposal of application, you must be prepared to produce on that day document/s with yours / evidence upon which you intend to rely in support of your allegation/defense.

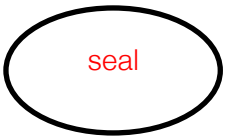
Take notice that, in default of your appearance on the day before mentioned the application will be dismissed/ heard and determined exparte on your absence.

_____

_____

_____

Given under my hand and seal this _____ day of _____२०



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FORM VI

(*See* rule 39(*1*)(*i*))

EMPLOYEE REGISTER

Name of the Establishment :……

Name of the Employer :……..

Name of the Owner / Occupier : …… ..

PAN/TAN of the Employer : ……

Labour Identification Number (LIN):……...

Sl. No.	Employee Code	Name	Surname	Gender	Father's / Spouse Name	Date of Birth	Nationality	Education Level/ Tech	Date of Joining	Desig-nation	Category (HS/S/SS/US)*	Type of Employ-ment
(1)	*(2)*	*(3)*	*(4)*	*(5)*	*(6)*	*(7)*	*(8)*	*(9)*	*(10)*	*(11)*	*(12)*	*(13)*

Mobile No.	UAN	PAN	ESIC IP No.	AADHAAR No.	Bank A/c Number	BankName	Branch (IFSC)	Present Address	Permanent Address
(14)	*(15)*	*(16)*	*(17)*	*(18)*	*(19)*	*(20)*	*(21)*	*(22)*	*(23)*

Service Book No.	Date of Exit	Reason for Exit	Mark of Identification	Photo	Specimen Signature/Thumb Impression	Remarks
(24)	*(25)*	*(26)*	*(27)*	*(28)*	*(29)*	*(30)*

*(Highly Skilled/Skilled/Semiskilled/Unskilled)

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FORM- VII

(*See* rule 39(*1*)(*ii*))

Register of Attendance, Wages, Overtime, Fine and Deduction for damage and Loss under the Code on Wages, 2019.

Name of the Establishment :……

Name of the Employer :……..

Name of the Owner / Occupier : …… ..

PAN/TAN of the Employer : ……

Labour Identification Number (LIN):……...

Sr. No.	Name of the employee	Sex	Designation / Department	Duration of Payment of Wages (Monthly/ Fortnightly /Weekly /Daily/ Piece rated)	Wage Period From- To	Total no. of days worked during the period	Total overtime (hours worked or production in case of piece workers)	Rates of wages		
								Basic	DA	Allowances
(1)	*(2)*	*(3)*	*(4)*	*(5)*	*(6)*	*(7)*	*(8)*	*(9)*	*(10)*	*(11)*

Overtime earning	Nature of acts and omissions for which fine imposed with date	Amount of fine imposed	Damage or loss caused to the employer by neglect or default of the employee	Amount of deduction from wages	Total amount of wages paid	Date of Payment	Attendance	
							Date	Signature
(12)	*(13)*	*(14)*	*(15)*	*(16)*	*(17)*	*(18)*	*(19)*	*(20)*

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FORM VIII

(*See* rule *40*)

WAGE SLIP

Date of issue:…….

Name of the Establishment …….

Address…..……..……. Period…….

(1) Name of employee:

(2) Father's /Spouse name:

(3) Designation:

(4) UAN**:**

(5) Name of 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:

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Employer / Pay-in-charge signature

FORM IX

(*See* rule 42)

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

1. Name of Applicant :…….
2. Father's /Spouse Name :…….
3. Address of the applicant :…….
4. Particulars of the offence :

…...……

……

……

……

5. Section of the Code under which the offence is committed:……
6. Maximum fine provided for the offence under the Code:……
7. Whether prosecution against the applicant is pending or not……
8. Whether the offence is first offence, or the applicant committed any other offence prior to the offence. If yes, then, full details of the prior offence.

……

……

……..

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Schedule E Code on Wages Rules Categories of workers	
Schedule E **(see rule 4 (*3*))**	
Sr. No.	**HIGHLY SKILLED**
1	All types Musical Instrument Maker
2	Architectural Work
3	Automobile Mechanic
4	Baker & Confectioner
5	Boiler Attendant (With experience)
6	Chemist
7	CNC operator
8	Computer / Laptop Hardware & Network Maintenance Work
9	Draftsman
10	Driver (Pokland & JCB)
11	Dying Master
12	Engineers
13	Floriculture Developer / Landscape Developer
14	Foreman
15	Generator Repair
16	Head Accountant
17	Head Mechanic

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18	Heat Treatment Worker
19	Inspector Quality Control Department
20	Jacquard Viewer (Powerloom)
21	Lab Technician
22	Law Officer
23	Machine Tool Mechanic
24	Machinist
25	Manager
26	Pharmacist
27	Physiotherapist
28	Plant In-charge
29	Computer Programmer (Software / App/ Website / Web Developer)
30	Sanitary Inspector
31	Security In-charge
32	Chef
33	Shift In-charge
34	Staff Nurse with Degree
35	Stenographer With 7 Years Experience
36	Store In-charge

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37	Team Leader
38	Warpar
39	Workshop Supervisor
40	X-ray Technician
	SKILLED
1.	Advisor
2.	Air Compressor Attendant
3.	All types of Hair Dresser
4.	Assistant Chemist
5.	Assistant Electrician
6	Assistant Manager
7.	Bhandari
8.	Boat/Ferry Traveller (Navadi)
9.	Boiler Attendant
10.	Bricklayer
11	Cable TV Operator
12	Card Cutter
13	Carpenter
14	Carpet weaver
15	Cashier

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16	Chowkidar (With Arms)
17	Clerk
18	CNG Gas Delivery Attendant
19	Coir Maker
20	Compouder
21	Compressor Attendant
22	Cook
23	Curator
24	Customer Care Executive
25	Data Entry Operator
26	Decorator
27	Designer
28	Dietician and Nutritionist
29	Dispensary Attendant
30	Driller (Well Boring)
31	Driver
32	E-Commerce Related all types of work
33	Electrical / Electronic Technician
34	Electrician
35	Exploration Operator

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36	Film Operator
37	Fireman (Firebrigade related work)
38	Fitter
39	Gas stove Repairer/ Seiwing Machine Repairer
40	Gig Worker and Related all types of work
41	Gin Mukadam (Cotton ginning)
42	Glass Cutter
43	Grinder
44	Gym Trainer
45	Health and Beauty Realted Services
46	Import Export Assistant
47	Installation of Escalators
48	Inverter Repair
49	IT Service Provider and Related Work
50	Jobber (Powerloom)
51	Journalist
52	Junior Accountant
53	Kandivala
54	Lawyer
55	Librarian

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56	Life Guard
57	Masson
58	Mechanic (Tube-Well)
59	Meter Reader
60	Miller
61	Mistry
62	Mobile Repair
63	Moulder
64	Munshi
65	Office Secretary
66	Operator
67	Painter/ Rangari
68	Petrol Pump Attendant
69	Photographer/ Videographer
70	Plumber
71	Potter
72	Powerloom Operator
73	Property Dealer
74	Quality Controller
75	Record Keeper

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76	Security Guard (With Arms)
77	Security Officer
78	Shoemaker
79	Sizer (Powerloom)
80	Sport Coach
81	Spray Painter
82	Stenographer
83	Stone Cutter
84	Store Attendant
85	Store Keeper
86	Street Performer/Circus Artist/ All types of Cine Service including TV artist
87	Supervisor
88	Tailor
89	Teacher (Private)
90	Telex or Telephone Operator
91	Tile Flooring
92	Timberman
93	Tools Collector
94	Toy Maker

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95	Tracer
96	Translator
97	Turner
98	Typist and other categories by whatever name called which are of clerical nature
99	Vessel maker
100	Viewer on bobby above twelve working shafts (Powerloom)
101	Warper (Hand)
102	Welder
103	Wireless Operator
104	Wireman
	SEMI SKILLED
1.	Assistant Electrician
2.	Assistant-Plumber
3.	Attendant
4.	Attendant (Bull-calving lines, Rakhandar, Chaff cutter, Stable, Dry Stock, Grain Crusher, Pump)
5.	Banking Agent
6.	Beam Knotter lacer
7.	Beedi & Tobacco Distributor
8.	Beedi Checker / Beedi Counter

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9.	Beedi Maker (Factory/ Gharkhep)
10.	Beedi Sorters
11.	Bhatkar (bhattivala)
12.	Bhisti
13.	Brander
14.	Breaker (Stone, Rock Stone, Stone Metal)
15.	Bullman
16.	Butcher/ Meat/Chicken
17.	Caneweaver
18.	Care Taker
19.	Cobbler
20.	Cultivator
21.	Daftry
22.	Deliveryman
23.	Dhobi
24.	Domestic Worker/Maid
25.	Drawer
26.	Dresser
27.	Fireman (Brick Kiln, Steam Roller)
28.	Fisherman

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29.	Folder by Hand or Machine
30.	Gate Keeper
31.	Hacksawman
32.	Hammerman
33.	Helper (Blacksmith)
34.	Helper (Loco-Crane/Truck)
35.	Horticulture and Floriculture work
36.	Jamadar
37.	Laboratory Assistant
38.	Labour (Rock-Cutting)
39.	Lift Operator
40	Moulder (Brickil)
41.	Nalband
42.	Papad Maker
43.	Patlivala
44.	Photoframer
45.	Pickle/Masala Maker
46.	Ploughman
47.	Pump Operator
48.	Receptionist

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49.	Sortar /Grader
50.	Stableyard Stock Worker
51.	Taraivala
52.	Thatcher
53.	Thrower
54.	Tobacco Mixer
55.	Travel Agent
56.	Twister
	UNSKILLED
1.	All Types Mannual Work of Cotton Gin/ Cotton Pressing
2.	all types of forestry work
3.	Bobbing Cleaner
4.	Book Binding
5.	Boot Polish
6.	Chowkidar (without arms)
7.	Cleaner (related all types of vehicles)
8.	Club and Canteen Worker
9.	Coolie
10.	Currier Boy
11.	Cycle Rikshaw Puller

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12.	Dabbevala
13.	Dairy Coolie
14.	Dairyman
15.	Garbage Collector
16.	Gin Feeder
17.	Grass Cutter
18.	Grazler
19.	Helper
20.	Kandivala (Cotton Ginning)
21.	Kondwada Rakshak
22.	Labeling (Beedi Making-Gol Tikli/ khadi patti)
23.	Labourer (Boiler, Cattle Yard, Cultivation, Multiaxcel, Bunding, Carting-Fertilizers, Harvesting, Miscellaneous Seeding, Sowing, Thatching, Transplanting, Weeding)
24.	Loader
25.	LPG Gas Delivery Worker
26.	Majoor (Agriculture)
27.	Milkman
28.	News Paper Delivery
29.	News Paper Selling
30.	Office Boy

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31.	Packer
32.	Panvala
33.	Peon
34.	Picking /Packing/ Receiving
35.	Quarry Worker
36.	Rope Maker
37.	Saltpan work
38.	Scavenger
39.	Shepherd
40.	Spotboy (Employee working in cinema/serials/exhibition/ production)
41.	Stableman,
42.	Sweeper
43.	Tobacco Grinder
44.	Waitor
45.	Wardboy

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