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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 Ray Road, Kolkata-700 001

NOTIFICATION

No Labr/625/LC-MW Dt. 20/12/2019— WHEREAS the proposal to fix the minimum rates of wages payable to the employees employed in the State of West Bengal in the employment named '*Cold Storage*', was published as required by clause (b) of sub-section (1) of section 5 of the Minimum Wages Act, 1948 (hereinafter referred to as the said Act), *vide* this Department notification No. 74-Law/MW/2W-32/13(Pt-II) dated 8th March, 2019, in the *Kolkata Gazette, Extraordinary*, Part-I. dated 8th March, 2019, for information and inviting objections and suggestions from the persons likely to be affected thereby, within two months from the date of its publication;

AND WHEREAS no objection or suggestion was received within the given period;

NOW THEREFORE, in exercise of the power conferred by sub-section (2) of section 5 of the Minimum Wages Act, 1948. the Governor, after considering the proposal and in consultation with the Minimum Wages Advisory Board for the State of West Bengal, is pleased hereby to fix the minimum rates of wages payable to the employees employed in respect of the employment in '*Cold Storage*' 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 the employment of '*Cold Storage*' in the State of West Bengal:—

| <u>Category of Employees</u> | <u>Monthly Minimum Rate of Wage</u> |
|------------------------------|-------------------------------------|
| Unskilled | 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,

ATRIYA RAKSHIT
Sr. Law Officer & ex officio Assistant Secretary
(Law)
to the Government of West Bengal.