

**PROCEDURE OF INSPECTION UNDER THE PAYMENT OF GRATUITY ACT, 1972 & THE GOA DAMAN AND DIU PAYMENT OF GRATUITY RULES, 1973.**

**Applicability:**

Gratuity shall be payable to an employee on the termination of his employment after he has rendered continuous service for not less than five years,

- a) On his superannuation, or
- b) On his retirement or resignation, or
- c) On his death or disablement due to accident or disease:

Provided that the completion of continuous service of five years shall not be necessary where the termination of the employment of any employee is due to death or disablement.

**Eligibility**

An employee who is eligible for the payment of gratuity under the Act & Rule shall apply within 30 days to the employer.

**Procedure of calculation for payment of Gratuity:**

For every completed year of service or part thereof in excess of six months, the employer shall pay gratuity to an employee at the rate of fifteen days' wages based on the rate of wages last drawn by the concerned employee.

**Employer**

The employer shall specify the name of the officer to receive notices under the Act & Rule.

An employer within 15 days of receipt of application from employee for the payment of gratuity shall specify the amount of the gratuity payable and issue the notice to the employee specifying the date of the payment. If claim is not admissible then the employer should intimate to the applicant/employee accordingly.

In either case a copy of the notice shall be endorsed to the controlling authority.

## **Employee**

An employee shall submit nomination to the employer within one year of the service.

## **Controlling Authority**

The appropriate Government may, by notification, appoint any officer to be a controlling authority, who shall be responsible for the administration of this Act. Commissioner Labour & employment appointed as controlling authority in respect of State of Goa.

If an employer to refuses to entertained the claim for the payment of gratuity by an employee under the Act, then the aggrieved employee has option to make an representation in prescribed format to the controlling authority for issuing direction for payment of gratuity.

## **Document checklist for Compliance Inspection under The Payment of Gratuity Act, 1972**

- Government of Goa has appointed by notification Commissioner, Labour and Employment as Controlling Authority under Section 3 of The Payment of Gratuity Act, 1972

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