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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/629/LC-MW Dt. 20/12/2019— WHEREAS the proposal to revise the minimum rates of wages payable to the employees employed in the State of West Bengal in the employment in '*Refractory Industry*', 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. 78-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 revise the minimum rates of wages payable to the employees employed in respect of the employment in '*Refractory Industry*', in the State of West Bengal, as specified in the Schedule below:-

The Schedule

- (1) The following shall be the monthly rates of minimum wages for different categories of employees employed in different zones in respect of '*Refractory Industry*' in the State of West Bengal :-

<u>Categories of Employees</u>	<u>Monthly Minimum rates of Wages</u>	
	Zone-A	Zone-B
Unskilled	Rs. 7486.00	Rs. 6772.00
Semi-skilled	Rs. 8235.00	Rs. 7449.00
Skilled	Rs. 9059.00	Rs. 8194.00
Highly skilled	Rs. 9965.00	Rs. 9014.00

Implementing areas:

Zone – 'A' : Areas under all Municipal Corporations, Municipalities, Notified Area Authorities, Development Authorities, and Thermal Power Plants including Township areas;

Zone – 'B' : Rest of the West Bengal;

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

Unskilled : General Mazdoor/ Cooli /Kamin, Loader, Unloader. Porter, Assistant Gardener. Tarman, Stegman. Canteen boy, Car-Cleaner, Peon, Durwan, Security Guard;

Semi-Skilled : Crusher Mazdoor, Lime Mazdoor, Grinder, Trolleyman, Stamper, Checker, Setter, Semi-Skilled Manson, Boiler man, Carpenter, Mixing Attendant, Pump Khalashi;

Skilled : Turner, Fitter, Electrician, Moulder, Fireman, Latheman, Pipe Plant Polisher, Kiln Setter, Tindal Press Operator, Mixingman-cum-Operator, Welder, Gascutter, Black smith, Pattern Maker, Mill Attendant, Pokerman, Junior Clerk, Typist, Compounder, Nurse, Driver, Stock-Keeper, Laboratory Assistant;

Highly Skilled : Head Manson, Head Carpenter, Head Fitter, Tindal, Shift Moulder, Head Welder, Head Turner, Moulder Supervisor, Mechanical Fitter, Senior Clerk, Head Clerk, Accountant, Supervisor, Security Officer, Foreman, Chemist;

- (3) The proposed minimum rates of wages correspond to the half-yearly average of Consumer Price Index Number of Industrial Worker for Kolkata Centre (CPI-IW), Base 2001 = 100 for Zone A and Consumer Price Index Number for Agricultural Labourers (CPI-AL West Bengal) Base 1986-87 = 100 for Zone B from October, 2016 to March, 2017, which are **261** and **776** respectively. These points will be considered as respective fixation points;
- (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. For Zone A Consumer Price Index number for Industrial Workers of Kolkata Centre, Base 2001 = 100 and for Zone B Consumer Price Index Number for Agricultural Labourers, 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	
	Zone A (CPI-IW) (Base 2001 = 100)	Zone B (CPI-AL, W.B.) (Base 1986-87=100)
Unskilled	Rs. 28.68	Rs. 8.73
Semi-skilled	Rs. 31.55	Rs. 9.60
Skilled	Rs. 34.71	Rs. 10.56
Highly skilled	Rs. 38.18	Rs. 11.62

The rates of neutralization have been arrived at by dividing the minimum wages proposed for different categories of employees by the respective fixation points 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 rates of 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.