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The Code on Wages, 2019

Section 67 - Power of appropriate Government to make rules

(1) The appropriate Government may,subject to the condition of previous publication, make rules for carrying out the provisions of this Code.
(2) In particular and without prejudice to the generality of the foregoing power, such rules mayprovide for all or any of the following matters, namely:--
(a) the manner of calculating the wages under sub-section *(4)* of section 6;
(b) the arduousness of work to be taken into account in addition to minimum rate of wages forcertain category of workers under clause *(b)* of sub-section *(6)* of section 6;
(c) the norms under clause *(c)* of sub-section *(6)* of section 6;
(d) the cases and circumstances in which an employee employed for a period of less than therequisite number of hours shall not be entitled to receive wages for a full normal working day, undersection 10;
(e) the extent and conditions, which shall apply in relation to certain classes of employees undersub-section *(2)* of section 13;
(f) the longer wage period for fixation of minimum rate of wages as referred to in section 14;
(g) the manner of deducting loans made from any fund constituted for the welfare of labour undersub-clause *(ii)* of clause *(f)* of sub-section *(2)* of section 18;
(h) the manner of recovery of excess of amount under sub-section *(4)* of section 18;
(i) the authority to provide approval for imposition of fine under sub-section *(1)* of section 19;
(j) the manner of exhibition of the acts and omissions to be specified in the notice under subsection *(2)* of section 19;
(k) the procedure for the imposition of fines under sub-section *(3)* of section 19;
(l) the form of the register to record all fines and all realisations thereof under sub-section *(8)* ofsection 19;
(m) the procedure for making deductions for absence from duty under sub-section *(2)* of section20;
(n) the procedure for making deductions for damage or loss under sub-section *(2)* of section 21;
(o) the form of the register to record all deductions and all realisations thereof under sub-section*(3)* of section 21;
(p) conditions for recovery of advance of money given to an employee after the employmentbegan under clause *(b)* of section 23;
(q) conditions for recovery of advances of wages to an employee not already earned under clause*(c)* of section 23;
(r) deductions for recovery of loans and the rate of interest payable thereon under section 24;
(s) the manner of regulating the procedure by the Central Advisory Board and the State AdvisoryBoard, including that of the committees and sub-committees constituted by the State Advisory Board,under sub-section *(10)* of section 42;
(t) the terms of office of members of the Central Advisory Board, the State Advisory Board,including that of the committees and sub-committees constituted by the State Advisory Board, undersub-section *(11)* of section 42;
(u) the authority and manner of depositing with such authority, various undisbursed dues underclause *(b)* of sub-section *(1)* of section 44;
(v) the form of single application in respect of a number of employees under sub-section *(5)* ofsection 45;
(w) the form for making an appeal to the appellate authority under sub-section *(1)* of section 49;
(x) the manner of maintenance of a register by the employer under sub-section *(1)* of section 50;
(y) the form and manner of issuing wage slips under sub-section *(3)* of section 50;
(z) the other powers to be exercised by the Inspector-cum-Facilitator under sub-section *(5)* ofsection 51;
(za) the manner of imposing fine under sub-section *(1)* of section 56;
(zb) the manner of composition of offence by a Gazetted Officer specified under sub-section *(4)*of section 56;

(zc) any other matter which is required to be, or may be, prescribed under the provisions of thisCode.
(3) The Central Government may, subject to the condition of previous publication, make rules for,--
(a) the manner of fixing floor wage under sub-section *(1)* of section 9;
(b) the manner of consultation with State Government under sub-section *(3)* of section 9;
(c) the manner of making set on or set off for the sixth accounting year under clause *(i)* of subsection *(7)* of section 26;
(d) the manner of making set on or set off for the seventh accounting year under clause *(ii)* ofsub-section *(7)* of section 26;
(e) the manner of calculating gross profit under clauses *(a)* and *(b)* of section 32;
(f) such further sums in respect of employer under clause *(c)* of section 34;
(g) the manner of utilising the excess of allocable surplus to be carried forward for being set on inthe succeeding accounting year and so on up to and inclusive of the fourth accounting year under subsection *(1)* of section 36;
(h) the manner of utilising the minimum amount or the deficiency to be carried forward for beingset off in the succeeding accounting year and so on up to and inclusive of the fourth accounting yearunder sub-section *(2)* of section 36; and
(i) the manner of holding an enquiry under sub-section *(1)* of section 53.
(4) Every rule made by the Central Government under this section shall be laid, as soon as may beafter it is made, before each House of Parliament, while it is in session, for a total period of thirty dayswhich may be comprised in one session or in two or more successive sessions, and if, before the expiry ofthe session immediately following the session or the successive sessions as aforesaid, both Houses agreein making any modification in the rule or both Houses agree that rule should not be made, the rule shallthereafter have effect only in such modified form or be of no effect, as the case may be; so, however, thatany such modification or amendment shall be without prejudice to the validity of anything previouslydone under that rule.
(5) Every rule made by the State Government under this section shall, as soon as possible after it ismade, be laid before the State Legislature.

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