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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. 80-Law/MW/2W-32/13(Pt-II), dated 08.03.2019 – WHEREAS the Governor, in exercise of the power conferred by section 3 read with sub-section (2) of section 5, of the Minimum Wages Act, 1948 (11 of 1948) (hereinafter referred to as the said Act) was pleased to revise the minimum rates of wages payable to the employees employed in the State of West Bengal in the employment named 'Construction or Maintenance of Roads or in Building Operations', vide Labour Department Notification No. 439-MW/2W-11/2010, dt.-21st September, 2011 and published in *The Kolkata Gazette*, Extraordinary dated September 29, 2011;

AND WHEREAS due to unavoidable circumstances the State Government could not revise the minimum rates of wages of the said Scheduled employment within the period of five years as required under clause (b) of sub-section (1) of section 3 of the said Act;

AND WHEREAS the Governor, upon a review of the said minimum rates of wages under clause (b) of sub-section (1) of section 3 of the said Act, considers it necessary to revise the same.

AND WHEREAS nothing contained in the said clause (b) of sub-section (1) of section 3 of the said Act shall be deemed to prevent the State Government from reviewing the said minimum rates of wages after the expiry of period of five years and revising the same;

NOW THEREFORE, in exercise of the power conferred by clause (b) of sub-section (1) of section 5 of the said Act, the Governor is pleased hereby to publish in the *Official Gazette* the following proposals, in the matter of such revision, for the information of persons likely to be affected thereby;

The proposals will be taken into consideration on the expiry of the 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 rates of minimum wages for different categories of employees employed in respect of 'Construction or Maintenance of Roads or In Building Operations' in the State of West Bengal:—

Categories of Employees	Minimum Rates of Wages per month
Unskilled	Rs. 7486.00
Semi-skilled	Rs. 8235.00
Skilled	Rs. 9059.00
Highly Skilled	Rs. 9965.00

(2) The classification of employees may be proposed as follows:-

Unskilled Workers: Bajri Sreader, Beldar (Adult Male/Female), Beater Woman, Bellow man, Chain Man, Boat Man, Bucket Man, Carrier (Stone), Carrier (Water), Cart man, Caretaker (Bridge), Cleaner (Crane Track, Cinder for Ash Pit), Chowkidar, Hand Mixer (Concrete), Daffader, Driver (Bullock, Camel, Donkey, Mule), Flagman, Flagman (Blast Train), Gate Man, Gang man, Gating man (Permanent Way), Handle Man, Jumper Man, Kamin(Female Work), Khalasi (Male/Female, Bridge, Electrical, Marine, Moplah, Store, Steam Road, Shore, Roller, Survey), Labourer (Garden), Lamp man Mail, Mazdoor, Lorry Trainer, Petrol man, Peon, Searcher, Signal man. Strikers, Striker (Moplah Gang), Sweeper, Tile Turner, Trolley man, Valve Controller, Valve man, Woodcr Woman, Borryman, Coalman, Condenser Attendant, Grass Cutter, Muchhers Jamadars, Condenser Attendant, Shunters, Gharami (Helper) and any other categories, by whatever name called, which are of an unskilled nature;

Semi-skilled workers: Balchawala, Bhisti, Bhisti (with Mushk), Boatman (Head), Breaker (Rock, Rock-Stone, Stone Metal, Stone), Cane Weaver, Chairman (Head), Charpoy Stringer, Checker, Chowkidar (Head), Cracker, Daftri, Dolly man, Driller, Drillers (Hole, Rock), Driver (Skin), Excavator, Foreman, Fireman, Fireman (Bric'< Kiln, Steam Road Roller), Gale Keeper, Gharami (Thatcher), Glassman, Greaser-cum-Fireman, Grinder, Hammer man, Helper (Artisan), Helper (Sawyer), Jamadar, Key man, Khalasi (Head Survey, Rivertters, MophahGang, Supervisory), Labourer (Rock cutting), Lascar, Mali(Head), Mate, Mate (Blacksmith, Road, Carpenter, Engine Driver and/or Feeder, Fitter, Gang, Khalasi, Mazdoor Mason, Permanent Way, Lift Operator, Pump Operator, Pump Driver (Turner), Mazdoor (Heavy Weight), Charge-man Mistri (Head), Muccadam, Night Guard, Runner (Postdak), Oil man, Quarry man, Quarry Operator, Stone man, Stocker, Thatcher, Stockers and Boilerman, Thoombaman (Spade worker), Tindals, Trolley man (Head, Motor), Fitter (Assistant, Semiskilled), Jamadar (Semi-skilled), Mate (Store), Pump Attendant, Bearer, Breaks man, Crowlder man, COOK, Dandee, Farash, Hacksaw man. Helper (Locco/Crane/Truck), Kasab, Khalasi (Structural), Laboratory Boy, Manjhee (Boatman), Masalchi, P.M. Mates, Pointsman, Sencummy, Topaz, Topkar (Big Stone breaker), Trolley Jamadar, Winch man, Assistant Wireman,, Carpenter (Helper), Mason (Helper), Blacksmith (Helper), Fitter and machine (Helper), Tar man, Persons engaged in Fire fighting, any other categories, by whatever name called, which are of semi-skilled nature;

Skilled Workers: Assistant Mistry, Armature Winder Grade II and III, Bhandari, Blacksmith (Selection Grade II, III, Class II and III), Boiler man, Boiler man Grade II and III, Boiler Foreman Grade II, Work (Assistant), Brick-Layer, Brick-Layer (Selection Grade Class II), Blaster, Carpenter (Selection Grade, Grade II and III, Class II and III, Assistant B.I.M. Road), Cabinet Maker, Cane man, Celotax Cutter Maker, Charge man Class II and Class III, Carpenter (Ordinary), Checker (Junior), Chick maker, Chick man (Junior), Concrete Mixture Mixer, Concrete mixer operator, Cobbler, Coremaker, Driver, Driver (Motor Vehicle, Motor Vehicle Selection Grade Motor Lorry, Motor Lorry Grade II, Diesel Engine, Diesel Engine Grade II, Mechanical, Road Roller I.C. and Cement Mixer etc. Road Roller, Road Roller Driver Grade II, Driver (Engine Static, Stone Crusher, Tractor/Bull Dozer, Steam Road Roller, Water Pump, Mechanical Assistant, Road Roller Mechanical, Stream Crane, Tractor with Bull Dozer Mechanical, Transport, Engine Static & Road Roller, Boiler Attendant Engine Operator (Stone Crusher Mechanical), Distemper, Electrician, Electrician (Grade II, Class II, Class III), Fitter, Fitter (Selection Grade, Grade II and III, Class I and III Assistant, Pipe Class II, Pipe Line, Bending Bars for reinforcement-cum-mechanic, Mechanic and Plumber), Gharami (Head), Glazier, Hole Driller for Blasting, Joiner, Joiner (Cable, Cable Grade II), Line Man (Grade I, III, HT/LT),

Mason, Mason (Selection Grade, Grade II and III, Class Unskilled Workers: I and III, Class B Mistry), Stone, (Stone Class II, Brick Work, Stone Work), Bricklayer. Tile Flooring, B.I.M., Muccadam (Head), Stone Cutting Ordinary Mechanic, Mechanic (Class II, Air-conditioning Grade II, Diesel Grade II, Road Roller Grade II. Assistant Radio), Mason (Gharami), Mistry, Mistry Survey, Santras, Works), Mason Class A, Moulder, Moulder (Brick, Tile), Painter, Painter (Selection Grade, Grade II and III, Class II), Assistant Lotter and Polisher, Polisher(Rough), Plastener, Plaster (Mason Grade II), Plumber, Plumber (Selection Grade, Class II, Assistant Senior, Junior Mistry Grade II), Plumbing Mistry, Plumber-cum-Fitter, Polisher, Polisher (Floor), Pump Driver, Pump Driver (Selection Grade, Grade II and III, Class II), Pump Driver (Selection Grade), P.E. Driver, Pump Man, Rivet Cutter (Assistant Riveter), Riveter (Cutter), Road Inspector Grade II, Railway Plate Layer, Bender, Sawyer, Sawyer (Selection Grade Class II). Serang, Serangpile Driving Pantoons with Boiler Shapes man, Shift-in-charges, Spray man, Spray man (Roads), Stone, Cutter (Class II), Stone Blasterer, Sub-overseer (Unqualified), Surveyors, Surveyors (ASSISTANT) Tailor, Tailor (Upholstery), Tran sprayer, Tar Man, Line Man, Tiler Class II (Wall, Floor Roof). Tiler (Selection Grade), Tin-Smith, Tin-Smith (Selection Grade, Grade II and III, Class II), Tinker, Trailors, Turner, Upholsterer, Upholsterer (Grade II and III), Painter spray (Class II), Wood Cutter, Wood Cutter Selection Grade, Wood Cutter Class II, Work Sircar, Welder, Welder Gas, Welder (Class II, Bridge Work), Well Sinker, White Washer, White Washer (Selection Grade, Class III), Wireman, Wireman (Grade II & III), Mechanic, Electrical), Whitewashing, Colour-Washing Man, Operator Pneumatic Tools, Operator (Fitter), Bore man, Borer, Chipper, Chipper-cum-Grinder, Cook (Head), Driller (Well boring). Driver (Loco/Truck), Electrician (Asstt.), Mechanic (Tube- well), Mistry (Steel, Tube-well), Telephone (Meter Reader), Meteorological Observer, Navghani, Operator (Batching Plant, Cinema Project, Clamp Shelf, Compressor, Crane, Dorrick, Diesel Engine, Doser, Dragline, Drill Dumber, Excavator, Fork Lift Generator, Grader, Jack Hammer and Pavement Breaker Loader, Pump, Pile Driving, Scrapper, Screening Plant, Shoval, Tractor (Vibrator, Weight Batcher), Railway Guards, Repairer (Battery), Sharper/ Slotter, Sprayer (Asphalt), Station Master, Surveyor (Silt), Tradesman, Train Examiner, Turner/Miller, Tyre Vulcaniser, Meter Readers M.C Clerk/Munshi (Matriculate, Non-matriculate), Store Clerks (Matriculate, Non-matriculate), Store Issuer, Store Keeper, Store Keeper (Grade I, II) (Matriculate, Non-matriculate), Tool Keeper, Work Munshi, Work Munshi(Subordinate), Accounts Clerk, Clerks, Computer, Telephone Operator, Typist, any other categories, by whatever name called, which are of skilled nature;

Highly Skilled Workers: Armature Winder Grade I, Blacksmith Grade I and Class I, Boiler man Grade I, Boiler man Foreman Grade I, Brick Layer Class I, Cable Joiner Grade I, Carpenter Grade I and Class I, Celotes Cutter and Decorator, Charge man Class I, Checker (Senior), Driver (Lorry Grade I, Motor Lorry Grade I, Motor Vehicle Class I and Diesel Engine Grade I, Road Roller Grade I, Pump Grade I, Pump Class I), Electrician (Grade I and Class I), Fitter (Grade I, Class I), Pipe Class I (Head), Foreman (Asstt.). Line Man Grade I, Mason (Skilled Grade I, Class I), Mast Rigger Mechanic Class I and Class II, Mechanic (Diesel Grade I, Road Roller Grade I, Air-conditioning Grade I, Class I), Air-conditioning Mistry Grade I, Mistry (Air-conditioning Grade I), Overseer, Overseer (Senior and Junior), Painter (Grade I, Class I, Spray), Plaster (Mason) Class I. Plumber (Head) Class I, Mistry Grade I, Polisher (with spray) Grade I, Road Inspector Grade I, Sawyer Class I, Stone Cutter Class I, Stone Cutter Grade I, Stone Chisler Class I, Stone Mason Class I, Sub-Overseer (Qualified), Tiler Class I, Tin-smith Grade I and Class I, Upholsterer Grade I, Varnisher Class I, Welder (Gas) Class I, White Washer Class I, Wireman Grade I, Class I, Wood Cutter Class I, Grinder (Tool) Grade I, Operator (Batching Plant Grade I, Clamp Shell Grade I, Compressor Grade I, Crane Grade I, Diesel Engine Grade I, Dozer Grade I, Dragline Grade I, Drill Grade I, Dumper Grade I, Excavator Grade I, Fork Lift Grade I, Generator Grade I, Grader Grade I, Leader Grade I, Pile Driving Grade I, Dump Grade I, Scrapper Grade I, Screening Plant Grade I, Shovel Grade I, Shovel and Dragline, Tractor Grade I, Vibrator Grade I, Rigger Grade I, Rigger Grade II, Sharper/Sletter Grade I, Shovel and Dragline Tractor Grade 1, Tradesman Class I, Turner/Miller Grade I, Tyre Vulcanizer Grade I, Work (Asstt.) Grade I, Fire Fighting Supervisor/ Leader, Meter Reading Supervisors any other categories, by whatever name called, which are of highly skilled nature;

- (2) There will be one Minimum rates of Wages 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 Industrial Worker for Kolkata Centre (CPI-IW), Base 2001= 100 from October 2016 to March 2017, which is 261. 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. Consumer Price Index number for Industrial Workers of Kolkata Centre, Base 2001 = 100 should be taken;
- (5) Adjustment of Minimum rates of Wages for the purpose of neutralization per point will be as shown below:-

Category of Employees	Rates of Neutralization (CPI-IW) (Base 2001 = 100)
Unskilled	Rs.28.68
Semi-skilled	Rs.31.55
Skilled	Rs.34.71
Highly Skilled	Rs.38.18

The rates of neutralization have been arrived at by dividing the minimum rates of wages 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. The rates of neutralization for all the categories of employees have been determined following the practice adopted by the Central Government;

- (6) There will be no adjustment of Minimum rates of Wages below the fixation points;
- (7) To arrive at daily rate, monthly rate will have to be divided by 26 and to be rounded off to the nearest rupee and to arrive at weekly rate, daily rate will have to be multiplied by 6;
- (8) A normal working doy 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. The workers employed on any high rise building or structure over 30 ft. in height as also workers engaged in tunnel work shall be paid 20% of the minimum wages fixed under the notification for appropriate category as extra 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;
- (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 & E.O. Assistant Secretary(Law)
Government of West Bengal.