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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

New Secretariat Buildings, 12th Floor,

1, Kiron Sankar Roy Road, Kolkata-700 001

NOTIFICATION

No. 74-Law/MW/2W-32/13(Pt-II), dated 08.03.2019 – 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 '*Cold Storage*', vide this Department Notification No. 174-MW, 30th May, 1987;

AND WHEREAS the Government is of opinion that minimum rates of wages should be fixed in the said 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 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 '*Cold Storage*' 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 of a period of two 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

- (1) The following shall be the monthly Minimum rates of Wages for the employees employed in the employment of '*Cold Storage*' in the State of West Bengal :—

Categories of Employees

Unskilled

Monthly Minimum Rates of Wages

Rs. 6772.00

- (2) There will be one rate of minimum wage for the whole of West Bengal;
- (3) The proposed 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, 2016 to March, 2017, which is 776. This point will be considered as the fixation point;
- (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 and Consumer Price Index Number for Agricultural Labourers (CPI-AL), West Bengal, Base 1986-87 = 100 should be taken;
- (5) Adjustment of Minimum Rate of Wages for the purpose of neutralization per point will be as shown below:-

Category of Employees	Rates of Neutralization (CPI-AL, WB) (Base 1986-87 = 100)
Unskilled	Rs. 8.73

The rates of neutralization has been arrived at by dividing the minimum wage proposed for different categories of employees by the fixation point as noted in serial 3 above. The final calculation of wages will be done after rounding off to 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 hours of actual work and not less than half an hour of recess, subject to 48 hours of actual work in a week;
- (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 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 minimum rates of wages to be enforceable under the Minimum Wages Act, 1948 (11 of 1948).

By order of the Governor,

ATRIYARAKSHIT
Sr. Law Officer & E.O. Assistant Secretary(Law)
Government of West Bengal.