

PROVINCIAL ASSEMBLY OF THE PUNJAB

NOTIFICATION

16 December 2013

No.PAP-Legis-2(13)/2013/971. The Punjab Workmen's Compensation (Amendment) Bill 2013, having been passed by the Provincial Assembly of the Punjab on 12 December 2013, and assented to by the Governor of the Punjab on 14 December 2013, is hereby published as an Act of the Provincial Assembly of the Punjab.

THE PUNJAB WORKMEN'S COMPENSATION (AMENDMENT) ACT 2013

ACT XXVII OF 2013

[First published, after having received the assent of the Governor of the Punjab, in the Gazette of the Punjab (Extraordinary) dated 16 December 2013.]

An
Act

further to amend the Workmen's Compensation Act, 1923.

Preamble.— Whereas it is expedient further to amend the Workmen's Compensation Act, 1923 (VIII of 1923) for purposes hereinafter appearing;

It is enacted as follows:—

1. Short title and commencement.— (1) This Act may be cited as the Punjab Workmen's Compensation (Amendment) Act 2013.

(2) It shall come into force at once.

2. Amendment in section 1 of Act VIII of 1923.— In the Workmen's Compensation Act, 1923 (VIII of 1923), hereinafter referred to as the said Act, in section 1, in subsection (2), for the word "Pakistan", the words "the Punjab" shall be substituted.

3. Amendment in section 2 of Act VIII of 1923.— In the said Act, in section 2, in subsection (1)—

(a) after clause (h), the following clause (hh) shall be inserted:—

"(hh) "**Provincial Government**" means Government of the Punjab;"

(b) clause (k) shall be omitted;

(c) for clause (ll), the following shall be substituted:—

"(ll) "Tribunal" shall mean the same as in the Punjab Industrial Relations Act, 2010 (XIX of 2010);" and

(d) in clause (n), in sub-clause (ii), the words and comma "on monthly wages not exceeding three thousand rupees," shall be omitted.

4. Amendment in section 4 of Act VIII of 1923.— In the said Act, in section 4, in subsection (1)—

(a) for paragraphs A and B, the following shall be substituted:—

"A. Where death results from injury to a workman — the amount shown in the second column of Schedule IV;

B. Where total disablement of permanent nature results from injury to a workman — the amount shown in the third column of Schedule IV;" and

(b) for paragraph D, the following shall be substituted:—

"D. Where temporary disablement, whether total or partial, results from injury, a half-monthly payment payable on the sixteenth day after the expiry of a waiting period of four days from the date of the disablement, and thereafter, half-monthly

during the disablement or during the period of five years, whichever period is shorter – the amount shown in the fourth column of the Schedule IV:

Provided that–

- (a) there shall be deducted from any lump sum or half-monthly payments to which the workman is entitled the amount of any payment or allowance which the workman has received from the employer by way of compensation during the period of disablement prior to the receipt of such lump sum or of the first half-monthly payment as the case may be except payments made to the worker during the period of his convalescence towards medical treatment and the half-monthly payments made for the first four months of disablement;
 - (b) no half-monthly payment shall in any case exceed the amount, if any, by which half the amount of the monthly wages of the workman before the accident exceeds half the amount of such wages which he is earning after the accident; and
 - (c) the amount of half-monthly payments to which a workman is entitled shall in no case be less than the amount of half-monthly payments to which a workman drawing lesser monthly wages than such workman is entitled." and
- (c) after subsection (2), the following subsection (3) shall be inserted:-
 "(3) The Provincial Government may, by notification in the official Gazette, revise the amount of compensation specified in Schedule IV."

5. Amendment in section 8 of Act VIII of 1923.– In the said Act, in section 8–

- (a) in subsection (1), in the proviso, for the words "an aggregate of one hundred rupees, and so much of such aggregate as does not exceed", the words "ten percent of the amount of" shall be substituted;
- (b) in subsection (2), for the word "ten", the words "four thousand" shall be substituted; and
- (c) in subsection (4), for the words "twenty-five", the words "five thousand" shall be substituted.

6. Omission of section 15 of Act VIII of 1923.– In the said Act, section 15 shall be omitted.

7. Amendment in section 18-A of Act VIII of 1923.– In the said Act, in section 18-A, for the words "one hundred rupees", the words "five thousand rupees but not less than one thousand rupees" shall be substituted.

8. Amendment in section 30 of Act VIII of 1923.– In the said Act, in section 30–

- (a) in subsection (1), in the first proviso, for the words "three hundred", the words "five thousand" shall be substituted; and
- (b) subsection (4) shall be omitted.

9. Omission of section 35 of Act VIII of 1923.– In the said Act, section 35 shall be omitted.

10. Amendment in Schedule II of Act VIII of 1923.– In the said Act, in Schedule II–

- (a) clauses (vi), (vii), (viiia) and (xiiia) shall be omitted; and
- (b) in clause (viii), sub-clause (d) shall be omitted.

11. Amendment in Schedule IV of Act VIII of 1923.– In the said Act, in Schedule IV–

- (a) the entries in the first column shall be omitted; and
- (b) for the figure "2,00,000" wherever occurs, the figure "4,00,000" shall be substituted.