

## The Payment of Bonus Rules, 1975<sup>1</sup>

*In exercise of the powers conferred by Section 38 of the Payment of Bonus Act, 1965 (21 of 1965), and in supersession of the Payment of Bonus Rules, 1965 the Central Government hereby makes the following rules, namely:-*

### 1. Short title and commencement

- (1) These rules may be called the **Payment of Bonus Rules, 1975**.
- (2) They shall come into force on the date of their publication in the *Official Gazette*.

### 2. Definition

In this rules –

- (a) “form” means a form appended to these rules;
- (b) “Act” means the Payment of Bonus Act, 1965 (21 of 1965);
- (c) “section” means a section of the Act.

### 3. Authority for granting permission for change of accounting year

The prescribed authority for the purposes of the proviso to paragraph (b) of sub-clause (iii) of clause (1) of section 2 shall be–

- (a) in the case of an establishment in relation to which the Central Government is the appropriate Government under the Act, the Chief Labour Commissioner (Central);
- (b) in any other case, the Labour Commissioner of the State in which the establishment is situated.

### 4. Maintenance of registers

Every employer shall prepare and maintain the following registers, namely–

- (a) a register showing the computing of the allocate surplus referred to in clause (4) of section 2, in Form A;
- (b) a register showing the set on and set-off of the allocate surplus under section 15, in Form B;
- (c) a register showing the details of the amount of bonus due to each of the employees, the deduction under Sections 17 and 18 and the amount actually disbursed, in Form C.

### <sup>2</sup>5. Annual Returns

Every employer shall send a return in Form D to the Inspector so as to reach him within 30 days after the expiry of the time limit specified in section 19 of payment of bonus.]

<sup>1</sup> Vide G.S.R. 2367, dated 21st August, 1975, published in the Gazette of India, Pt. II, S. 3(i), dated 6th September, 1975.

<sup>2</sup> Ins. by S.O. 251, dated 7th January, 1984 (w.e.f. 21-1-1984).

**FORM 'A'**  
**[See Rule 4 (a)]**  
*Computation of the allocable surplus under section 2(4)*

Name of the establishment \_\_\_\_\_ Accounting year ending on the.....

Sums deducted from gross profits

Gross Profit for Depreciation the accounting under Section 6 (a) year (Rs.)	Development rebate or Development allowance [Section 6(b)]	Direct taxes Section 6(c)	Further sums as are specified under the Third Schedule to the Act
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1	2	3	4	5
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Total of sums deducted under Column 2, 3, 4 and 5	Available surplus for the accounting year (Column 1 minus Column 6)	Amount of allocable surplus 67% ( <sup>1</sup> 60% of Column 7)
6	7	8

1 Section 2(4) (a)  
2 Section 2(4) (b)

## FORM 'B'

[(See Rule 4(b))]

*Set-on and setoff of allocable surplus under section 15*

Accounting year	Amount allocable as bonus in (Rs.)	Amount payable as bonus in (Rs.)	Amount of set-on or set off	Total set-on or set-off carried forward
1	2	3	4	5

**FORM 'C'**  
[See Rule 4 (c)]

*Bonus paid to employees for the accounting year ending on the.....*

Name of the establishment .....  
No. of working days in the year .....

Sl.No.	Name of the employee	Father's name	Whether he has completed 15 years of age at the beginning of the accounting year	Designation	No. of days worked in the year	Total salary or wage in respect of the accounting year
1	2	3	4	5	6	7

Amount of bonus payable under		Deduction			
Section 10 or Section 11, as the case may be	Puja bonus or other customary bonus paid during the accounting year	Interim bonus or bonus paid in advance	<sup>1</sup> [Amount of income tax deducted]	Deduction on account of financial loss, if any, caused by misconduct of the employee	Total sum deducted under Columns 9, 10, 10-A, 11
8	9	10	10A	11	12

Net amount payable (Column 8 minus Column 12)	Amount actually paid	Date on which paid	Signature/T humb impression of the employee
13	14	15	16

**'FORM 'D'**  
(See Rule 5)

**Annual Return** - Bonus paid to employees for the accounting year ending on the \_\_\_\_\_

1. Name of the establishment and its complete postal address :
2. Nature of Industry :
3. Name of the employer :
4. Total number of employees :
5. Number of employees benefited by bonus payments :

Total amount payable as bonus under section 10 or 11 of the Payment of Bonus Act, 1965 as the case may be.	Settlement, if any, reached under section 18(1) or 12(3) of the Industrial Disputes Act, 1947, with date	Percentage of bonus declared to be paid
(1)	(2)	(3)

Total amount of bonus actually paid	Date on which payment made	Whether bonus has been paid to all the employees, if not, reasons for non-payment	Remark
(4)	(5)	(6)	(7)

Signature of the employer or his agent.]]