

NOTIFICATION

Labour and Employment Department,
Sachivalaya, Gandhinagar.
Dated the 2nd January, 2020.

Minimum
Wages Act,
1948.

NO.KHR/2020/7/LVD/10/2013/755760/M(2):- **WHEREAS** a draft of notification under Government Notification, Labour and Employment Department, No. KHR-2019-73-LVD-10-2013-755760-M(2), dated the 24th July, 2019 was published as required by clause (b) of sub section (1) of section 3 of the Minimum Wages Act, 1948 (XI of 1948), (hereinafter referred to as "the said Act") at pages 4-16 to 4-21 of the Gujarat Government Gazette, Extra Ordinary, Part-I-L, dated the 30th July, 2019, inviting objections or suggestions from all persons likely to be affected thereby, for a period of sixty days from the date of publication of the said notification in the *Official Gazette*;

AND WHEREAS no objections or suggestions have been received by the Government in respect of the said notification;

NOW, THEREFORE, in exercise of the powers conferred by clause (b) of sub-section (1) of section 3 read with clause (i) of sub-section (1) of section 4 of the Minimum Wages Act, 1948 (XI of 1948) and in supersession of the Government Notifications, Labour and Employment Department, No.KHR-55-MWA-102008-302-M(2) dated the 11th February, 2009, the Government of Gujarat hereby revises the minimum rates of wages in respect of employees employed in the said scheduled employments in the whole of the State of Gujarat so as to consist of;

1. The basic rates of wages as set out in column 3 of the Schedule appended hereto in respect of the basic rate payable by the day to the classes of the employees mentioned against them in column 2 thereof; and employer has to pay minimum rates of wages with prevailing special allowance for 8 hours of work as prescribe production norms for given activity.
2. A special allowance, and directs that so long as this notification is in force, the rates of such special allowance shall be adjusted by the competent authority, at the interval of every six months commencing from 1st October and the 1st April on the basis of the average cost of Living Index Number for the preceding period for six months ending on the 30th June and 31st December, respectively in such manner that: -
 - (i) for the rise of every five points over the cost of Living Index Number 5124 or over any such number which is greater than 5124 applicable to the employees in the said scheduled employments, special allowance payable in addition to the basic rate of wages shall be Rs.0.20 per day or Rs.05.20 per month;
 - (ii) for the fall of every five points below any cost of Living Index Number which is not less than 5124, the special allowance shall be reduced at the rate of Rs.0.20 per day or Rs.05.20 per month:

Provided that the rates of special allowance shall be first adjusted at the interval of the period of six months commencing from the 1st October or as the case may be the 1st April, the prospective month of that particular year.

SCHEDULE

Employment in Tobacco (including bidi making manufacturing)

Sr. No.	Classes of Employees.	Rates Payable per day (Rs.)
1	2	3
1	Bidi Makers for Making 1000 Bidies (a) Asotari Bidies (Asta Bidies) and Double Nakh Bidies (b) Single Nakh Bidies (Sadi Bidies)	276.00 276.00
2	Accountants	293.00
3	Motor vehicle drivers	293.00
4	Clerks	293.00
5	Employees attending to poer aid mills (Machine attendant) and tobacco grinder (where Tobacco is ground by hand operated machine)	284.00
6	Motor Vehicle Cleaners	284.00
7	Employees attending to power aid grinding machines (Attendants)	284.00
8	Bidi Wrappers, chokidar, Packers, Laborers, Tobacco Drivers, Persons doing the work of perfume Mixture and doing the work of leavening Gadaku Makers, Cleaners of Tobacco and all the other workers who are not covered under any of the Foregoing Entries.	276.00

Explanation for the purpose of this notification .--

1. The entire State shall be treated as one Zone
2. The main object of this notification is to prevent the unrealistic fixation of production norms for 8 hours of work. Therefore, the output per worker for 8 hours of work has been scientifically studied and derived by Mahatma Gandhi Labour Institute, Ahmedabad.
3. In case of an employee employed on piece rate basis, the minimum rates of wages shall be so fixed that the minimum rates of wages plus special allowance payable to him, for the number of hours of work which constituted normal working day, shall not be less than the daily wages fixed for the class of employees to which he belongs.
4. An employee employed on part-time basis shall be paid 50 per cent. of the minimum rates of wages and special allowance, if he works up to four hours and if he works more than four hours, he shall be paid full minimum rates of wages plus special allowance.

5. An employee employed by contractor or other agencies shall not be paid less than the wages plus special allowance payable to the category of the employees to which they belong.
6. The perquisites or facilities given to an employee shall not be withdrawn and no deduction shall be made in respect of such perquisites or facilities given to an employee after fixation of minimum rates of wages plus special allowance.
7. Male and female employees shall be given equal wages for equal work.
8. The minimum rates of wages payable to an apprentice employed on skilled or semi-skilled work shall be paid 75 per cent of the minimum rates of wages and special allowance fixed for the class of employees to which he belongs for the first three months. After three months he shall be paid in full.
9.
 - (a) The minimum rates are to be paid to the employees where the leaves are supplied by bundles of 25 each.
 - (b) The minimum rates include charges for the cutting of leaves and packing of bundles of 25 each.
 - (c) The employees shall be entitled to get the daily special allowance for 1000 bidis per day. If the output of the employee per day is more or as the case may be, less the special allowance shall be accordingly.
 - (d) The employees shall be entitled to get guaranteed wages only where the employer fails to supply sufficient quantity of good raw material (including tobacco leaves) to roll 1000 bidies per day.
 - (e) Where no raw material is supplied by the employer to the employee and the employer is will be entitled to get 50 per cent, of "guaranteed wages".
 - (f) "the Guaranteed Wages" shall be the average daily wages (Basic rate plus special allowance of the work done by the employee in last one month.
 - (g) The employee shall not be entitled to get the guaranteed wages if he earns less than the amount of the guaranteed wages on a day on account of his unwillingness to work for any reason whatever.
 - (h) Shall not be entitled to get the guaranteed wages of he fails to make full use of the raw material supplied to him even if the raw material so supplied is not sufficient for rolling 1000 bidis per day.
 - (i) The employee who works for more than one employer shall not be entitled to get the guaranteed wages from any one of these employer.
 - (j) The employee shall not be entitled to get the guaranteed wages if the failure of the employer to supply the raw material is due to fire catastrophe, epidemic, civil commotion of other similar causes are beyond his control.

By order and in the name of the Governor of Gujarat,



(D. M. PATHAN)

Deputy Secretary to Government

To,
The Manager, (By Speed post)
Government Central Press,
Vadodara.

With a request to publish this notification in the Extra-Ordinary Govt. Gazette Part IV-A, dated the 2nd January, 2020 and the copies of printed notification may please be distributed its prints as under: -

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| 1. The Labour & Employment Department,
Sachivalaya, Gandhinagar. | 300 copies. |
| 2. The Commissioner of Labour, Gandhinagar. | 150 copies |
| 3. The Rural Labour Commissioner, Gandhinagar | 150 copies |
| 4. The Secretary, The Gujarat Minimum Wages Advisory Board.
C/o. Commissioner of Labour, Gandhinagar | 25 copies |
| 5. The Legislative and Parliamentary Affairs
Department, Sachivalaya, Gandhinagar. | 10 copies |

Copy forwarded to:

1. The Commissioner of Labour, Udhyog Bhavan, Gandhinagar.
2. The Rural Labour Commissioner, Dr. Jivaraj Mehta Bhavan, Gandhinagar
3. The Director of Information, Gandhinagar. - with a request to issue a suitable Press Note immediately in the newspapers.
4. The Legislative and Parliamentary Affairs Department, Sachivalaya, Gandhinagar
With a request to publish a Gujarati version of this notification in the Gujarat Government Gazette part I-L and instruct the press to distribute the copies as under:
 - a. The Labour & Employment Department 200 copies
 - b. The Commissioner of Labour, Gandhinagar 150 copies
 - c. The Rural Labour Commissioner, Gandhinagar 150 copies
 - d. The Secretary, The Gujarat Minimum Wages Advisory Board. 25 copies
C/o. Commissioner of Labour, Gandhinagar
5. I. T. Section, Labour & Employment Department, Block No. 5, 6th floor, Sachivalaya, Gandhinagar
6. The Dy. S.O. Select file.
7. The Branch select file.