

४ महाराष्ट्र शासन राजपत्र असाधारण भाग एक-न, सप्टेंबर २८, २०१०/आश्विन ६, शके १९३२

In pursuance of clause (3) of Article 348 of the Constitution of India, the following translation in English of the Government Notification, Industries, Energy and Labour Department No. MWA. 52010/CR-1334/Lab-7, dated the 28th September 2010, is hereby published under the authority of the Governor.

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

B. S. WANKHEDE,  
Deputy Secretary to Government.

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT  
Mantralaya, Mumbai 400 032, dated the 28th September 2010

NOTIFICATION

MINIMUM WAGES ACT, 1948.

No. MWA. 52010/CR-1334/Lab-7.—Whereas by the Government Notification, Industries, Energy and Labour Department, No MWA. 22003/C.R. 127/Lab-7, dated the 20th July 2004 the Government of Maharashtra has revised the minimum rates of wages payable to the employees employed in the Scheduled employment *viz.* "Employment in shop or commercial establishment (not being an employment in any bank or an employment which is included under any other entries in the schedule to the said Act)," (hereinafter referred to as "the said scheduled employment") in the State of Maharashtra ;

And, whereas, the Government of Maharashtra, having reviewed the minimum rates of wages payable to the employees employed in the said Scheduled employment, considers it expedient to revise them further ;

Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 3, read with sub-section (2) of section 5 of the Minimum Wages Act, 1948 (XI of 1948), in its application to the State of Maharashtra, the Government of Maharashtra, after considering all the representations received by it in respect of the proposal published in the Government Notification, Industries, Energy and Labour Department, No. MWA. 92009/CR-1211/Lab-7, dated 1st December 2009 and after consulting the Advisory Board, hereby revises, with effect from the 28th September 2010 the minimum rates of wages payable to the employees employed in the said scheduled employment and refixes them, as set out in column No. (3) of the said Schedule appended hereto, as the minimum rates of wages payable to the class of employees employed in the said scheduled employment mentioned against them in column No. (2) of the said Schedule.

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Schedule				
Sr. No.	Class of Employees	Basic Rates of Wages (Per month Rs.)		
		(1)	(2)	(3)
		Zone-I	Zone-II	Zone-III
1	Skilled	5800.00	5500.00	5200.00
2	Semi-skilled	5400.00	5100.00	4800.00
3	Unskilled	5000.00	4700.00	4400.00

Explanation.—For the purposes of this notification—

(a) Zone I—Shall comprise of the areas falling within the limits of all 'A' and 'B' class Municipal Corporations ;

(b) Zone II—Shall comprise of the areas falling within the limits of all 'C' and 'D' class Municipal Corporation 'A' class Municipal Councils and Cantonment areas ;

(c) Zone III—Shall comprise of all other areas in the State, which are not included in Zone I and Zone II ;

(d) the minimum rates of daily wages payable to an employee employed on daily wages, shall be computed by dividing the minimum rates of monthly wages fixed for the class of employees to which he belongs by twenty-six the quotient being stepped upto the nearest *paisa* ;

(e) The minimum rates of hourly wages payable to part-time employee shall be computed by dividing the daily rates of minimum wages applicable to the concerned class of employees by eight (hours) with 15 % rise in it and quotient being stepped up to the nearest *paisa* ;

(f) the minimum rates of wages shall be inclusive of payment of remuneration in respect of weekly day of rest ;

(g) the minimum rates of wages shall consist of basic rates, the cost of Living Allowance ;

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(A) a skilled employee is one who is capable of working efficiently, of exercising considerable independent judgement and discharging his duties responsibly ;

(i) a semi-skilled employee is one, who does work generally of a well defined routine nature, wherein the major requirement is not so much of the judgement, skills and dexterity, but of proper discharge of duties assigned to him for a relatively narrow job and important decisions are made by others. His work is thus limited to the performance of routine operation of limited scope ;

(j) an unskilled employee is one, who does operations that involve the performances of simple duties which require the exercise of little or no independent judgement or previous experience although a familiarity with the occupational environment is necessary. His work may thus require in addition to physical exertion and familiarity with a variety of articles or goods.

#### APPENDIX

The average Consumer Price Index Number in respect of ten centres in the State of Maharashtra for working class (New Series 1982=100) shall be the Cost of Living Index Number applicable to the employees employed in the said scheduled employment. The Competent Authority appointed by Government shall, after the expiry of every six months commencing on the first day of January and the first day of July, calculate the average of the Cost of Living Index Number applicable to the said employee for these six months and ascertain the rise of such average over 804 points. For such rise of every point, special allowance (hereinafter referred to as "the Cost of Living Allowance") payable to the employee in the said scheduled employment for each of the six months immediately following six months in respect of which such average has been calculated at the rate of Rs. 5.40 per month in respect of all Zones.

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2. The Cost of Living Allowance computed as aforesaid shall be declared by the Competent Authority by notification in the *Official Gazette*, in the last week of July when such allowance is payable for each of the months from July to December and in the last week of January when such allowance is payable for each of the months from January to June :

Provided that, the Competent Authority shall declare the Cost of Living Allowance Payable in respect of the period from the date of fixation of the rate of minimum wages to the end of December or June, as the case may be, immediately after the said date with effect from which the minimum rates of wages are fixed.

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

B. S. WANKHEDE,  
Deputy Secretary to Government.