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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Labour Department,

M. W. Branch

New Secretariat Buildings, 12th Floor,

1, Kiron Sankar Roy Road, Kolkata-700 001

NOTIFICATION

No. 77-Law/MW/2W-32/13(Pt-II), dated 08.03.2019 — WHEREAS the Governor, in exercise of the power conferred by section 3 read with sub-section (2) of section 5, of the Minimum Wages Act, 1948 (11 of 1948) (hereinafter referred to as the said Act) was pleased to fix the minimum rates of wages payable to the employees employed in the State of West Bengal in the employment named '*Manufacture of rubber products*' vide Labour Department Notification No. 87-LW/LW/2W-17/78,—12th January, 1979;

AND WHEREAS due to unavoidable circumstances the State Government could not revise the minimum rates of wages of the said Scheduled employment within the period of five years as required under clause (b) of sub-section (1) of section 3 of the said Act;

AND WHEREAS the Governor, upon a review of the said minimum rates of wages under clause (b) of sub-section (1) of section 3 of the said Act, considers it necessary to revise the same;

AND WHEREAS nothing contained in the said clause (b) of sub-section (1) of section 3 of the said Act shall be deemed to prevent the State Government from reviewing the said minimum rates of wages after the expiry of period of five years and revising the same;

NOW THEREFORE, in exercise of the power conferred by clause (b) of sub-section (1) of section 5 of the said Act, the Governor is pleased hereby to publish in the *Official Gazette* the following proposals, in the matter of such revision, for the information of persons likely to be affected thereby;

The proposals will be taken into consideration on the expiry of the period of two months from the date of publication of this notification in the *Official Gazette* and any objection or suggestion with respect thereto which may be received by the undersigned before the expiry of the said period will be duly considered:—

Proposals

- (1) The following shall be the monthly rates of minimum wages for different categories of employees employed in different zones in respect of '*manufacture of rubber products*' in the State of West Bengal:—

Categories of Employees**Monthly Minimum Rates of Wages**

	<u>Zone-A</u>	<u>Zone-B</u>
(a) Unskilled/peon	Rs. 7486.00	Rs. 6772.00
(b) Semi-Skilled / durwan	Rs. 8235.00	Rs. 7449.00
(c) Skilled / clerks	Rs. 9059.00	Rs. 8194.00

Implementing areas:

Zone – ‘A’ : Areas under all Municipal Corporations, Municipalities, Notified Area Authorities, Development Authorities and Thermal Power Plants Areas including Industrial Township areas;

Zone – ‘B’ : Rest of the West Bengal;

- (2) The proposed Minimum rates of Wages correspond to the half-yearly average of Consumer Price Index Number of Industrial Worker for Kolkata Centre (CPI-IW), Base 2001=100 for Zone A and Consumer Price Index Number for Agricultural Labourers (CPI-AL, West Bengal), Base 1986-87 = 100 for Zone B from October, 2016 to March, 2017, which are **261** and **776** respectively. These points will be considered as respective fixation points;
- (3) The Minimum rates of Wages shall be adjusted half-yearly both upward and downward and be paid from 1st January and from 1st July of each year on the basis of half-yearly average Consumer Price Index Number for the period from April to September and October to March respectively. For Zone A Consumer Price Index number for Industrial Workers of Kolkata Centre, Base 2001 = 100 and for Zone B Consumer Price Index Number for Agricultural Labourers, West Bengal, Base 1986-87 = 100 should be taken;
- (4) Adjustment of Minimum Rates of Wages for the purpose of neutralization per point will be as shown below:–

Category of Employees	Rates of Neutralization	
	Zone A (CPI-IW, Kolkata) (Base 2001 = 100)	Zone B (CPI-AL, W.B.) (Base 1986-87=100) (in Rs.)
Unskilled	28.68	8.73
Semi-skilled	31.55	9.60
Skilled	34.71	10.56

The rates of neutralization have been arrived at by dividing the minimum wages proposed for different categories of employees by the respective fixation points as noted in serial 2) above. The final calculation of wages will be done after rounding off to nearest rupee;

- (5) There will be no adjustment of Minimum rates of Wages below the fixation points;
- (6) To arrive at daily rates, monthly rates will have to be divided by 26 and to be rounded off to the nearest rupee, to arrive at weekly rates, daily rates will have to be multiplied by 6;
- (7) A normal working day shall consist of eight hours of actual work and not less than half an hour of recess, subject to 48 hours of actual work in a week;
- (8) One day in any period of seven days as may suit the local convenience shall be the day of weekly rest;
- (9) The Minimum rates of Wages include the wages for weekly day of rest. Payment for work done on the day of weekly rest and for work done beyond the normal working hours shall be double the ordinary rate of wages;
- (10) Where the existing rates of wages of any employee based on contract or agreement or otherwise are higher than the rates notified herein, the higher rates shall be protected and treated as minimum rates of wages applicable for the purpose of this notification to such employees;
- (11) The Minimum rates of Wages are applicable to employees employed by contractors also;
- (12) The Minimum rates of Wages for disabled persons shall be same as payable to the workers of appropriate category;
- (13) The men and women employees shall get the same rates of wages for the same work or work of similar nature;
- (14) The Minimum rates of Wages and Variable Dearness Allowance, if any, both constitute the minimum rates of wages to be enforceable under the Minimum Wages Act, 1948 (11 of 1948).

By order of the Governor,

ATRIYA RAKSHIT

*Sr. Law Officer & E.O. Assistant Secretary(Law)
Government of West Bengal.*