

Set on and Set off allocable Surplus

where in any accounting year any amount has been Carried forward and set on or set off under this section.

Special provisions with respect to certain establishments:

(1) Where an establishment newly setup, whether before or after the commencement of this act, the employees of such establishment shall be entitled to be paid bonus under this act in accordance with the provision of sub sec (1A), 1B and (1C).

1A. In the first five accounting year in which the employer sells the goods produced, or manufactured by him or renders service, bonus shall be payable only in acc'ting year in which derives the profit from such establishment, and such bonus shall be calculated as per provision of this act.

Adjustment of customary or intension bonus against bonus payable under the act:

(a) an employer has paid any puja bonus like durga puja or other customary bonus to an employee

Deduction of Certain amounts from bonus payable under the act:

where an employee under this act is found guilt of mis conduct causing any financial loss to the employer, then it shall be lawful for the employer to deduct the amount of loss from the amount of bonus payable to him to the employee under this act.

Time limit for payment of bonus:

All amounts payable to an employee by way of bonus under this act shall be paid in cash by his employer

(a) where there is a dispute regarding payment of bonus pending before any authority under sec 22 within a month from the date on which enforceable or the settlement comes into operation.

(b) In any other case, within a period of eight 8 months from the close of the accounting year.

Application of Act to establishment in public sector in certain cases :-

If in any accounting year an establishment in public sector sells and goods produced or manufactured by it or render any services in competition with an establishment in private sector, and income from sale or service, less than 20% twenty percent of gross profit in public sector to that year, then the provisions of this act shall apply in public sector establishment, they apply in relation to a private sector.

Recovery of bonus due from an employer :- Any money due to an employee of bonus. In case of death of the employee, his assignee or heirs may, make a application to appropriate govt is satisfied that the applicant ~~had~~ had sufficient cause money is due. It shall issue a certificate for the amount to collector who shall be proceed the same in manner as an arrear of land revenue.

Every such application shall be made within one year from the date on which the money became due to employee from the employer.

Such application may be entertained after the expiry of one year, if the appropriate govt is satisfied that the applicant had sufficient cause for not making the application within the stipulated time period.

Reference of dispute under the Act:

Any dispute arises between an employer and his employee regarding bonus payable under this act, such dispute shall be deemed to be an industries disputes Act 1947. any law relating to investigation and settlement of industries dispute in force in a state, as per provisions of this act.

Presumption about accuracy of balance sheet and profit and loss account of Corporation and Companies -

- i) where the said authority is satisfied that the statement and particulars contained in the balance sheet or profit and loss account of the Corporation or the Company are not accurate, it may take such steps as it thinks necessary to find ^{out} the accuracy of such statement and particulars.
- ii) when an application is made to the said authority by any trade union being a party to the dispute.

Audited Accounts of banking Companies

not to be questioned: where any dispute between an employer being a banking Company and its employees has been referred to said authority under that section the accounts of the banking Co duly audited and produced to the said authority shall not permit any trade union or employee to raise the question of such correctness of such accounts.

Audit of accounts of employers, not being Corporation or Companies;

The said authority the provision of section shall may be apply to accounts audited.

Maintenance of register, records: -

Every employer shall prepare and maintain such registers and other documents in such form and in such manner as prescribed.

Inspectors: In this act there is provisions by the appropriate govt to appoint a inspector to inquire and inspection of records.

(a) Require an employer to furnish information which needful and necessary.

(b) any reasonable time, enter any establishment to see or check books of account relating to employee salary and wage or bonus etc in the establishment.

(c) examine to any matter related to employer of any establishment.

(d) Make a copies of extracts from any books, register or other documents maintained in relation to the establishment.