



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष २. अंक ३३(२) ]

शुक्रवार, सप्टेंबर १७, २०१०/भाद्र २६, शके १९३२

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असाधारण क्रमांक ६६

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Payment of Bonus (Maharashtra Amendment) Ordinance, 2010 (Mah. Ord. XII of 2010), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

H. B. PATEL,  
Secretary to Government,  
Law and Judiciary Department.

(Translation in English of the Payment of Bonus (Maharashtra Amendment) Ordinance, 2010 (Mah. Ord. XII of 2010), published under the authority of the Governor.)

**INDUSTRIES, ENERGY AND LABOUR DEPARTMENT**  
Mantralaya, Mumbai 400 032, dated the 17th September 2010.

**MAHARASHTRA ORDINANCE No. XII OF 2010.**

*AN ORDINANCE*

*further to amend the Payment of Bonus Act, 1965, in its application to the State of Maharashtra.*

WHEREAS both Houses of the State Legislature are not in session;

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Payment of Bonus Act, 1965, in its application to the State of Maharashtra, for the purposes hereinafter appearing ;

(१)

AND WHEREAS the instructions of the President of India under the proviso to clause (1) of article 213 of the Constitution of India have been obtained ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

Short title  
and  
commence-  
ment.

1. (1) This Ordinance may be called the Payment of Bonus (Maharashtra Amendment) Ordinance, 2010.

(2) It shall come into force at once.

Insertion of  
section 11A  
in Act 21 of  
1965.

2. After section 11 of the Payment of Bonus Act, 1965, in its application to the State of Maharashtra (hereinafter referred to as "the principal Act"), the following section shall be inserted, namely :—

Mode of  
payment of  
bonus.

" 11A. All amounts payable to an employee by way of bonus under this Act shall be paid either by an account payee cheque drawn in favour of the employee or by crediting the same in the bank account of an employee."

Amendment  
of section 19  
of Act 21 of  
1965.

3. In section 19 of the principal Act, the words "in cash" shall be deleted.

STATEMENT

The Payment of Bonus Act, 1965 (21 of 1965) provides for payment of bonus, to persons employed in certain establishments on the basis of profits or on the basis of production or productivity and for matters connected therewith. Section 19 of the said Act provides that all amounts payable to an employee by way of bonus under this Act shall be paid in cash by his employer within the time limit specified therein.

2. The enforcement machinery have often noticed that the employees are exploited by some employers either by not paying or partly paying the amounts payable under the said Act. It has also been brought to the notice that those employers do not maintain the statutory records required under the law so as to do away with the statutory liabilities and to deprive the employees of their statutory benefits.

3. With a view to curb such unfair labour practices, it is considered expedient to amend the Payment of Bonus Act, 1965, in its application in the State of Maharashtra, so as to provide that amounts payable to the employees are paid either by way of an account payee cheque drawn in favour of the employees or by crediting the same in the bank account of such employees.

4. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Payment of Bonus Act, 1965, in its application to the State of Maharashtra, for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,

Dated the 16th September 2010.

K. SANKARANARAYANAN,

Governor of Maharashtra.

By order and in the name of the Governor of Maharashtra,

KAVITA GUPTA,

Secretary to Government.