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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

Writers' Buildings, Kolkata - 700 001

NOTIFICATION

No. 138-MW/2W-03/2008.— dated 03.09.2012.— WHEREAS the proposal to revise the minimum rates of wages payable to the employees employed in the scheduled employment of **Lac Manufactories**, was published in the *Kolkata Gazette, Extraordinary*, Part I, dated 24.10.2011 vide this Department Notification No.476- MW/2W-03/2008, dated 20.10.2011, for information of persons likely to be effected thereby;

AND WHEREAS no representation has been received in the matter within the time specified in the said notification;

NOW, THEREFORE, 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), the Governor, in consultation with the State Minimum Wages Advisory Board, is pleased hereby to revise the minimum rates of wages payable to the employees employed in the employment of **Lac Manufactories** in the State of West Bengal, as specified in the Schedule below:—

The Schedule

- (1) The following shall be the monthly minimum rates of wages for the persons employed in the employment of **Lac Manufactories** in the State of West Bengal:—

Categories of Employees	Minimum rates of Wages per month
(a) Unskilled	Rs. 3312.00
(b) Semiskilled	Rs. 3643.00
(c) Skilled	Rs. 4007.00

(2) The classification of employees are as follows:—

Unskilled Workers : Workers for Drying and Winnowing, Pherwaiya, Darwans, Ghasandars, Mazandars, Rong kariyas, Peon;

Semi-skilled workers : Belwaiya, Darwan;

Skilled workers : Clerks, Karigar;

(3) There will be only one minimum rate of wages for the whole of West Bengal;

(4) The minimum rates of wages correspond to the half-yearly average of Consumer Price Index Number for Agricultural Labourers (CPI-AL), West Bengal, Base 1986-87 = 100 from October, 2008 to March, 2009, which is 431. This point will be considered as fixation point;

(5) The minimum rates of wages will 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. Consumer Price Index Number for Agricultural Labourers (CPI-AL), West Bengal, Base 1986-87 = 100 should be taken. Such half yearly adjustments shall be calculated and circulated by the Labour Commissioner, Government of West Bengal.

(6) Adjustment of minimum rates of wages for the purpose of neutralization per point per month will be as shown below :—

Categories of Employees	Rates of Neutralization
(a) Unskilled	Rs. 7.68
(b) Semiskilled	Rs. 8.45
(c) Skilled	Rs. 9.30

The rates of neutralization have been arrived at by dividing the minimum wages for different categories of employees by the fixation point as noted in serial no. (4). It has been done as per practice followed by Central Government. The final calculation of wages will be done after rounding off to nearest rupee;

(7) There will be no adjustment of minimum wages below the fixation point;

(8) Daily rates have been arrived at by dividing the monthly rate by 26 and rounding off to the nearest rupee. To arrive at weekly rates, daily rates will have to be multiplied by 6;

(9) A normal workitig day shall consist of eight and a half hours of work including interval for half an hour rest;

(10) One day in any period of seven days as may suit the local convenience shall be the day of weekly rest;

(11) 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;

(12) 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;

(13) The minimum rates of wages are applicable to employees employed by contractors also;

(14) The minimum rates of wages for disabled persons shall be same as payable to the workers of appropriate category;

(15) The men and women employees shall get the same rates of wages for the same work or work of similar nature;

(16) 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);

2. It shall come into force on the date of its publication in the Official Gazette.

By order of the Governor,

BAIDYANATH CHAKRABORTY,
Dy. Secy. to the Govt. of West Bengal.