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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

MINISTRY OF LABOUR AND MANPOWER

Labour and Manpower Division

Section-VIII

NOTIFICATION

Dhaka, the 26th July 1983

No. S.R.O. 283-L/83/LMVIII/1(16)/82.—The following draft of certain further amendments in the Workmen's Compensation Rules, 1924, which the Government proposes to make in exercise of the powers conferred by section 32 of the Workmen's Compensation Act, 1923 (VIII of 1923), is hereby published as required by section 34 of the said Act for information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after the 27th October, 1983. Any objection or suggestion with respect to the said draft which may be received by the undersigned before the date specified will be duly considered by the Government:

**Draft Amendment**

In the aforesaid Rules,—

- (1) throughout the Rules, unless otherwise provided,—
  - (a) for the words "half-monthly" and "half month" the word "monthly" and "month" shall respectively, be *substituted*;
  - (b) for the word "Rupees" and the letters "Rs." the word "Taka" shall be *substituted*; and
  - (c) the word "Provincial" and the words "East Pakistan" shall be *omitted*.

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(4553)

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- (2) for rule 6, the following shall be *substituted*, namely:—

“6. Deposits under section 8(1).—(1) (a) The employer shall keep nomination in Form A (1) from each workman at the time of his employment for the purpose of distribution of money of compensation of fatal accident occurred in the course of carrying out his duties.

(b) The workman may change the nomination at any time in Form A(2) if he thinks the change is necessary.

(c) In case of non-fatal accident the workman concerned may submit authorisation in Form A(3) to receive money of compensation of accident occurred in course of carrying out duties if the workman himself is so unable to move due to disablement.

(2) An employer depositing compensation with the Commissioner under sub-section (1) of section 8 in respect of a workman whose injury has resulted in death shall furnish therewith a statement in Form A (4) along with the nomination in Form A (1) and shall be given a receipt in Form B. In other cases of deposits with the Commissioner under sub-section (1) of section 8, the employer shall furnish a statement in Form A (5) and shall be given a receipt in Form B.

(3) The statement of disbursement to be furnished on application by the employer under sub-section (4) of section 8 shall be in Form C.”;

- (3) in rule 12-A, for sub-rule (1), the following shall be *substituted*, namely:—

“(1) The Chief Inspector and all other Inspectors appointed under section 9 of the Factories Act, 1965 (E.P. Act IV of 1965), may refer to the Commissioner, under section 10C(1), in Form V, cases of workmen who have not been paid due compensation by the employers.”;

- (4) after rule 12-A, amended as aforesaid, the following new rule shall be *inserted*, namely:—

“12-B. Cognizance of offences.—The Commissioner will take cognizance of an offence for contravention of the provisions of the Act and rule on the complaint of the Chief Inspector and all other Inspectors appointed under section 9 of the Factories Act, 1965 (E.P. Act IV of 1965).”;

- (5) in rule 53, in sub-rule (3), for the words “the National Bank of Pakistan” occurring for the first time the words “any scheduled bank of Bangladesh” and for the words “the National Bank of Pakistan” occurring for the second time the words “that bank” shall be *substituted*;

- (6) In rule 54,—

(a) in sub-rule (1), for the words “Director of Labour” the words “Chief Inspector of Factories” shall be *substituted*; and

(b) in sub-rule (2), for the letters and figure “Rs. 10” and “Rs. 50” the word and figure “Taka 200” and “Taka 500” shall, respectively, be *substituted*;



- (7) in rule 55, in sub-rule (1), for the words "Director of Labour" occurring twice the words "Chief Inspector of Factories" shall be *substituted* in both the places;
- (8) in rule 57, the comma and word ", Urdu" shall be *omitted*;
- (9) the existing "Form A" shall be *re-numbered* as "Form A (4)" and for the figures and brackets "6(1)" in the third bracket under the number of the Form the figures and brackets "6(2)" shall be *substituted*, and before Form A (4), so re-numbered, the following new Forms shall be *inserted*, namely:—

**"FORM A(1)**

[See section 8(1) and rule 6(1)(a)]

**FORM OF NOMINATION**

**(In case of Fatal Accident)**

I hereby nominate the following person/persons of my family to receive the money of compensation in case of my death to a fatal accident in course of carrying out my duties under.....  
 .....

(name of factory and address)

Sl. No.	Name and address of person/persons	Relation-ship with the workman	Age	Share of the total money of compensation to be paid to each nominee if more than one person, is nominated

Dated, this.....day of.....19 ..

Two witness to signature:

- 1.
- 2.

Signature/thumb impres-  
 sion of the workman  
 Name.....  
 Name of the factory ....  
 .....  
 Token/Ticket No.....  
 Address.....

## FORM A(2)

[See section 8(1) and rule 6(1)(b)]

## FORM OF CHANGING NOMINATION

(In case of Fatal Accident)

I hereby cancel the nomination made by me on.....and instead nominate the following person/persons of my family to receive the money of compensation in case of my death due to a fatal accident in course of carrying out my duties under.....

(name of factory and address)

Sl. No.	Name and address of person/persons	Relationship with the workman	Age	Share of the total money of compensation to be paid to each nominee if more than one person is nominated

Dated this..... day of..... 19 .....

Two witness to signature:

- 1.
- 2.

Signature/thumb impression of the workman.

Name.....

Name of Factory.....

Token/Ticket No.....

address.....



FORM A(3)

[See section 8(1) and rule 6(1)(c)]

**Form of authorisation to receive money of compensation in case of non-fatal accident.**

(to be submitted before Commissioner when the workman is not able to receive money of compensation personally due to disablement)

To

The Commissioner,

Workmen's Compensation.

.....  
.....

I hereby authorise Mr.....

(address).....  
to receive money of compensation on my behalf for my disablement due to  
accident occurred in course of carrying out my duties as.....  
.....(name of factory and address).

Signature of the authorised person

*Attested*

Signature/thumb impression  
of the workman

Signature of the workman

Token/Ticket No.....

Name of the Factory and address

.....and

address of the workman where  
he is living.”;

- (10) the existing "Form AA" shall be *re-numbered* as "Form A(5)" and *for* the figures and brackets "6(1)" in the third bracket under the number of the Form the figures and brackets "6(2)" shall be *substituted*;
- (11) in Form S,—
- (a) *for* the words "Director of Labour's Report" the words "Report of the Chief Inspector of Factories" shall be *substituted*; and
- (b) *for* the words and comma "Director of Labour, East Pakistan" the words "Chief Inspector of Factories" shall be *substituted*;
- (12) in Form V, the words and Comma "East Pakistan, Dacca" shall be *omitted*; and
- (13) in Form X,—
- (a) *for* serial No. 6, the following shall be *substituted* namely:—
- "6. Cases of workmen, who have not been paid any compensation as provided under the Act, may be referred to the Commissioner by the Chief Inspector of Factories and all other Inspectors of Factories.";
- (b) in serial No. 12.—(i) *for* the figures, letter, comma and words "1189L, dated the 28th March 1935" the figures, letter, comma and words "SRO 270-L/LVIII/1(9)/83/, dated the 10th July, 1983" shall be *substituted*; and
- (ii) *after* the word "Commissioner", the words "with a copy to the Chief Inspector of Factories" shall be *inserted*;
- (c) *after* serial No. 14, the following new serial No. 14A shall be *inserted*, namely:—
- "14A. (1) At the time of appointment of the workman the employer shall keep nomination in Forms A(1) and A(2) from each workman appointed by him, to receive the money of compensation in case of death of a workman due to fatal accident.
- (2) In case of disablement by non-fatal accident the workman can authorise any person in Form A(3) to receive money of compensation from the Commissioner if the workman himself is so unable to move."

By order of the  
Chief Martial Law Administrator  
ABU NAIM AHMED  
*Deputy Secretary.*



## NOTIFICATION

Dhaka, the 26th July, 1983

No. S. R. O. 284-L/83/LMVIII/1(4)/83.—In exercise of the powers conferred by sub-section (2) of section 26 of the Payment of Wages Act, 1936 (IV of 1936), the Government is pleased to make the following further amendments in the Payment of Wages Rules, 1937, the same having been previously published as required by sub-section (5) of the said section, namely:—

In the aforesaid Rules,—

- (1) throughout the Rules, unless otherwise provided,—
  - (a) the word “Bengal” and the letter and word “E. Bengal” shall be *omitted*;
  - (b) for the word “rupees” or “Rupees” or the letter “Rs.” the word “Taka” shall be *substituted*; and
  - (c) for the words “Local Government” the word “Government” shall be *substituted*;
- (2) in rule 2, for clause (c), the following shall be *substituted*, namely:—
 

“(c) “the Chief Inspector of Factories” means the Chief Inspector appointed under sub-section (1) of section 9 of the Factories Act, 1965 (IV of 1965);”;
- (3) in rule 6, for the words “the English language” the word “Bengali” shall be *substituted*;
- (4) in rule 7, in sub-rule (2), for the words, commas, figures and brackets “the Weights and Measures of Capacity Act, 1871 (XXXI of 1871), or the Pakistan Penal Code (XLV of 1860)” the words, commas, figures and brackets “the Standards of Weights and Measures Ordinance, 1982 (XII of 1982), or the Penal Code (Act XLV of 1860)” shall be *substituted*;
- (5) in rule 8, for the words “English and in the language of majority of the persons employed therein” the word “Bengali” shall be *substituted*;
- (6) in rule 10, in clause (a), for the word “English” the word “Bengali” shall be *substituted*;
- (7) in rule 12, for the words and commas “English, together with a literal translation thereof, in the language of the majority of the persons employed therein,” the word “Bengali” shall be *substituted*;
- (8) in rule 16, in sub-rule (2), in clause (b), for the words “English and in the language of the majority of the employed persons” the word “Bengali” shall be *substituted*;
- (9) in rule 19, in sub-rule (2), in clause (c), for the letters and figures “Rs. 10”, “Rs. 5” and “Rs. 30” the words “Taka forty”, “Taka twenty” and “Taka sixty” shall, respectively, be *substituted*;
- (10) in rule 21,—
  - (a) in clause (i), for the words “One Rupee” the words “Four Taka” shall be *substituted*;

(b) in clause (ii),—

(i) in sub-clause (a), for the words “Eight annas” the words “Two Taka” shall be substituted; and

(ii) in sub-clause (b), for the words “Four annas” the words “One Taka” shall be substituted;

(c) in clause (iii), for the words “Eight annas” the words “Two Taka” shall be substituted;

(d) in clause (iv), for the words “Four annas for each member of the group subject to a maximum of five rupees” the words “One Taka for each member of the group subject to a maximum of Twenty Taka” shall be substituted; and

(e) in clause (v), for the words “Five rupees” the words “Twenty Taka” shall be substituted;

(11) for FORM I, FORM II and FORM III the following shall be substituted, namely:—

“FORM I

জরিমানার রেজিষ্টার

.....কারী

ক্রমিক নং	নাম	মজুরের টিকেট নং ও পিতার নাম	বিভাগ	যে কাজ বা কাজে বিচ্যুতির জন্য জরিমানা আরোপ করা হইয়াছে	মজুরী সেবাদিকালে দেয় মজুরীর পরিমাণ	জরিমানার পরিমাণ ও উহা আবোধের তারিখ	জরিমানা প্রদানের তারিখ	মন্তব্য
১	২	৩	৪	৫	৬	৭	৮	৯

দ্রষ্টব্য—যে সকল কাজ বা কাজে বিচ্যুতির জন্য জরিমানা আরোপ করা যাইবে উহাদের নাম-সম্বলিত একটি নামপত্র রেজিষ্টারের সহিত সংযুক্ত রাখিতে হইবে।



## FORM II

নিম্নলিখ ব্যক্তির দোষ বা অবহেলার কারণে নিয়োগকর্তার ক্ষতিসাধনের জন্য কর্তৃনের রেজিস্টার

.....ফাটরী

ক্রমিক নং	নাম	টোকেন বা টিকেট নং ও পিতার বা স্বামীর নাম	বিভাগ	ক্ষতির বিবরণ	কর্তৃনের পরিমাণ ও উহা আরোপের তারিখ	ক্ষতির সংখ্যা (যদি থাকে)	সম্পূর্ণ অর্থ আদায়ের তারিখ	মন্তব্য
১	২	৩	৪	৫	৬	৭	৮	৯

## FORM III

নিম্নলিখ ব্যক্তিগণকে পুসঙ্গ অগ্নির রেজিস্টার

.....ফাটরী

ক্রমিক নং	নাম	টোকেন বা টিকেট নং ও পিতার বা স্বামীর নাম	বিভাগ	অগ্নির পরিমাণ ও উহা পুসঙ্গের তারিখ	অগ্নি পরিশোধের জন্য পুসঙ্গের পরিমাণ ও উহা পুসঙ্গের তারিখ	মন্তব্য
১	২	৩	৪	৫	৬	৭

”; and

(12) in Form VII,—

(a) for paragraph 1, the following shall be *substituted*, namely:—

“1. The Act applies to the payment of wages payable to any person including an apprentice employed in this factory to do any skilled, unskilled, manual, technical, trade promotional or clerical work for hire or reward, but does not include any such person—

(a) who is employed in a managerial or administrative capacity; or

(b) who, being employed in a supervisory capacity, performs functions of managerial or administrative nature.”;

(b) in paragraph 3, in clause (a), for the words “President or the Local Government” the word “Government” shall be *substituted*;

(c) in paragraph 9, in sub-paragraph (2), in clause (a), for the words “half-an-anna in the rupee” the words “ten poisha in the taka” shall be *substituted*;

(d) in paragraph 19, for the brackets and words “(in Dacca to the Court of Small Causes) to the District Court” the words “Labour Appellate Tribunal” shall be *substituted*; and

(e) for paragraph 20, the following shall be *substituted*, namely:—

“20. Any one delaying the payment of wages beyond the due date, or making any unauthorised deduction from wages is liable to a fine up to Taka 500, or simple imprisonment up to six months, or both; but only the authority or the Labour Appellate Tribunal; as the case may be, shall take cognizance of the offence upon a complaint of facts constituting such offence.”.

By order of the  
Chief Martial Law Administrator

ABU NAIM AHMED

*Deputy Secretary.*