

NOTIFICATION 3427 DT 18 JULY 1975 (THE PAYMENT OF GRATUITY ACT, 1972)

PAYMENT OF GRATUITY ACT, 1972 UTTAR PRADESH RULES The Uttar Pradesh Payment of Gratuity Rules, 1975 No. 3427 dated 18, 1975 in exercise of the power conferred by sub-section (1) of section 15 of the Payment of Gratuity Act, 1972 (Act No. 39 of 1972), the Governor is pleased to make the following rule in respect of the payment of gratuity to employees engaged in factories, mine, oilfields, plantation, shops or other establishments, namely : 1. Short title, extent and These Rules may be called the Uttar Pradesh Payment of Gratuity Rules, 1975. (2) They shall come into force with effect from the date of their publication in the Gazette



2. Definition .—In these rules, Unless there is anything repugnant in the subject or context (a) 'Act' means the Payment of Gratuity Act, 1972 (Act No. 39 of 1972) ; (b) 'Appellate authority' means the Government of Uttar Pradesh or the authority specified by the Government of Uttar Pradesh under sub-section (7) of Section 7 ; (c) Form* means form appended to these Rules; (d) 'nomination' means nomination made under Section 6 'e) 'section' means a section of the Act. NOTICE OF OPENING, CHANGE OR CLOSURE OF THE ESTABLISHMENT 3. Notice: Section 15.—Within thirty days of the rules becoming applicable to an establishment, a notice in Form 'A' shall be submitted by the employer to the controlling authority of the area. (2) A notice in



Form -1B' shall be submitted by the employer to the controlling authority of the area within thirty days of any change in the name, address, employer or nature Of business. (3) Where an employer intends' to close down the business, he shall submit a notice in Form cc' to the controlling authority of the area at' least ninety 'days.before the intended closure. 2[4. Display of notice: Section J The employer shall display conspicuously a notice at or near the main entrance of the establishment in bold letterg in Hindi and in a language understood by the majority of the employees specifying the name of the officer with designation authorised by the employer to recove on 'his behalf notices under the Act or the rules. (2) A fresh notice shall be digplayed immediately after the notice referred to in sub-rule (1) becomg illegible or requires a change.] 1. Publilhed In U.p. Gazette Extra. , dated Jul ID 1975. 2. subs. by Noti. No. 1740 (ST)/XXXVI.I-IÆ (Sâ').7J dt. 19-7-1903. (1984 LLT-V.174). [1767] o: Scanned with O 1768 U.P. PAYMRNT OF ORATUtTY RULES, 1975 FORM OF NOTICE UNDER PROVISO TO SECTION 2 (h) 5. Form of Notice: Section 2 A notice under the proviso to sub-clause (ii) of clause (h) of Section 2 shn I be in Form 'D' and sent in triplicate by the employee to the employer, who shall, after recording its receipt on one copy thereof return the copy to the employee and send the second copy to the controlling nuthority of the area. (2) An employee mny withdraw the notice referred to in sub-rule (I) by giving another notice in triplicate in Form to the employer, who shall follow the same procedure ag in sub-rule 6. Nominntion Section 6.—A nomination shall be in Form 'F' and submitted in duplicate by personal gervico by the employee, after taking proper receipt or by sending it through registêred post acknowledgment due to the employer— (i) in the case of an employee who is already in employment for a year or more on the date of commencement of these rules, ordinarily, within ninety days from such date, and (iO in the case Of an employee who completes one year of serviée after the date of commencement of these rules, ordinarily, within thirty days of the completion of one year of service. Provided that nomination in From 'F' shall be accepted by the employer after the specified period if filed .with resonable grounds for delay, and no nomination so accepted.shåll" be invalid merely because it was filed after the specified period. (2) Within thirty days of the receipt ofa nomination in Form 'F' under sub-rule (I), the employer shall get the service particulars Of the employee, as mentioned in the form of nomination verified with reference to the records of the establishment and return to the employee, after obtaining a receipt thereof, the duplicate copy of the nomination in From 'F' duly attested either by the employer or an pffcer authorised in this behalf by him, as a token of recording of the nomination •by the employer and the other copy of the nomination shall be recorded. (3) An employee who has no family at the yime Of making. a nomination shall, within ninety.days•of acquiring •a family. submit in the manner specified in sub-rule (I), •a fresh nomination, as •required under sub-seccion (4) of Section 6, in duplicate in Form 'G' to the employer and thereafter the provi- sions of sub-rule (2) shall apply •,mutatis mutandis as •if it was made under sub-rule (4) A notice of modification . of a nomination, including cases where a nominee predeceases . an employee shall be submitted in duplicate in Form td the employer in the manner. specified in sub-rule (I), and thereafter the provisions of sub-rule (2) shall. mutatis mutandis apply as if it was made under sub-rule (I). A nomination or a fresh nomination or a notice of modification of nomination shall be signed by the employee, or, if illiterate, shall bear his thumb-impression in the presence of two witnesses, who shall also sign a declaration to that effect in the nomination, fresh nomination or notice of modification of nomination, as the case may be. Scanned with OKEN Scanner U.P. VAVMV.NT OP ORATUITY NVI.F.n, 1975 1769 (G) A nomination, fregh nomination or notice of modification nomination shall tnke effect from the date of receipt thereof by the employer

7. Application for grntuity: geotion An employee •who iä eligible for payment of gratuity under the Act, or.any person authorised, in writing, to act on his behalf, ghnll apply, ordinarily within thirty days from the date the gratuity becme pnyable, in Form to tho employer : Provided thnt where the dnte of superannuation or retirement of an employee is known, the employee may apply to , the employer before thirty days of the date of superannuation or retirement. (2) A nominee of an employee who ig eli ble for payment of gratuity under the •second proviso to sub-geccion (I) of {ection 4 shall ap ly, ordinarily within thirty days from the date the gratuity became payab e to him, in From 'J' to the employer : Provided that an application .in plain papar with relevant particulars shall also be accepted. The employer may obtain such other particulars as may be deemed necessary by him. (3) A legal heir of an employee who is eligible for payment Of gratuity under the second proviso in .sub-section (I) of Section 4 shall apply, or- dinarily within one year-from the date the gratuity became payable to him, in Form 'K' to the employer. (4) Where

gratuity becomes payable under the Act before the commencement -of these rules, the period of limitation specified in sub- rules (1), (2) and (3) Shall be deemed to be operative from the date of such commencement. (5) An application for payment of gratuity filed after the expiry of the period specified in this rule shall also be entertained by the employer, if the applicant adduces sufficient cause for the delay in presenting his claim, and no application for gratuity under the Act shall be invalid merely because the claimant- failed to present his application within the specified period. Any dispute in this regard shall be referred to the controlling authority for his decision. (6) An application under this rule shall be presented to the employer either by personal service or by registered post acknowledgment due



8. Notice for payment of gratuity : Section 7(2) and (3).—(1) Within fifteen days of the receipt of an application under Rule 7 •for payment of gratuity, the employer shall— (D if the claim is found admissible on verification, issue a notice in Form 'L' to the applicant employee', nominee or legal heir, as the case may be, specifying the amount of gratuity payable and fixing a date, not being later than the thirtieth day after the date of receipt of the application, for apyment thereof, or (ii) if the clairi for gratuity is not found admissible, issue a notice in Form 'M' to the applicant •employee, nominee or legal heir, as the case may be, specifying the reasons why the claim for gratuity is not considered admissible. In either. case a copy of the notice shall be endorsed to the controlling authority. (2) 'In case payment. of gratuity is. due to be made in the employer's office, the date fixed for the purpose in the notice in Form 'L' under clause Scanned with OKEN Scanner 1770 e. P. PAYMENT OF ORATt;rry RULES, 1975 (i) of sub-rule (I) shall be refixed by the employer, if a written application in this behalf is made by lthe payee explaining why it not possible for him to be present in person on the date specified. (3) If the claimant for gratuity is a nominee or a legal heir, the employer may ask for such witness or evidence as may be deemed relevant for establßhing his identity or maintainability of hig claim as the case may be. In that case the time-limit specified for issuance of notices under sub-rule (I-Y Shail be operative with effect form the date such witness or evidence, as case may be, called for by the employer is furnished to the employer. (4) A notice in Form 'L' or Form 'M' shall be served on the applicant either by personal service after taking receipt or by registered post With acknowledgment due. (5) A notice under sub-section (2) of Section 7 shall be in



Form 9. Mode of payment of gratuity : Section 7.—The gratuity payable under the Act shall be paid in cash, or if so. desired by the payee, in Demand Draft or Bank Cheque to the eligible employee, nominee or legal heir, as the case may be : Provided that in case the eligible employee, nominee or legal heir, as the case may be, so desired and the amount of gratuity payable is less than one thousand rupees, payment may be made by postal Money Order after deducting the postal money order commission therefor from the amount payable : Provided further that intimation about the details of payment shall also be given by the employer to the controlling authority of the area

10. Application to controlling authority for direction : Section 7 • If an employer :—(i) refuses to accept a nomination or to entertain an application sought to be filed under Rule 7, or (ii) issues a notice under sub-rule (1) of Rule 8 either. specifying an amount of gratuity which is considered by the applicant less than what is payable or rejecting eligibility to payment of gratuity, or (iii) having received an application under Rule 7 fails to issue any notice as required under Rule 8 within the time specified therein, the claimant employee, nominee or legal heir, as the case may be, may, within ninety days of the occurrence of the cause for the application, apply in Form 'N' to the controlling authority for issuing a direction under sub-section (4) of Section 7 with as many extra copies as are the opposite parties : Provided that the controlling authority may accept any application under this sub-rule, on sufficient cause being shown by the applicant, after the expiry of the specified period. (2) Application under sub-rule (1) and other documents relevant to such an application shall be presented in person to the controlling authority or shall be sent by registered post acknowledgment due

11. Procedure for dealing with application for direction: Section 7(4) On receipt of an application under Rule 10, the controlling authority shall, by issuing a notice in Form 'O' call upon the applicant as well as the employer to appear before him on a specified date, time and place, either by himself or through his authorised representative together with all relevant documents and witnesses, if any. (2) Any person desiring to act on behalf of an employer or employee, nominee or legal heir, as the case may be, shall present to the controlling authority a letter of authority from the employer or the person concerned, as the case may be, on whose behalf he seeks to act together with a written statement explaining his interest in the matter and praying for permission to act. The controlling authority shall record thereon an order either according to his approval or specifying, in the case of refusal to grant the permission prayed for, the reasons for the refusal. (3) A party appearing by an authorised representative shall be bound by the acts of the representative. (4) After completion of hearing on the date fixed under sub-rule or after such further evidence, examination of documents, witnesses, hearing an enquiry, as may be deemed necessary, the controlling authority shall record his finding as to whether any amount is payable to the applicant under the Act. A copy of the finding shall be given to each of the parties. (5) If the Employer concerned fails to appear on the specified date of hearing after due service of notice without sufficient cause, the controlling authority may proceed to hear and determine the application ex parte. If the applicant fails to appear on the specified date of hearing without sufficient cause, the controlling authority may dismiss the application : Provided that an order under this sub-rule may, on good cause being shown within thirty days of the said order, be reviewed and the application reheard after giving not less than fourteen days' notice to the opposite party of the date fixed for re-hearing of the application

12. Place and time Of hearing : Section 7 (4) (b) .—The sittings of the controlling authority shall be held as such time and at such places as he may fix and he shall inform the parties of the same in such manner as he thinks fit

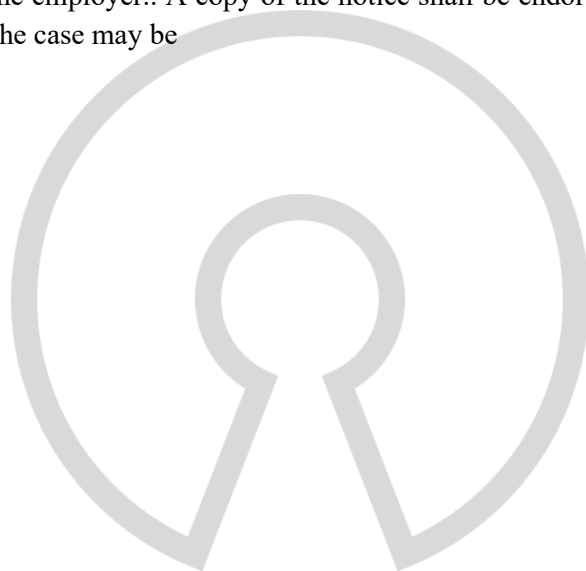
13. Administration of oath : Section 7(5) .—The controlling authority may authorise a clerk of his office to administer oaths for the purpose of making affidavits

14. Summoning and attendance of witnesses: Section 7(5) The controlling authority may at any stage of the proceedings before him, either upon or without an application by any of the parties involved in the proceedings before him, and on such terms as may appear to the controlling authority issue summons to any person in Form 'P' either to give evidence or to produce documents or for any other purposes on a specified date, time and place. Subject to 15. Service of summons or notice : Section 7 (5) . the provisions of sub-rule (2) any notice, summons, process or order issued by the controlling authority may be served either personally or by registered post acknowledgment due or in any other

manner as prescribed under the Code of Civil Procedure, 1908 (Act 5 of 1908). Scanned with OKEN Scanner 1772 U.P. PAYMENT or GRATUITY RULES, 1975 [R. 16 (2) Where there are numerous persons as parties to any proceeding before the controlling authority and such persons are members of any trade union or association or are represented by an authorised person, the service of notice on the secretary, or where there is no Secretary, on the principal officer of the trade union or on the authorised person shall be deemed to be service on such persons

16. Maintenance of records of cases by the controlling authority : Section 7(4) (b) .—The controlling authority shall record the particulars of each case under Section 7, in Form and at the time of passing orders shall sign and date the particulars so recorded. (2) The controlling authority shall, while passing orders in each case, also record the findings on the merits of the case and file it together with the memoranda of evidence With the order sheet. (3) Any record, other than a record of any order or direction, which is by these rules to be signed by the controlling authority, may be signed on behalf of and under the direction of the controlling authority by any subordinate officer appointed in writing for this purpose by the controlling authority

17. Direction for payment of gratuity: Section 7(4) (b) .—If finding is recorded under sub-rule (4) of Rule 11 that the applicant is entitled to payment of gratuity under the Act, the controlling authority shall issue a notice to the employer concerned in Form 'R' specifying the amount payable and directing payment thereof to the applicant under intimation to the controlling authority within thirty days from the date of receipt of the notice by the employer. A copy of the notice shall be endorsed to the applicant, employee, nominee or legal heir, as the case may be



18. Appeal : Section 7(7) The Memorandum' of appeal •under sub-section (7) of Section 7 of the Act shall be submitted to the appellate authority with a copy thereof •to the opposite party and the controlling authority either through delivery in person or under registered post acknowledge- (2)

The Memorandum of appeal shall contain the facts of the case, the decision of the controlling authority, the grounds of appeal and the relief (3) There shall be appended to the Memorandum 01' appeal a certified copy of the finding of the controlling authority and direction for payment of (4) on receipt of the copy of the of appeal, the controlling authority shall forward records of the case to the appellate authority.(5) Within 14 days of the receipt of the copy of the Memorandum of appeal, the opposite party shall submit his comments on each paragraph of the memorandum with additional pleas, if any, to the appellate authority (6) The appellate authority shall record its decision after giving the party to the appeal a reasonable opportunity of being heard. A copy of the decision shall be given to the parties to the appeal and a copy thereof shall be sent to the controlling authority returning his records of the case.

Scanned with OKEN Scanner FORMS] U.P. PAYMENT or GRATUITY RULES, 1975 1773 (7) The controlling authority shall, on receipt of the decision of the appellate authority, make necessary entry in the records of the case maintained in Form under sub-rule (1) of Rule 16. (8) On receipt of the decision of the appellate authority the controlling authority shall, if required under that decision, modify his direction for payment of gratuity and issue a notice to the employer concerned in



Form cs' specifying the modified amount)ayable and directing payment thereof to the applicant, under intimation to t controlling authority within fifteen days of the receipt or the notice by tho employer. A copy of the notice shall bc notnincc or legal heir, as thc case may endorsed to the applicant t'nploity:, be and to the appellate authority



19. Application for recovery of gratuity : Section 8.—Where an employer fails to pny the gratuity due under thc Act in accordance with the notice by thc controlling authority under Rule 17 or Rule 18, as the case may be, the employee. concerned, his nominee or legal heir as the case may be, to whom the gratuity is payable may apply to the controlling authority in duplicate in



Form CT' for recovery thereof under Section g of the Act. 1[20. Display of abstract of the Act and Rules : Section 15.—The employer shall display an abstract of the Act and the rules made thereunder in Hindi and in the language understood by the majority of the employees at a conspicuous place at or near the main entrance of the establishment.) 2. 3. 4. 5. 6. 7. 8, FORM A [Sb sub-rule (1) of Rule 3] Notice of opening Name and address of the establishment. Name and designation of the employer. Number of persons employed. Maximum number of persons employed on any day preceding twelve months with date. Number of employees covered by the Act. Nature of industry. Whether seasonal. Date of opening. Details of Head Office/Branches. (a) Name and address of the Head Office. Number of employees. (b) Names and address of other branches in India. 2, 3. During the I verify that the information furnished above is true to the best of my knowledge and belief. Place Date To The Controlling Authority, Signature of employer with name and designation. 1, subs. by 1740 (.3T)1xxxv1-1-170 (ST).71 dt. 19-7-19831 (1984 LLT-V-174). Scanned with OKEN Scanner 1772 U.P. "AYMP.NT or Rtjr.p.g, '1975 [R. 16 (2) Where there are numerous persons as parties to any proceeding before the controlling authority and such persons are members of any trade union or organisation or are represented by an authorised person, the service of notice on the secretary, or where there is no secretary, on the principal officer of the trade union or on the authorised person shall be deemed to be service on such persons. 16. Maintenance of records of cases by the controlling authority : Section The controlling authority shall record the particulars of each ' and at the time of passing orders shall sign case under Section 7, in Form and date the particulars so recorded. (2) The controlling authority shall, while passing orders in each case, also record the findings on the merits of the case and file it together With the memoranda of evidence with the order sheet. (3) Any record, other than a record of any order or direction, which is required by these rules to be signed by the controlling authority, may be signed On behalf of and under the direction Of the controlling authority by any subordinate officer appointed in writing for this purpose by the controlling authority

17. Direction for payment of gratuity: Section 7(4) a finding is recorded under sub-rule (4) of Rule 11 that the applicant is entitled to payment of gratuity under the Act, the controlling authority shall issue a notice to the employer concerned in Form 'R' specifying the amount payable and directing payment .thereof to the applicant under intimation to the controlling authority within thirty days from the date of receipt of the notice "by the employer.. A copy; Of the notice. shall be endorsed to the applicant, employee, nominee or legal heir, as the case may be

18. Appeal : Section 7(7) 1) The Memorandum of appeal under sub-section (7) of Section 7 of the Act shall be submitted to the appellate authority with a copy thereof to the opposite party and the controlling authority either through delivery in person or under registered post acknowledgment due.

(2) The Memorandum of appeal shall contain the facts of the case, the decision of the controlling authority, the grounds of appeal and the relief sought. (3) There shall be appended to the Memorandum of appeal a certified copy of the finding of the controlling authority and direction for payment of gratuity. (4) On receipt of the copy of the Memorandum of appeal, the controlling authority shall forward records of the case to the appellate authority. (5) Within 14 days of the receipt of the copy of the Memorandum of appeal, the opposite party shall submit his comments on each paragraph of the memorandum with additional pleas, if any, to the appellate authority with a copy to the appellant. (6) The appellate authority shall record its decision after giving the parties to the appeal a reasonable opportunity of being heard. A copy of the decision shall be given to the parties to the appeal and a copy thereof shall be sent to the controlling authority returning his records of the case. (i Scanned with OKEN Scanner FORMS] U.P. PAYMENT or GRATUITY RULES, 1975 1773 on receipt of the decision of the (7) The controlling authority shall, make necessary entry in the records of the case maintained in Form TQ. under Rule (1) of Rule 16. (8) On receipt of the decision of the appellate authority the controlling authority shall, if required under that decision, modify his direction for payment of gratuity and issue a notice to the employer concerned in



Form cs' specifying the modified ntamount payable and directing payment thereof to the applicant, under intimation to the controlling authority within fifteen days of the receipt of the notice by the ernployer. A copy of the notice shall bc endorsed to the applicant etnployec, nominee or legal heir, a; thc case may be and to the appellate authority



19. Application for recovery of gratuity : Section 8.—Where an employer fails to pay the gratuity due under the Act in accordance with the notice by the controlling authority under Rule 17 or Rule 18, as the case may be, the employee, concerned, his nominee or legal heir as the case may be, to whom the gratuity is payable may apply to the controlling authority in duplicate in Form 'T' for recovery thereof under Section 8 of the Act. 1[20. Display Of abstract of the Act and Rules : Section 15.—Thz employer shall display an abstract of the Act and the rules made thereunder in Hindi and in the language understood by the majority of the employee at a conspicuous place at or near the main entrance of the establishment.] 2.

3. 4. 5. 6. 7. 8, g. FORM A [Sh sub-rule (1) of Rule 3] Notice of opening Name and address of the est.ablishment. Name and designation of the employer. Number of persons employed. Maximum numl)er of persons employed on any day dūrin•g the preceding twelve months with date. Number of employees covered by the Act. Nature of industry. Whether seasonai. Date of opening. Details Of Head OffcelBranches. (a) Name and address of the Head Office. Number of employees. (b) Names and address of other branches in India. 2, 3. is true to the best of my Signature of employer With name and designation. I verify that the information furnished above knowledge and belief. Place Date To The Controlling Authority, 1, sub., by Noti;N0. 1740 (sT)/xxxv1-1-170 (ST)-71 dt. 19-7-1983; (1984 LLT-V-174). Scanned with OKEN Scanner 1774 U.P. PAVMENT OF ORATUuTY RULES. 1975 FORM sub-rule (2) of Rule 3] Notice of change [FORMS Name and the address of the Establishment... • • Take notice that following changes have taken place With effect from .in the particulars furnished by me in notice, dated on Form A' Name Adresse Name of the Employer Nature of Business Place Date To The Controlling Authority, Signature of the .ernployer with name and designation.



FORM C [Ste SUB-rUle (3) of Rule 3] Notice of closure Take notice that it is intended to close down the establishment with effect 2. 3. 4. 5. 6. mace Dale The other details are furnished below : Name and address of the establishment. Name and address of the Head Office, if any. Name and designation of the employer.

Number of persons in employment. Number of employees entitled to gratuity. Amount of gratuity involved. Signature of the employer with name and designation. The Controlling Authority, FORM D [See sub-rule (I) of Rule 5] Notice for excluding husband from family From.... Name of the female employee.

Name or description of the establishment where employed

2. Post held with Ticket No., or Serial No. , if any

3. Department/Branch/Section where employed

4. Permanent address

5. Scanned with OKEN Scanner FORMS] Take notice that J, Shri,.... . Gratuity Act

1972. Place Date i'AYMRNT OV GRATUITY rãjrxg, 1975 1775 .desire to exclude my husband Shrimati. ... from my family for the purposen 01' the Payment of Signatura/ Thumb-impression Of the employee. Declaration bey witnesses The above notice wns signed/thumb-impresgs before me. Name in full and full address of wtnesses Place Date To The Controlling Authority (through the employer) (Name and address of the employer • here) For use. by the employer Received and recorded in this establishment. Referen ce -No. Signature of witnesses 1

2. Signature of the employer or an ofcer authorised in this behalf b' the employer.2. 1. 2. 3; 4. 5. . (Employee) The Controlling Authority. FORM E [See sub-rule (2) of Rule5J Notice of withdrawal of notice for excluding husband from family Name of the female employee. Name and description of the eStablishment where employed. Post held With Ticket No. , or Serial No. , if any. •Department/Branch/Section where employed. Permanent address. hereby withdraw the notice, Take notice that I, Smt. ... dated.... .. dated. which was recorded under your reference My husband Sri , now stands included in my family for the purpose of the Payment of the Gratuity Act, 1972. Place Date Signature/ Thumb-Impression of the employee Declaration by uitnesses The above notice of withdrawal was signed/thumb-impressed before me. Name in full and full address or witnesses J

2. Signature of witnesses 2.Scanned with OKEN Scanner 1776 To U.P. PAYMENT OF ntJt.F.g, 1975 The Controlling Authority (Through the employer) (Name and address of the employer) For use by the employer Received and recorded in this establishment. [FOÅMS Reference No. Signature of the employer or Officer authorised. Sea! or rubber stamp of the establishment Date To 2. To (Employee) •The Controlling Authority. FORM F [See sub-rule (I) of 6] Nomination (Give here name or description of the establishment with full address) (Name in full here) I, ShrilShrimatilKumari..... , ... whose particulars are given in the statrnt below, hereby nominate the person(s) mentioned' below to receive the gratuity payable after my death as also the gratuity standing to my credit in the event Gf my •death before that amount has become payable, or having become payable has not been paid and direct that the said amount of gratuity shall be paid in proportion indicated against the name (s) of the- pominee (s). 2. I, hereby certify that the person (s) mentioned is alare member(s) of my family within the meaning of clause (h) of Section 2 Of the Payment of Gratuity Act, 1972. I hereby declare that I have no family within the meaning of clause (h) of Section 2 of the said Act. 4. (a) My father/mother/parents islare not dependent on me. (b) My husband's father/mothd•r/parents islare not dependent on my husband : 5. I have excluded my husband from my family by a notice, 'dated the . to the controlling aUthority in terms of the proviso to clause (h) Jf Section 2 of the said Act

6. Nomination made herein invalidates my previous nomination.Scanned with OKEN Scanner FORMS] U.P. PAYMENT OF ORATUIT*, ' RULES, 1975 NOMINEE(S) 1777 Name in full with full address of nominee(s) 1 1. 2. 3. 4. so on Relationship With Age of Proportion by which the employee 2 STATEMENT nominee 3 the gratuity will be shared 4 2. 3. 4. 5. 6

8. Name of employee in full Sex ReliÉiotk Whether unmarried/marriedlwidowlwidower Department/Branch/Section where employed Post held with Ticket No., or Serial•No., if any Date of appointment Permanent address Village Post Office Place Date Thana District Sub-Division State Signature/ Thumb-impression of the employee. • Declaration by witnesses Nomination signed/ thumb-impressed before me Name in full and full address of witnesses. 1. 2. mace Signature . of witnesses J

2. CERTIFICATE BY THE EMPLOYER Certified that the particulars that of the above nomination have been verified and recorded in this establishment. Employer's Reference No. , if any. Date Signature of the employer/Officer authorised Designation. Name and address of the establishment or rubber stamp thereof. Scanned with OKEN Scanner 1778 u.p. PAVMRNT OF ORATtJJTY RULER, 1975 Acknowledgment by the employee [FORMB Received the duplicate copy of nomination in Form IF' filed by me and duly certified by the employer. Date Signature of the Employee. FORM G [See sub-rule (3) of Rule G] Fresh Nomination To Give here name or description of the establishment with full address.) I, Sri/Srimati ; (Name in full here) whose particulars are given in the statement below, have acquired family within the meaning of clause (h) of Section 2 of the Payment Of Gratuity Act, 1972.... .. with effect from the (date here) in the manner indicated below and therefore nominate a fresh person(s) mentioned below to receive the gratuity payable after my death as also the gratuity standing to my credit in the event of my death before that amount has become payable or having become payable has not been paid, direct that the said amount of gratuity shall be paid - in proportion indicated against the name(s) - of the nominee(s)

2. I hereby certify the person(s) nominated is a late member(s) of my family within the meaning of clause (h) of Section 2 of the said Act. 3. (a) My father/mother/parents is/are not dependent on me. (b) My husband's father/mother/parents is/are not dependent . on my husband

4. I have excluded my husband from my family by a notice, dated the G..... to the controlling authority in terms of the proviso to clause (h) of Section 2 of the said Act. NOMINEE(S) Name in full with Relationship address of nominee(s) 1 1. 2. 3. 4. so on with the employee 2 Age of nominee 3 Proportion by which the gratuity Will be shared 4 Manner of acquiring a 'family' (Here give details as to how 'a family was acquired, i. whether by marriage or parents being rendered dependent or through other process like adoption.) Scanned with OKEN Scanner FORMS] 0 3. 4. 5. 6. 7. 8. U.P. PAYMENT OF ORATUTY norms, 1975 STATEMENT Name Of the employee in full Sex Religion Whether Department/Branch/Section where employed Post held with Ticket No. , or Serial No. , if any. Date of appointment Permanent address 1779 Village Post Office made Date Thnnn District Declaration by witnesses Fresh nomination. signed/thumb-impressed Name in full and full address Of witnesses

2. Place Date , Sub-Division , State Signature/ Thumb-impression of the employee. before me. Signature of witnesses. a

2. CERTIFICATE BY THE EMPLOYER Certified that the particulars of the above nomination have been verified and recorded in this establishment. Employer's reference No. , if any. Signature of the employer/Officer authorised. Designation. Name and address of the establishment or rubber stamp thereof. Acknowledgment by the employee Received the duplicate copy of the nomination in Form 'G' filed by me Date To duly certified by the employer. Signature of the employee. FORM H [See sub-rule (4) of Rule 6] Modification of nomination (Give here name or description of the establishment with full address) I, Sri/Srimati IKgmari..... (Name in full here) whose particulars are given in the statement below, hereby give notice that the nomination filed by me on.. (date) and recorded under your reference No dated.. shall stand modified in the following manner.; (Here give details of the modification intended) Scanned with OKEN Scanner 780 2. 3. 4. 5. 6. 7. 8. 'Place at t'AVMV.NT ot' Name Of the employee in full Sex Religion 1975 [FOPMS Whether Department/Branch/Section where employed Post held with Ticket No. , or Serial No. , if any Date or appointment Address in full Signature/thumb-impression of the employee Declaration by witnesses Modification of nomination signed/thumb-impressed before me. Name in full and full address of witnesses Signature of witnesses 1

2. CERTIFICATE BY THE EMPLOYER Certified that the above modifications have been recorded. Employer's Reference No. , if any. Signature of employer/Officer authorised designation Name and address of the establishment or rubber stamp thereof. Acknowledgment by the employee Received the duplicate copy Of the notice for modification in



Form led by me on.. 'ate duly Certified by the employer. Signature of the employee. FORM 1 [See sub-rule (I) of Rule 7] Application for gratuity by an employee (Give here name or description of the establishment with full address) irl Gentlemen, I beg to apply for payment of gratuity to which I am entitled under sub* E.ction (I) of Section 4 of the Payment of Gratuity Act, 1972, On account Of superannuation/retirement/resignation after completion of not less than ve years of continuous servicetotal disablement due to accidentltotal dis- blement due to disease with effect from the.... , Necessary particulars relating to •my appointment in the establishment are given in the statement elow. Scanned with OKEN Scanner Poti MS) 2. 4. 5. 6. 7. 8. 9. V.P. PAVMV.NT OV ORATtJITY 1975 STATEMENT Name in full Addregg in full where Ingt employed Post held with Ticket No., or Serial No. , if any Date of nppointnt Date and cnuse of termination of service Total period of service Amount of wages Inst drawn Amount of gratuity claimed. 1781 2. was rendered totally disabled as a result of (Here give the details of the nature of disease br accident) The evidence/witnesscs in support of my total disablement are ag follows : (Here give details) 3. Payment may please be m•ade in cash/open or crossed bank cheque

4. As the amount of gratuity payable is less than rupees one thousand, I shall request you to arrange for payment of the sum due to me by postal money order at the address mentioned above after deducting postal money order commission therefrom.Yours faithfully, Signaturelthumb-impression of the applicant Place Date FORM J [See sub-rule (2) of Rule 7] Application for Gratuity b" a nominee To (Give here name or description of the establishment. with full address) Sir/Gen tlemen , I beg to apply for payment of gratuity to which I am entitled under sub- section (I) of Section 4 of the Payment of Gratuity Act, 1972, as a nominee of late. ... (name of the employee) who Was an employee of your establishment and died on the.. The gratuity is payble on account of the death of the aforesaid employee while in service/superannuation of the aforesaid employee on... retirement or resignation of the aforesaid employee ... after completion of. . years of service total disablement of the aforesaid employee due to accident or disease while in service with effect Trom the , , ... Necessary particulars relating to my claim are given in the statement below : STATEMENT (1) Name of applicant nominee. (2) Address in full of the applicant nominee. (3) Marital status of the applicant nominee unmarried/married/ widow/widower, (4) Name in full of the employee. Scanned with OKEN Scanner 1782 u.p. PAVMENT OF GRATUITY RUINS, 1975 (5) Marital status of employecc. (6) Relationship of the nominee with the employee. (7) Total period of service of the employee. (8) Date of appointment of the employecc. [FORMs (9) Date and cause of termination of service of the employee. (IO) DepartmentlBranch/Section wherc the employee last worked. (I I) Post last held by the employee with Ticket No. or Serial No. , if (12) Total wages Inst drawn by the employee. (IS) Dato of death and evidencelwitness as proof of death of the employee. (14) Reference No. of recorded nomination, if available. (15) Total gratuity payable to the employee. (16) Share of gratuity claimed

2. I declare that the particulars mentioned in the above statement are true and correct to the best of my knowledge and belief.S. Payment may please' be made in cash" crossed or open bank cheque

4. As the amount payable is less then rupees one thousand, I shall request you to arrange for payment of the sum due to me by postal money order at the address mentioned above after deducting postal money order commission therefrom.Yours faithfully, Sigr.ature(thumb-impression of appltcant nominee. Place Date FORM K [See Sub-rule (3) of Rule 7] Application for gratuity by legal Gir (Give here the name or description of the establishment with full address) Sirl Gentlemen, I beg to apply for payment of gratuity to which 'l am entitled under sub-section (I) of Section 4 of the Payment of Gratuity Act, 1972, as a legal (Name of the employee) heir of late... who was an employee of your establishment and died on the.. without making any nomination. The gratuity is payable on account of the death of the aforesaid employee while in servrce/superannuation of the ... retirement or resignation of the aforeaid employee on the... .. aforeaid employee on the. .after completion years of service/total disablement of the aforesaid employee due to accident or disease while in service with effect from . Necessary particulars relating to my claim are given in the statement below : Scanned with OKEN ScantM FORMS I U.V. PAYMENT OV ntJLP.g, 1975 STATEMBN"t• (1) Name Of äpplicnt legal heir. (2) Address in full Of npplicnt legal heir. 1783 (3) Mnéitnl Stntug of the npplicnt legnl heir (unmarried/rnarried/widow/ Widower) (4) Name in full Of the omploy.ee. (5) Relationship of the npplicnt with the employee. (6) Religion of both the npplicnt n•nd the employee. (7) Date of _appointment nnd totnl period of service of the employee. (8) Department/Brnnch/Section where the

employee worked last. (9) Post last held by the employee with Ticket No. , or geriaJ No. , if any, €10) Total wages last drawn by the employee. (1 I) Date and cause of termination of service of the employee (death or otherwise) . (12) Date of death of the employee and evidence/witness in support thereof. (IS) Total gratuity payable to the employee. (14) Percentage of the gratuity claimed. (15) Basis of the claim and evidence/witness in support thereof

2. I declare that the particulars mentioned in the above statement are true and correct to the best of my knowledge and belief

3. Payment may please be made in case/open or crossed bank cheque



4. As the amount payable is less than rupees one thousand, I shall request you to arrange for payment of the sum due to me by postal money order at the address mentioned above, after deducting postal money order commission therefrom.Yours faithfully, Signature/thumb-impression •of
applicant legal heir. Place Date



FORM L [See clause (l) of sub-rule (l) of Rule 8] Notice for payment of gratuity To (Name and address of the applicant employee/nominee/legal heir) You are hereby informed as required under clause (i) of sub-rule (l) of Rule 8 of the Uttar Pradesh Payment of Gratuity Rules, 1975, that a sum of) is payable to •you as .. (Rupees, gratuity/as your share of gratuity in terms of nomination made by... . recorded •in this , and an employee of this as a legal heir of. establishment. Scanned with OKEN Scanner 1784 U.P.

PAYMENT OV RULES, 1975 2. Please call at • (Here specify place) . for collecting your payment in cash/open . [FORMS ...at..... • • . (Time) crossed cheque. Amount payable shall be sent to you by postal money order at the address given in your application after deducting the postal money order commission as desired by you. Brief statement Of calculation I . Total period of service of the employee concerned. —
• • • • years.....

2. Wages last drawn.months 3. Proportion of the admissible g-atuity payable in terms of nomination/ as a legal heir



4. Amount payable.Signature of the employer/Authorised Ofcer. rubber stamp thereof. Copy to : The
Controlling Authority



FORM M [See clause (ii) of sub-rule (I) of Rule 81 Notice rejecting claim for Payment of gratuity To (Name and address of the applicant employee/nominee/legal heir) You are hereby informed as required under clause (ii) of sub-rule (I) of Rule 8 of the Uttar Pradesh Payment of Gratuity Rules, 1975, that your for payment of gratuity as indicated on your application ili Form..... and the said rules is not admissible for the reasons stated below : 'ate REASONS (Here specify the reasons) Signahirc of the employer/ Authorised Name or decription of establishment or rubber stamp thereof. Copy to : The Controlling Authority. FROM N [See sub-rule (I) of Rule .10] Application for direction Before the Controlling Authority under the Payment of Gratuity Act, 72. Application no.. Date. Between (Name in full of the applicant with full adderss and (Name in. full of tha employee concerned with full address) The applicant is an employee of the abovementioned employer/ an employee of the abovementioned employer/ linee of late. • • Scanned with OKEN Scanner FORMS] U.P. PAYMENT or ORATtJrry RULES, 1975 1785 nn employee of the abovementioned employer, legal heir of late. and is entitled to payment of gratuity under Section 4 of the Payment of Gratuity Act, 1972, on account of hig own/aforcsaid employees's superannua- . Illig own rotirement/aforcgaidd employee's resignation..... tion on.... . . after completion . (and) on.. years of continuous service/hig own/nroregaid employee's total disablement with effect from . aforesaid late. due to accident/disease, death of the employee on 2. The applicant nubmitted an application under rule.. of the Uttar Pradesh Pnyment of Gratuity Rtllei, 1975, on but the abovementioned employer refused to entertain it/igsued a notice, dated . of tiub-rule. .of Rule. .under clause. the. offering an amount of gratuity which •is less than my duelissued a notice, .Of sub-rule.. . . under clause..... • dated the. : . rejecting my eligibility to payment of gratuity. Rule.... The duplicate copy of the said notice.is enclpsed

3. The applicant submits •that there is a dispute on the matter : (Specify the dispute) 4.The applicant furnishes the necessary particulars in the Annexure hereto and prays that the Controlling Authority may be pleased to determine the amount of gratuity payable to the petitioner and direct the abovemael— tioned employer. to pay the same to the petitioner

5. The applicant declares that the particulars furnished in the hereto are true and correct to the best of his knowledge and belief.Date 2. 3. 4. 5. 6. 7. 8

9. Signatura of tha impression of the applicm;.ANNEXURE Name •in full of applicant with full address. Basis of claim (Death/Superannuation/Retirement/ Resignation/Disablement of employee). Name and address in of the emplo- yee. Marital status of the employee (U nmarried/married/widow Iwidower). Name and address in full of the employer. Department/Branch/ Section where the employee was last. employed (if known). Post held by the employee with Ticket No. or Serial No. , if any (if known). Date of appointment of the employee (if known) . Date and cause of terminagion of service of the employee. (Superannuation/retirement/resignation/ disablement/death). Scanned with OKEN Scanner 1786 12. 14. 15. 16. 17. 18. U.P. PAYMENT OF GRATUITY RULES, 1975 Total period of service by the employee. Wages last drawn by the employee. If the employee is.dead, and cause thereof. Evidence/witness in support Of dcnth of the employee. If a hominee, no. and dnte of recording of nomination With thö employer. Evidence/witness in support of being n legal heir, if a legal heirs Total gratuity payable to the employee (if known). Percentage of gratuity payable to the applicant as a nomineelegal heir. Amount • Of gratuity claimed by the applicant. [FORMS Place Date From Signature/ Thumb-imptgsion of applicmt. FORM O [See sub-rule '(I) of • Rule .11] Notice för *earance before the Controlling 'Author'" The Controlling Authority under the Payment of Gratuity Act, •1972. To (Narue and address of the employer/ applicant)' Whereas Sri. ••••• an employee under you/a nominee (s)/ legal heir(s) of Sri ••••• • an employee under the abOvementioned employer, has/have filed an application under.sub-rule (I) of Rule IO of the Uttar Pradesh Payment of Gratuity Rules, 1975, alleging (A copy of the said application is enclosed). Now, therefore, you are hereby called upon to appear before me at.... . '(place) either personally or through a person duly authorised in this behalf for the purpose of answering all material questions relating to the application on , date of 19.... : at... .. o'clock in the forenoon/afternoon in •support Ofhto answer the and as the day. fixed 'for. your appearance is appointed for final disposal for the application, you must.be : prepared to produce on that day all the witnesses upon whose •evidence, and the docu- ments upon which you intend to rely in support of your allegation/defence. Take notice that in default of your appearance on . the day before mentioned in the notice, your aiplication will be dismissed/heard and deter- mined in your absence. Given under my hand-and seal, this..... . day of....

...!19 Controlling Authority. FORM P [See Rule 14) Summons Before the Controlling Authority under the Payment of Gratuity. Act; 1972. Scanned with OKEN Scanner 1787 FORMS] To 19 U.P. PAYMENT OF ORATUITY RULES, 1975 (Name and address) Whereas your attendance is required to give evidence/you are required to produce the documents mentioned in the list below, on behalf Of in the case arising out of the claim.for gratuity by.. ... and referred to thig Authority by an application from under Section 7 of the Payment of Gratuity Act, 1972, you are hereby summoned to appear personnly before this Authority on the day Of 19. o'clock in the forenoon/nfternoon and to bring With you (or to send to this authority) the said documents. List Of documents 1. 2



3. So on. Dated this . Controlling Authority. . day of The portion not applicable to be deleted. (2) The Summons 'hail be issued in duplicate. TÅe duplicate is to be signed and returned by the person served before the date•s. (S) In case the summons issued only for producing a document and not to give 2. 3. 4. 5.

6. 7. 8. 9. IO. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. evidence, it will be sumcierü compliance to the summons if the documents arc to be produced before . the controlling authority on the day and fixed for the purpose. FORM Q [See sub-rule (1) of Rule 16] Particulars of application under Section 7 Serial no. Date of application. Name and address of the applicant. Name and address of the employer. A:nount of gratuity claimed. Dates of hearing. Findings with date. Amount awarded. Cost, if any, awarded. Date of Notice issued för payment of gratuity. Date of appeal, if any. Decision of the appellate authority. Date of issue of Final Notice for payment of gratuity. Date of payment of gratuity by employer with mode of payment. Date of receipt of application for recovery of gratuity. Date of issue of recovery certificate. Date of recovery. Other remarks. Signed. Date. Scanned with OKEN Scanner 1788 To U.P. PAYMENT OF ORATUt•ry ntJLF.g, 1975 FORM R Rule 17] Notice for Payment Of Gratuity (Name and nddt•e« of employer) Whereas Sri/Smt./Kttmnri... (FORMS of . (nddt•egg) . an employee under you/a nominee(s) llen el heir(s) Of late..... an employee under you, filed an applicntfon under Section 7 of the Payment of Gratuity Act, 1972, before me ; And, whereas the application was heard in your presence on and after the hearing, i have come to the finding that the said ShrilSmt.lKumari.... is entitled to payment of Rs . as gratuity under the Payment of Gartuity Act, 1972 ; Now, therefore, I hereby direct to pay the said sum of. to SrilSmt./Kumari... ; within thirty days of the receipt of this notice with an intimation thereof to me. Given under my hand and seal, this. . Copy under rule). .day of . .19 Controlling Auth«i9 He is advised to contact the employer for collection payment. FORM S [See sub-rule (5) of Rule 181 Nonce for payment of gratuity as determined by Appellate Authority To (Name and address of employer) Whereas a notice was give to you requiring you to make a payment of Rs..

Form c R' to Sri/Smt./Kumari.... as gratuity under the Payment of Gratuity Act, 1972; Whereas you/the applicant went in appeal before the-appellate authority who has decided that an amount of Rs.. is due to be paid to Sri/Smt./Kumari..... as gratuity due under the Payment of Grauiity Act, 1972 ; NOW, dierefore, I hereby direct you to pay the said sum of.Rs to Sri/Smt./Kumari... .. within thirty days of thé receipt of this notice with an intimation thereof to me. Given under my hand and seal, this. day of.. 19 Controlling Authority. Copy to— I. The Applicant. Heis advised to contact the employer for collecting payment

2. The Appellate Authority. FORM T [See Rule 19] APPLiicationfor recovery of gratuity Before the Controlling Authority under the Payment of Gratuity Act, 1972 Date Application no Scanned with OKEN Scanner FORMS] .U.P. PAYMENT OV GRATUITY RULES, 1975 1789 Between (Name in full of tha applicant with full address) and (Name in full of the employer with full address) The applicant is an employee of the abovementioned employer/a nominee an employee of the abovementioned employerla legal of late . 3.. : an employee of the abovementioned employer, heir of late.... and you were pleased •to direct the said employer in your notice, dated the . of the Uttar Pradesh Payment of . under rule..... Gratuity Rules, 1975, for payment of a sum of : . as gratuity payable under the Payment of Gratuity Act, 1972

2. The applicant submits that the said employer failed to pay the said amount of' gratuity to me as directed by you although I approached him for payment

3. The applicant •therefore prays that a certificate may be issued under Section .of the said Act for recovery of the said sum of Place Date .due to me as gratuity in terms of your direction. Place— Signature/ Thumb-impression of the appicant Scanned with OKEN Scanner 1790 U. P. PAYMENT or GRATUITY RULES, 1975 Notifications of U.P. Government 0) [NOTI. English translation of Shram Anubhag-I, Noti. No. 41091XXXVI-I— dated 3u1y 23, 19%), published in the U.P. Gazette, Extra. , Part 4, Section (kha), dated 23rd July, 1990, ; PP. 2-3 In exercise of the powcrg under Section 3 of the Payment of Gratuity Act, 1972 Act No. 39 of 1972 , rend with Section 21 of the Gencral Clausqg Act, 1897 Act No. IO of I fl97 nnd in nuperncgnion of Government notifica- tion No. dated November 11, 1982, the Governor is pleased to appoint' the officers mentioned in column 2 of the Schedule given below to bc the controlling authority for the areas noted against their names in column 3 thäöjr-föFThc-äd• ministration Of aforesaid Act. s. No. I 2 3 4 SCHLDULL Officers 2 Regional Additional Labour Commis- sioner, Kanpur Region, Kanpur. Regional Deputy Labour COMmissioner, Allahabad Region, Allahabad. Regional Deputy Labour Commissioner, Meerut Region, Mecrut. Regional Deputy Labouf Commissioner, Agra Region, Agra. 5 Regional Deputy Labour Commis- sioner, Bareilly Rggion, Bareilly. 6 Regional Deputy Labour Commis- sioner, Lucknow Region, Lucknow. 7 Regional Deputy Labour Commis- sioner, Gorakhpur Region, Gorakh• 8 Rééonat Additional Labour Commis- stoner, Ghaziabad Region, Ghazia- 9 Regional Deputy Labour Commis- noncr, Garhwal Region, Dehra Dun. IO Regional Deputy Labour Commis- sioner, Kamaun Region, Haldwani (Naini Tal). anal Additional Labour Commis- Resener, Varanasi Region Varanasi. 11 Specified Area 3 Kanpur Region comprising the districts of Kanpur Sahar, Kanpur Dehat, Etawah Farrukhabad and Unnao. Allahabad Region comprising the districts of Allahabad, Pratapgarh and Fatehpur. Meerut Region comprising the districts of Meerut •Muzaffar Nagar, Haridwar and Saharanpur. Agra Region . comprising the districts of Agra, Aligarh, Mathura, Mainpuri, Firozabad and Etah. Bareilly Region comprising the districts of .Barcilly, Budaun, Pilibhit and pur. Lucknow Region comprising the districts of Lucknow, Hardoi,- Kheri (IAkhimpiE) RaeBzreli and Sitapur. Gorakhpur Region comprising the districe of Gorakhpur, Maharājganj, Basti, Sidharth Nagar, Deoria, Azamgarh and Mau. Ghaziabad Region comprising the districts Of Ghaziabad and Bulandsbohr. Garhwal Region comprising the districts Of Dehra Dun, Chamoli, Garhwal (Pauri), Dehri Garhwal and Uttarkashi. Kumaun Region comprising the districts Of Naini Tal, Almora and Pithoragarh. Varanasi Regi O&haczwur, put. (i Scanned with OKEN Scanm NOT'.) NOTtrtcærrort or O.P. oovp.RNMp.rrr 2 1791 3 14 Deput Cornmi'- stoner, Morndhlhl Region, Rnrnpitr. Eibner, Region, SiOher, Region, . Regionnl Deputy Ln bour Commit- 'i oner, (Pipri) (Son bhndrn) Mirzn• pur Region. Morndnbndl ion compriling the districts Of Morndabar%, Rampur and Bijnor. Region comprising the districts of Fniznbnd, Bahraich, Bara Banki, jb n nd corn prif ing the diftricts Of h n nqi, Nlnitpur, Banda, Hamirpur and . nlnun. Mfrznpl'.- Region corn riling the districts of Mirzapur and Sonbkadra. (2) English translation of Shram Anubhag-I, Noti. No. 1988/XXXVJ-J— dated July 9, 1991, published in the U.P. Gazette, Extra., part 4, Section (kha), dated 9th July, 1991, p. 2 In exercise of the powers under sub-section (7) Of Section 7 of the pay— ment of Gratuity Act, 1972 (Act No. 39 of 1972), and in supersession of Government Notification No. 1— - dated July 1, 1987 the

Governor is pleased to specify the additional Labour Commissioner appointed with the following designations, as the authority to whom an appeal may be preferred by any person aggrieved by an sub— section (4) of Section 7 of the said Act Sl. Name of the authority No. 1 Additional Labour Commissioner (Industrial Relations) 2 Additional Labour Commissioner (Technical) Name of the region for which appeals may be referred Allahabad, Agra, Meerut, Bareilly, Varanasi, Moradabad and Mirzapur Region. Kanpur, Dehradun, Gorakhpur, Haldwani, Jhansi, Faizabad and Lucknow Region. Scanned with OKEN Scanner

