

I/150657/2021

Government of West Bengal
Labour Department
I.R. Branch
N.S.Buildings, 12th Floor,
1, K.S.Roy Road, Kolkata-1

No. Labr./1690/(LC-IR)/22013/56/2019

Date : 15.09.2021

The Governor of West Bengal makes an appeal to all employers and employees of the state covered under payment of Bonus Act,1965 as amended by the payment of Bonus (Amendment) Act, 2015 to stick to the following guidelines while setting the legitimate dues of workers in respect of payment of bonus, in view of ensuing Durga Puja, for the year 2021 in terms of the said Act in the interest of maintenance of industrial peace and harmony.

1. Keeping in view the need for maintenance of industrial peace and harmony, it is expected that the employers, while taking note of the statutory provisions under payment of Bonus Act,1965 as amended by the payment of Bonus (Amendment) Act,2015 would adopt a flexible attitude on the issue of payment of bonus.
2. All establishments where bonus was paid in the previous year are requested to see that the rate of bonus payable this year is not lower than that of the last year. In case, however, where there is a dispute, the same may be settled amicably through negotiations. Employers are also requested to consider payment of an amount of ex-gratia in lieu of bonus as is admissible at the maximum stage, to those workmen and employees who have crossed the eligibility limit as per payment of Bonus Act,1965.
3. All employees, whether in casual employment or re-employed after retirement or employed through contractors and have worked for not less than 30 days during the year should be paid bonus.
4. The employers who are in default towards payment of bonus for the previous years are also being requested to make such payments this year along with the payment of bonus for the current year.
5. The Government also appeals to all trade unions and employers' organizations to extend their co-operation in maintenance of a climate of industrial peace and exercise their good offices for peaceful and effective settlement of industrial disputes concerning bonus without any disruption of work.
6. Government has noted with concern that in many cases, in previous years, employees of IT sector, Hotels and Restaurants, Shops & Establishments, Security Workers and some workers in jute mills did not get any bonus amidst COVID pandemic situation. It is desired that the situation will not be similar this year.
7. All payments of bonus should be made before commencement of Durga Puja, 2021.

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8. The Government expects that all employers including the public sector undertakings will act according to this appeal.
9. The Government also expects that all employers' organizations will advise their constituents to act according to this appeal.

Most of the persons employed in the unorganized sectors are not covered under the Payment of Bonus Act 1965 as amended by the payment of Bonus (Amendment) Act,2015 and do not get any bonus. Government expects that the employers in such cases shall also pay bonus/ex-gratia to their workers before commencement of Durga Puja, 2021.

This is issued in continuation of T.O. earlier No Labr/973/(LC-IR)/22013/56/2019, dated 07/05/2021.

Ray 15/9/21
Principal Secretary to the
Govt. of West Bengal

No.Labr.11690.1(54)/(LC-IR)

Date : 15.09.2021

Copy forwarded for information and necessary action to:-

1. -----(All employers organization)
2. -----(All trade Unions)
3. District Magistrate -----(All)
4. O.S.D. & E.O. Labour Commissioner, West Bengal.
5. PS to MOS(IC), Labour Deptt
6. PS/PA to Principal Secretary, Labour Deptt.
7. The Deputy Secretary, IT Cell, Labour Department, with the request to upload in the Department's website.

Prasad 15.09.21
Deputy Secretary
to the Govt. of West Bengal