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The Industrial Relations Code, 2020

Section 59 - Recovery of money due from employer

(1) Where any money is due to a worker from anemployer under a settlement or an award or under the provisions of Chapter IX or Chapter X, the workerhimself or any other person authorised by him in writing in this behalf, or, in the case of the death ofthe worker, his assignee or heirs may, without prejudice to any other mode of recovery, make anapplication to the appropriate Government for the recovery of the money due to him, and if theappropriate Government is satisfied that any money is so due, it shall issue a certificate for that amountto the Collector who shall proceed to recover the same in the same manner as an arrear of land revenue:
Provided that every such application shall be made within one year from the date on which themoney became due to the worker from the employer:
Provided further that any such application may be entertained after the expiry of the said period ofone year, if the appropriate Government is satisfied that the applicant had sufficient cause for notmaking the application within the said period.
(2) Where any worker is entitled to receive from the employer any money or any benefit which iscapable of being computed in terms of money and if any question arises as to the amount of money dueor as to the amount at which such benefit should be computed, then the question may, subject to anyrules that may be made under this Code, be decided by such Tribunal as may be specified in this behalfby the appropriate Government within a period not exceeding three months:
Provided that where the Tribunal considers it necessary or expedient so to do, it may, for reasons tobe recorded in writing, extend such period by such further period as it may think fit.
(3) For the purposes of computing the money value of a benefit referred to in sub-section (*2*), theTribunal may, if it so thinks fit, appoint a Commissioner who shall, after taking such evidence as maybe necessary, submit a report to the Tribunal and the Tribunal shall determine the amount afterconsidering the report of the Commissioner and other circumstances of the case.
(4) The decision of the Tribunal shall be forwarded by it to the appropriate Government and anyamount found due by the Tribunal may be recovered in the manner provided for in sub-section (*1*).
(5) Where workers employed under the same employer are entitled to receive from him any moneyor any benefit capable of being computed in terms of money, then, subject to such rules as may be madein this behalf, a single application for the recovery of the amount due may be made on behalf of or inrespect of any number of such workers.

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