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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****L. W. Branch****New Secretariat Buildings, 12th Floor,****1, K. S. Roy Road, Kolkata-700 001****NOTIFICATION**

No. 40-MW/2W-32/13 Dated 29.02.16.— WHEREAS the Governor, in exercise of the power conferred by section 27 of the Minimum Wages Act, 1948 (11 of 1948) (hereinafter referred to as the said Act), was pleased to add to the Part-I of the Schedule to the said Act the employment named '**Hotels and Restaurants including Boarding Houses, Eating Houses, Canteens, Clubs and Guest Houses**' vide this Department Notification No. 12-MW/MW/2W-32/13 dated 09.02.2015 published in Part-I of the Kolkata Gazette Extraordinary, on 17.02.2015;

AND WHEREAS the Government is of opinion that minimum rates of wages should be fixed in the above named employment;

NOW, THEREFORE, in exercise of the power conferred by clause (a) of sub-section (1) of section 3 read with 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 for fixing the Minimum Rates of Wages payable to the employees in respect of the employment of 'Hotels and Restaurants including Boarding Houses, Eating Houses, Canteens, Clubs and Guest Houses' in the State of West Bengal, for the information of persons likely to be affected thereby;

The proposals will be taken into consideration on the expiry a period of 2 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

- The following shall be the monthly Minimum rates of Wages for different categories of employees employed in different zones in respect of the employment in the 'Hotels and Restaurants including Boarding Houses, Eating Houses, Canteens, Clubs and Guest Houses' in the State of West Bengal for the period from 01.07.2015 to 31.12.2015:—

<u>Categories of Employees</u>	<u>Monthly Minimum rates of Wages</u>	
	<u>Zone-A</u>	<u>Zone-B</u>
(a) Unskilled	Rs. 6972.00	Rs. 6547.00
(b) Semi-skilled	Rs. 7670.00	Rs. 7200.00
(c) Skilled	Rs. 8437.00	Rs. 7921.00
(d) Highly skilled	Rs. 9280.00	Rs. 8714.00

Implementing areas:

Zone – A : Areas under Municipal Corporations, Municipalities, Notified Areas/Authorities, Development Authorities, Thermal Power Plants Areas including Industrial Township areas;

Zone – B : Rest of the West Bengal;

2. The classification of employees will be as follows:
Unskilled — Waiter, Washman, Peon, Utility Worker, Helper, Cleaner, Sweeper, Canteen Boy;
Semi-Skilled — Helper of Technician Service, Waiter Grade-1, Steward, Assistant Supervisor;
Skilled — Cook, Chief Cashier, Accountant, Bar Tender, Assistant Manager;
Highly Skilled — Manager, Chief Executive;
3. The proposed Minimum Rates of Wages correspond to the half yearly average of Consumer Price Index Number for Industrial Workers for Kolkata Centre (CPI-IW), Base 2001=100 for Zone - A for the period from October, 2014 to March, 2015 which is 243 and Consumer Price Index Number for Agricultural Labourers (CPI-AL), West Bengal, Base 1986-87=100 for Zone - B for the period from October, 2014 to March, 2015 which is 750. 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 from 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, West Bengal, Base 1986-87=100 should be taken;
5. Adjustment of Minimum Rates of Wages for the purpose of neutralization per point per month is 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)
(a) Unskilled	Rs. 28.69	Rs. 8.73
(b) Semi-skilled	Rs. 31.56	Rs. 9.60
(c) Skilled	Rs. 34.72	Rs. 10.56
(d) Highly skilled	Rs. 38.19	Rs. 11.62

The rates of neutralization have been arrived at by dividing the Minimum Rates of Wages proposed for different categories of employees by the respective fixation points as noted in serial 3 above. The final calculation of wages has been done after rounding off to the nearest rupee;

6. There will be no adjustment of Minimum Rates of Wages below the fixation points;
7. 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;
8. A normal working day shall consist of eight and half hours of work including an interval of half-an-hour for rest;
9. One day in any period of seven days as may suit the local convenience shall be the day of weekly rest;
10. 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;
11. 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;
12. The Minimum Rates of Wages are applicable to employees employed by contractors also;
13. The Minimum Rates of Wages for disabled persons shall be same as payable to the workers of appropriate category;
14. The men and women employees shall get the same rates of wages for the same work or work of similar nature;
15. The Minimum Rates of Wages and Variable Dearness Allowance, if any, both constitute the rate of wages to be enforceable under the Minimum Wages Act, 1948 (11 of 1948).

By order of the Governor,

SITAL CHANDRA MONDAL
Joint Secretary to the Government of West Bengal.