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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, Block-1 (First Floor) Kolkata - 700 001****NOTIFICATION**

No. 107-MW/2W-12/2010.— dated : 09.4.2012.— WHEREAS the proposal to fix the minimum rates of wages payable to the employees employed in the employment of **Hotels and Restaurants including Boarding Houses and Eating Houses employing not more than 20 persons** in the State of West Bengal was published in the Kolkata Gazette, Extraordinary, dated 28.02.2011 vide this Department Notification No. 288-MW/2W-12/2010 dated 20.01. 2011 for information of persons likely to be affected thereby (hereinafter referred to as the said notification);

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 fix minimum rates of wages payable to the employees employed in the employment of **Hotels and Restaurants including Boarding Houses and Eating Houses employing not more than 20 persons** 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 different categories of employees employed in the employment of **Hotels and Restaurants including Boarding Houses and Eating Houses employing not more than 20 persons** in the State of West Bengal :—

Categories of Employees	Monthly Minimum Rates of Wages	
	Zone A	Zone B
(a) Unskilled	Rs. 4218.00	Rs. 3762.00
(b) Semi-Skilled	Rs. 4640.00	Rs. 4138.00
(c) Skilled	Rs. 5104.00	Rs. 4552.00
(d) Highly Skilled	Rs. 5614.00	Rs. 5007.00

Implementing areas : **Zone 'A'** = (i) Areas Notified under Kolkata Metropolitan Development Authority (KMDA), (ii) Asansol Municipal Corporation, (iii) Durgapur Municipal Corporation, (iv) Siliguri Municipal Corporation, (v) Digha-Shankarpur Development Authority, (vi) Thermal Power Plant areas including Township areas, (vii) All the Municipal areas in different districts (viii) All the Sub-Divisions in the districts of Howrah, Hooghly, Burdwan and North 24 Parganas [excluding Barasat and Basirhat], (ix) Alipore Sub-Division and Baruipur Sub-Division in the district of South 24-Parganas, (x) Midnapore Sadar Sub-Division and Kharagpur Sub-Division in the district of West Medinipur, (xi) Siliguri Sub-Division in the district of Darjeeling, (xii) Bankura Sub-Division and Bisnupur Sub-Division in the district of Bankura, and (xiii) Raghunathpur Sub-Division in the district of Purulia;

**Zone 'B'** = Rest of West Bengal;

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

**Unskilled workers** : Table boy, Kitchen helper, Sweeper/Cleaner and Housing keeping boy, Laundry boy, Waiter, Security guard.

**Semi-skilled workers** : Tea maker, Steward, Cook, Ice-cream maker.

**Skilled workers** : Senior Cook, Receptionist, Cash Sarkar, Store keeper, Junior Clerk/ Typist, Computer operator.

**Highly Skilled Workers** : Kitchen master, Head Cook, Cashier, Accountant, Senior Clerk.

(3) The minimum rates of wages correspond to the half-yearly average of Consumer Price Index Number for 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, 2008 to March, 2009, which are 147 and 431 respectively. These points will be considered as respective fixation points;

(4) 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 for Kolkata Centre, Base 2001=100 and for Zone B Consumer Price Index Number for Agricultural Labourers, Base 1986-87 - 100 should be taken. Such half-yearly adjustment shall be calculated and circulated by the Labour Commissioner. Government of West Bengal.

(5) 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	
	Zone A (CPI-IW) (Base 2001 = 100)	Zone B (CPI-AL, WB) (Base 1986-87 = 100)
Unskilled	Rs. 28.69	Rs. 8.73
Semi-skilled	Rs. 31.56	Rs. 9.60
Skilled	Rs. 34.72	Rs. 10.56
Highly Skilled	Rs. 38.19	Rs. 11.62

The rates of neutralization have been arrived at by dividing the minimum rates of wages for different categories of employees by the respective fixation points as noted in point no. (3) above. The final calculation of wages will be done after rounding off to nearest rupee;

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

(6) To arrive at daily rate, monthly rate will have to be divided by 26 and to be rounded off to the nearest rupee, to arrive at weekly rate, daily rate will have to be multiplied by 6;

(7) A normal working day may consist of eight and half hours of work including interval for half-an-hour for rest;

(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)
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.*