

Contents

EMPLOYEE'S COMPENSATION ACT, 1923

PAGE

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement *1*

2. Definitions *2*

CHAPTER II

EMPLOYEE'S COMPENSATION

3. Employer's liability for compensation *9*

4. Amount of compensation *14*

4A. Compensation to be paid when due and penalty for default *18*

5. Method of calculating wages *20*

6. Review *22*

7. Commutation of half-monthly payments *22*

8. Distribution of compensation *23*

9. Compensation not to be assigned, attached or charged *27*

10. Notice and claim *27*

10A. Power to require from employers statements regarding fatal accidents *29*

10B. Reports of fatal accidents and serious bodily injuries *29*

11. Medical examination *30*

12. Contracting *31*

PAGE

13. Remedies of employer against stranger *32*

14. Insolvency of employer *32*

14A. Compensation to be first charge on assets transferred by employer *35*

15. Special provisions relating to masters and seamen *35*

15A. Special provisions relating to captains and other members of crew of aircrafts *37*

15B. Special provisions relating to employees abroad of companies and motor vehicles *38*

16. Returns as to compensation *39*

17. Contracting out *39*

17A. Duty of employer to inform employee of his rights *40*

18. [*Omitted by the Workmen's Compensation (Amendment) Act, 1959, w.e.f. 1-6-1959*] *40*

18A. Penalties *40*

CHAPTER III

COMMISSIONERS

19. Reference to Commissioners *42*

20. Appointment of Commissioner *42*

21. Venue of proceedings and transfer *43*

22. Form of application *44*

22A. Power of Commissioner to require further deposit in cases of fatal accident *45*

23. Powers and procedure of Commissioners *45*

24. Appearance of parties *46*

25. Method of recording evidence *46*

25A. Time limit for disposal of cases relating to compensation *46*

26. Costs *46*

27. Power to submit cases *46*

28. Registration of agreements *46*

29. Effect of failure to register agreement *47*

30. Appeals *48*

30A. [*Omitted by the Employee's Compensation (Amendment) Act, 2017, w.e.f. 15-5-2017*] *49*

31. Recovery *49*

PAGE

CHAPTER IV

RULES

32. Power of the State Government to make rules *49*

33. [*Omitted by the Government of India (Adaptation of Indian Laws) Order, 1937*] *51*

34. Publication of rules *51*

35. Rules to give effect to arrangements with other countries for the transfer of money paid as compensation *51*

36. Rules made by Central Government to be laid before Parliament *52*

SCHEDULE I *52*

SCHEDULE II *55*

SCHEDULE III *61*

SCHEDULE IV *64*

SUBJECT INDEX *67*

WORKMEN'S COMPENSATION RULES, 1924

PRELIMINARY

1. Short title *71*

2. Definitions *71*

PART I

REVIEW OF HALF-MONTHLY PAYMENTS AND COMMUTATION THEREOF

3. When application may be made without medical certificate *71*

4. Procedure on application for review *72*

5. Procedure on application for commutation *72*

PART II

DEPOSIT OF COMPENSATION

6. Deposit under section 8(1) *72*

7. Publication of list of deposits *73*

8. Application by dependants for deposit of compensation *73*

9. Deposit under section 8(2) *73*

10. Investment of money *73*

PAGE

PART III

REPORTS OF ACCIDENTS

11. Report of fatal accidents *73*

12. Right of employer to present memorandum when information received *74*

PART IV

MEDICAL EXAMINATION

13. Workman not to be required to submit to medical examination save in accordance with rules *74*

14. Examination when workman and medical practitioner both on premises *74*

15. Examination in other cases *74*

16. Restriction on number of examinations *74*

17. Examination after suspension of right to compensation *75*

18. Examination of women *75*

PART V

PROCEDURE

19. Introductory *75*

20. Application *75*

21. Production of documents *75*

22. Application presented to wrong Commissioner *76*

23. Examination of applicant *76*

24. Summary dismissal of application *76*

25. Preliminary inquiry into application *76*

26. Notice to opposite party *76*

27. Appearance and examination of opposite party *77*

28. Framing of issues *77*

29. Power to postpone trial of issues of facts where issues of law arise *77*

30. Diary *77*

31. Reasons for postponement to be recorded *77*

32. Judgment *77*

33. Summoning of witnesses *77*

34. Exemption from payment of costs *77*

PAGE

35. Right of entry for local inspection *78*

36. Procedure in connection with local inspection *78*

37. Power of summary examination *78*

38. Agreement to abide by Commissioner's decision *79*

39. Procedure where indemnity claimed under section 12(2) *79*

40. Procedure in connected cases *80*

41. Certain provisions of Code of Civil Procedure, 1908 to apply *80*

42. Provision regarding signature of forms *81*

43. Apportionment of compensation among dependants *81*

PART VI

TRANSFER

44. Transfer for report *81*

45. Transmission of money *81*

PART VII

APPOINTMENT OF REPRESENTATIVES

46. When representatives must be appointed *81*

47. When new representative to be appointed *81*

PART VIII

RECORD OF MEMORANDA OF AGREEMENT

48. Form of memorandum *82*

49. Procedure where Commissioner does not consider that he should refuse to record memorandum *82*

50. Procedure where Commissioner considers he should refuse to record memorandum *82*

51. Procedure on refusal to record memorandum *83*

52. Registration of memorandum accepted for record *83*

FORM A: Deposit of Compensation for Fatal Accident *83*

FORM AA: Deposit of Compensation for non-fatal accident to a woman or person under legal disability *84*

FORM B: Receipt for Compensation *84*

FORM C: Statement of Disbursements *85*

FORM D: Deposit of Compensation for non-fatal Accidents, other than to a Woman or Person under Legal Disability *85*

PAGE

FORM E: Receipt for Compensation *85*

FORM EE: Report of Fatal Accidents *86*

FORM F: Application for Compensation by Workman *86*

FORM G: Application for Order to Deposit Compensation *87*

FORM H: Application for commutation *88*

FORM J: Notice *88*

FORM JJ: Notice *89*

FORM K: Memorandum of agreement *89*

FORM L: Memorandum on agreement *90*

FORM M: Memorandum of agreement *91*

FORM N *92*

FORM O *92*

FORM P *92*

FORM Q *92*

FORM R: Register of agreements *93*

EMPLOYEES' COMPENSATION (TRANSFER OF MONEY) RULES, 1935

◆ Employee's Compensation (Transfer of Money) Rules, 1935 *94*

EMPLOYEE'S COMPENSATION (VENUE OF PROCEEDINGS) RULES, 1996

1. Short title *97*

2. Definitions *97*

3. Processing of an application *97*

4. Transfer of records or money *98*

FORM A: Notice *98*

FORM B: Transfer of records or money *98*