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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. 443-MW/2W-18 /2009.— dated: 21.09.2011.— WHEREAS the proposal to revise the minimum rates of wages payable to the employees employed in the scheduled employment of *Paints and Chemicals Factories*, was published in the *Kolkata Gazette, Extraordinary*, Part I, dated 27.08.2010 vide this Department Notification No.59-MW/2W-18 / 2010, dated 04.08.2010, for information of persons likely to be affected thereby;

NOW, THEREFORE, in exercise of the power conferred by Section 3 read with sub-section (2) of section 5 of the said Act, the Governor, after considering all representations received in respect of the said proposal and 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 respect of *Paints and Chemicals Factories* 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 employees employed in *Paints and Chemicals Factories* 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 24- Parganas (N) [excluding Barasat and Basirhat], (ix) Alipore Sub-Division and Baruipur Sub-Division in the district of 24-Parganas (S), (x) Midnapore Sadar Sub-Division and Kharagpur Sub-Division in the district of West Medinipur, (xi) Siliguri Sub-Division in the district of Darjeeling district, (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 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;
- (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, Base 1986-87 - 100 should be taken. Such half yearly adjustments shall be calculated and circulated by the Labour Commissioner, Government of West Bengal;
- (4) Adjustment of minimum rate of wages for the purpose of neutralization per point per month will be as shown below :—

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

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 point no. (2) above. This has been done as per practice followed by Central Government. 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 shall consist of eight and half hours of work including an interval of 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 will come into force on the date of the publication in the Official Gazette.

By order of the Governor,

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