

Minimum Wages Act, 1948

Section 22B - Cognizance of Offences

(1) No Court shall take cognizance of a complaint against any person for an offence--

(a) under clause (a) of section 22 unless an application in respect of the facts constituting such offence has been presented under section 20 and has been granted wholly or in part, and the appropriate Government or an officer authorised by it in this behalf has sanctioned the making of the complaint ;

(b) under clause (b) of section 22 of under section 22 A, except n a complaint made by, or with the sanction of, an Inspector.

(2) No Court shall take cognizance of an offence--

(a) under clause (a) or clause (b) of section 22, unless complaint thereof is made within one month of the grant of sanction under this section;

(b) Under section 22A, unless complaint thereof is made within six months of the date on which the offence is alleged to have been committed.]

STATE AMENDMENTS

Bihar--in clause (b) of sub-section (2) of section 22B of the said Act, the following proviso shall be inserted, namely:--

"Provided that the Court, if it is satisfied that the State Government or any officer authorised by it in this behalf was prevented by sufficient cause from sanctioning the making of the complaint within the period specified in sub-section (2) shall condone the delay and allow the complaint to be made even after the expiry of the said period." \Vide Bihar Act 9 of 1988, sec. 4 (19-2-1988)]

Gujarat--In section 22B, for clause (b) of sub-section (2), substitute the following:--

"(b) under section 22A, unless the complaint thereof is made within six months of the date on which the offence becomes known to the Inspector." [Vide Gujarat Act 22 of 1961, section 4 (w.e.f. 18-5-1961)]

Madhya Pradesh--In section 22B.--

(1) of sub-section (1) in clause (a), for the words and figures "unless an application in respect of the facts constituting such offence has been presented under section 20", substitute the words and figures "unless a claim under section 20 has been preferred before the authority" and

(2) in sub-section (2) in clause (a), for the words "one month", substitute the words "three months." [Vide M.P. Act 23 of 1961, sec. 13 (w.e.f. 26-6-1961)]

Maharashtra--Same as in Gujarat. [See Maharashtra Act 10 of 1961, sec. 4 (w.e.f 13-2-1961)]
