

The Payment of Wages (Tamil Nadu Amendment) Act, 1959

Act 9 of 1959

Keyword(s):

Central Act Amendment, The Payment of Wages Act, 1936

Amendments appended: 20 of 1963, 47 of 1974, 27 of 1986, 38 of 1999

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¹[TAMIL NADU] ACT No. 9 OF 1959².THE PAYMENT OF WAGES (¹[TAMIL NADU]
AMENDMENT) ACT, 1959.

[Received the assent of the President on the 9th August 1959, first published in the Fort St. George Gazette on the 19th August 1959 (Sravana 28, 1881).]

An Act further to amend the Payment of Wages Act, 1936, in its application to the ³[State of Tamil Nadu].

WHEREAS it is expedient further to amend the Payment of Wages Act, 1936 (Central Act IV of 1936), in its application to the ³[State of Tamil Nadu], for the purposes hereinafter appearing ;

BE it enacted in the Tenth Year of the Republic of India as follows :—

Short title
and extent.

1. (1) This Act may be called the Payment of Wages (¹[Tamil Nadu] Amendment) Act, 1959.

(2) It extends to the whole of the ³[State of Tamil Nadu].

Amendment
of section 2*,
Central Act
IV of 1936.

2. In clause (ii) of section 2 of the Payment of Wages Act, 1936 (Central Act IV of 1936) (hereinafter referred to as the principal Act),—

(i) in item ⁴(a), after the words “omnibus service”, the words “or motor or other transport undertaking” shall be added ;

¹ These words were substituted for the word “Madras” by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

² For Statement of Objects and Reasons, see Fort St. George Gazette Extraordinary, dated the 10th March 1959, Part IV-A.

³ This expression was substituted for the expression “State of Madras” by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

⁴ For sub-clause (a) of clause (ii) of section 2 of Central Act IV of 1936, a new sub-clause was substituted by section 3 (ii) of the Payment of Wages (Amendment) Act, 1964 (Central Act 53 of 1964).

*The amendment made by Tamil Nadu Act 9 of 1959 was extended to the added territories by section 4 of, and the Second Schedule to, the Tamil Nadu (Added Territories) Extension of Laws Act, 1962 (Tamil Nadu Act 14 of 1962.)

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(ii) after item (g), the following item shall be added, namely :—

“(h) establishment or undertaking which the State Government may, by notification in the Official Gazette, declare to be an industrial establishment for the purposes of this Act.”

3. ¹Clause (dd) of sub-section (2) of section 7 of the principal Act shall be omitted.

Amendment of section 7, Central Act IV of 1936.

4. For section 11-A of the principal Act, the following section shall be substituted, namely :—

Substitution of new section* for section 11-A, Central Act IV of 1936.

“11-A. *Deductions in respect of house accommodation.*—The employer shall make the deductions authorized under clause (d) of sub-section (2) of section 7 from the wages of the employed person and remit the amount so deducted in such manner as the State Government may, by general or special order, specify.”

¹ A new clause (dd) was inserted after clause (d) in section 7(2) of Central Act IV of 1936 by section 2 of the Payment of Wages (Tamil Nadu Amendment) Act, 1963 (Tamil Nadu Act 20 of 1963).

* The amendment made by Tamil Nadu Act 9 of 1959 was extended to the added territories by section 4 of, and the Second Schedule to, the Tamil Nadu (Added Territories) Extension of Laws Act, 1962 (Tamil Nadu Act 14 of 1962).

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1963: T.N. Act 20][TAMIL NADU] ACT No. 20 OF 1963.²

**THE PAYMENT OF WAGES (¹[TAMIL NADU]
AMENDMENT) ACT, 1963.**

[Received the assent of the President on the 25th October 1963, first published in the Fort St. George Gazette on the 6th November 1963 (Kartika 15, 1885).]

An Act further to amend the Payment of Wages Act, 1936, in its application to the ³[State of Tamil Nadu].

Enacted by the Legislature of the ³[State of Tamil Nadu] in the Fourteenth Year of the Republic of India as follows :—

1. (1) This Act may be called the Payment of Wages (¹[Tamil Nadu] Amendment) Act, 1963. Short title and extent.

(2) It extends to the whole of the ³[State of Tamil Nadu].

2. In sub-section (2) of section 7 of the Payment of Wages Act, 1936 (Central Act IV of 1936) (hereinafter referred to as the principal Act), after clause (d), the following clause shall be inserted, namely :— Amendment of section 7, Central Act IV of 1936.

“(dd) deductions for electricity supplied to the employed person by the ⁴[Tamil Nadu State Electricity Board] constituted under section 5 of the Electricity (Supply) Act, 1948 (Central Act LIV of 1948) (hereinafter in this Act referred to as the State Electricity Board);”

3. After section 11-A of the principal Act, the following section shall be inserted, namely :— Insertion of new section 11-B in Central Act IV of 1936.

“11-B. *Deductions in respect of electricity.*—The employer shall, if so required by a requisition in writing, by the State Electricity Board or by an officer authorized by it in this behalf, make the deductions authorized under clause (dd) of sub-section (2) of section 7 from the wages of the employed person and remit the amount so deducted in such manner as the State Government may, by general or special order, specify.”

¹ These words were substituted for the word “Madras” by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

² For Statement of Objects and Reasons, see *Fort St. George Gazette Extraordinary*, dated the 9th August 1963, Part IV—Section 3, page 114.

³ This expression was substituted for the expression “State of Madras” by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

⁴ This expression was substituted for the expression “Madras State Electricity Board” by paragraph 3 (1) of, and the Schedule to, the Tamil Nadu Adaptation of Laws Order, 1970.



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(Tamil Nadu Amendment)

[1974 : T.N. Act 47

TAMIL NADU ACT NO. 47 OF 1974. *

THE PAYMENT OF WAGES (TAMIL NADU
AMENDMENT) ACT, 1974.

[Received the assent of the President on the 4th November 1974, first published in the Tamil Nadu Government Gazette Extraordinary on the 8th November 1974 (Aippasi 22, Anantha (2005—Tiruvalluvar Andu).]

An Act further to amend the Payment of Wages Act, 1936, in its application to the State of Tamil Nadu.

BE it enacted by the Legislature of the State of Tamil Nadu in the Twenty-fifth Year of the Republic of India as follows:—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Payment of Wages (Tamil Nadu Amendment) Act, 1974.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment
of section
7, Central
Act IV of
1936.

2. In sub-section (2) of section 7 of the Payment of Wages Act, 1936 (Central Act IV of 1936) (hereinafter referred to as the principal Act), after clause (g), the following clause shall be inserted, namely:—

“(gg) deductions of profession tax payable by the employed person to any local authority;”.

Insertion of
new section
11-C in
Central Act
IV of 1936.

3. After section 11-B of the principal Act, the following section shall be inserted, namely:—

“11-C. *Deductions in respect of profession tax.*—
The employer shall, if so required by a requisition in writing, by the local authority concerned or by an officer authorised by it in this behalf, make the deductions authorised under clause (gg) of sub-section (2) of section 7 from the wages of the employed person and remit the amount so deducted to the credit of the local authority concerned in such manner as the State Government may, by general or special order, specify.”.

*For Statement of Objects and Reasons, see *Tamil Nadu Government Gazette Extraordinary*, dated the 22nd August 1974, Part IV—Section 1, Page 264.

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Part IV—Section 2
Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislature received the assent of the President on the 3rd May 1986 and is hereby published for general information:—

ACT No. 27 OF 1986.

An Act further to amend the Payment of Wages Act, 1936 in its application to the State of Tamil Nadu.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Payment of Wages (Tamil Nadu Amendment) Act, 1986.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

(A Group) IV-2 Ex. (231)—1 [133]

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2. *Amendment of section 15, Central Act IV of 1936.*—In the Payment of Wages Act, 1936 (Central Act IV of 1936), in section 15, for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) If any amount directed to be paid under this section is not paid by the employer or by other person responsible for payment of wages under section 3 to the person entitled thereto, the authority shall, on an application made to it by such person himself, or any legal practitioner, or any official of a registered Trade Union authorised in writing to act on his behalf, or any Inspector under this Act, issue a certificate for that amount to the Collector, who shall recover the same, as arrears of land revenue and pay the same to the person entitled thereto.”

(By order of the Governor)

S. VADIVELU,
Commissioner and Secretary to Government, Law Department.

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CHENNAI, FRIDAY, AUGUST 6, 1999

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Part IV — Section 2 Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 2nd August 1999 and is hereby published for general information :—

ACT No. 38 OF 1999.

An Act further to Amend the Payment of wages Act 1936 in its Application to the State of Tamil Nadu.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fiftieth Year of the Republic of India as follows :—

1. (1) This Act may be called the Payment of Wages (Tamil Nadu Amendment) Act, 1999.

Short title,
extent and
commencement

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

2. After section 18 of the Payment of Wages Act, 1936, the following section shall be inserted, namely :—

Insertion of
new section
18-A.

“18-A. Transfer of cases.— (1) The State Government may, either on their own motion or on an application made in this behalf, order the transfer of any matter arising out of any proceedings pending before an authority to such other authority for disposal. Such authority to whom the matter is so transferred may, subject to any direction in the order of transfer, proceed either *de novo* or from the stage at which it is so transferred.

(2) The State Government may, by general or special order, authorise any officer of the Labour Department not below the rank of Deputy Commissioner of Labour to exercise such of their powers specified in sub-section (1).”

(By order of the Governor)

K. PAKSHAPRATHY,
Secretary to Government, Labour Department

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