

FAQ under the Payment of Gratuity Act

	Whether every employee of an establishment is entitled to gratuity under Payment of Gratuity Act?	
	<i>Every employee of an establishment in which 10 or more persons are employed will come under payment of gratuity act. Employees of such establishment who has rendered continuous service for not less than 5 years shall be entitled to gratuity.</i>	
	When will an employee become eligible to avail Gratuity?	
	<p><i>(i) On his superannuation</i></p> <p><i>(ii) On his retirement or resignation</i></p> <p><i>(iii) On his death or disablement due to accident or disease (5 years of service is not necessary)</i></p>	
	Procedure for claiming the Gratuity	
	<p><i>(i) Application in form I by employee or Application in form J by nominee or Application in form K by legal heir.</i></p> <p><i>(iii) Submit the application to the employer within 30 days from the date it becomes payable. The employer shall pay the gratuity within 30 days from the receipt of the application. For belated payment the employer is liable to pay 10% simple interest also.</i></p>	
	What is the procedure if the employer refuses to pay the gratuity?	
	<i>The claim or complaints under the act shall be filed to the Controlling Authority (District Labour Officer) in form N within 90 days of it become payable</i>	
	Where can I prefer to appeal against the order of Controlling Authority?	
	<i>Any person aggrieved by an order of the Controlling Authority may prefer an appeal to the Appellate Authority within 60 days from the receipt of the order.</i>	
	What is the penalty for violation of the provision of the Act & Rules?	
	<i>(i) Avoiding any payment or enabling any other person to avoid such payment or makes any false statement.</i>	<i>Imprisonment which may extend to six months or with fine which may extend to ` 10,000/- or with both</i>
	<i>(ii) Contravenes or makes default in complying with the provisions of the Act or any Rules</i>	<i>Imprisonment which not less than 3 months but may extend to 1 years or with fine not less than ` 10,000 which may extend to ` 20,000/- or with both</i>
	<i>(iii) Non-payment of gratuity</i>	<i>Imprisonment which not less than 6 months but may extend to 2 years or with fine which may extend to ` 10,000/- or with both</i>

		<p><i>Note:- For more information please contact Citizen Call Center: 155300</i></p>
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