

Chapter VIII

Annual Leave with Wages

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Chapter VIII

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Prescribed under Sec

Rule 148. Leave with Wages Register

- 1) The manager shall keep a Register in [Form 25](#) herein after called the Leave with Wages Register:

Provided that if the Chief Inspector is of opinion that any muster roll or register maintained as part of the routine of the factory, or return made by the manager, gives in respect of any or all of the workers in the factory, the particulars required for the enforcement of Chapter VIII of the Act, he may, by order in writing, corresponding extent, be maintained in place of and be treated as the register or return required under this Rule in respect of that factory.

- 2) Leave with Wages Register shall be preserved for a period a period of five years after the last entry in it and shall be produced before the Inspector on demand.

Rule 149. Leave Book

- 1) The manager shall provide each worker who has become entitled to leave during calendar year, with a book in [Form 26](#) (hereinafter called the leave book) not later than 31st January of the following year. The leave book shall be the property of the worker and the manager or his agent shall not demand it, except to make entries of the dates of holidays or interruptions in service, and shall not keep it for more than a week at a time:

Provided that, in case of a worker who is discharged or dismissed from service during the course of the year, i.e. who is covered by subsection (3) of sec 79 of the Act, the manager shall issue an abstract from the “Register of Leave with Wages” ([Form 25](#)) within a week from the date of discharge pr dismissal as the case may be.

- 2) If a worker loses his leave Book, the manager shall provide him with another copy on payment of fifty paise within fifteen days, and shall complete it from his record.

Rule 150. Medical Certificate

If any worker is absent from work due to his illness and he wants to avail himself of the leave with wages due to him to cover the period of illness as provided under sub-section (7) of Section 79, he shall, if so required by the manager produce a medical certificate signed by a registered medical practitioner or by a registered or recognised Vaid or Hakim stating the cause of the absence and the period for which the worker is, in the opinion of such medical practitioner, Vaid or Hakim, unable to attend to his work.

Rule 151. Notice of Inspector of Involuntary Unemployment

The manager shall give, as soon as possible, a notice to the Inspector of every case of involuntary unemployment of workers, giving numbers of unemployed and the reasons for their unemployment. Entries to this effect shall be made in the register of leave with wages and the leave book in respect of each worker concerned.

Rule 152. Notice by Worker

Before or end of the calendar year, a worker may give notice to the manager of his intention not to avail himself of the leave with wages due during the following calendar year. The manager shall make an entry to that effect in the leave with wages register and in the leave book of the worker concerned.

Rule 153. Grant of Leave with Wages

- 1) Whenever leave with wages is given to any worker, necessary entries shall be made in the leave with wages register and the leave book of the worker concerned.
- 2) As far as circumstances permit, members of the same family comprising husband, wife and children shall be allowed leave at the same time.
- 3) A worker may exchange the period of his leave with another workers subject to the approval of the manager.

Rule 154. Mode of Computation of Cash Value of Wages

- 1) The cash equivalent of the advantage accruing through the concessional sale of food grains and other articles payable to workers proceeding on leave shall be the difference between the value of the average market rate prevailing during the month immediately preceding his leave and the value at the concessional rates allowed of foodgrains and other article he is entitled to.
- 2) For the purpose of the cash equivalent, monthly average marker rate of food grains and other articles shall be computed at the end of every month.

Rule 155. Payment of wages if the Worker Dies

If a worker dies before he resumes work, the balance of his pay, due for the period of leave, shall be paid to his nominee within the week of the receipt of intimation of death of the worker.

For this purpose each worker shall submit a nomination in [Form 27](#) duly signed by himself and attested by two witness. The nomination shall remain in force until it is cancelled or revised by another nomination.

Rule 156. Notice to Inspector of Lay Off

The manager shall give, as soon as possible, a notice to the Inspector of every case of lay off of workers by agreement or contract or as permissible under the standing orders, giving the number of such workers and the reasons for the lay off. Entries to this effect shall be made in the leave with wages register and the leave book in respect of each worker concerned.

Rule 157. Notice by Manager

The manager shall cause a notice to be displayed giving the names of all workers whose leave, which has been carried forward has reached the maximum limit allowed under the first proviso to subsection (5) of section 79, as soon as possible in the first quarter of each calendar year the notice shall state that no further leave carried forward and that application for leave shall be made with one month from the date of the notice. A copy of the notice shall be given to each worker concerned. A copy shall also be delivered at the office of the Inspector.

Rule 158. Register to be maintained in case of Exemption under Section 84

- 1) Where an exemption is granted under Section 84, the manager shall maintain a register showing the position of each worker as regard leave due, leave taken and wages granted.
- 2) He shall display at the main entrance of the factory, a notice giving full details of the system established in the factory for leave with wages and send a copy of it to the Inspector.
- 3) No alteration shall be made in the scheme approved by the State Government at the time of granting exemption under section 84 without its previous sanction.

Rule 159. Exemption of Certain Factories

The Chief Inspector may grant exemption from all or any of the provisions of Rule 153 to 162 in respect of all or any of the workers in any factory subject to such conditions as he may impose.