

४ महाराष्ट्र शासन राजपत्र असाधारण भाग एक-ल, डिसेंबर १०, २००९/अग्रहायण १९, शके १९३१

In pursuance of clause (3) of Article 348 of the Constitution of India, the following translation in English of the Government Notification, Industries, Energy & Labour Department No. MWA-82009/CR-1196/Lab-7, published in the *Maharashtra Government Gazette*, Part I-L Extraordinary 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 10th December 2009

NOTIFICATION

MINIMUM WAGES ACT, 1948.

No. MWA. 82009/CR-1196/Lab-7.—The following draft of a notification which is proposed to be issued under clause (b) of sub-section (1) of section 3 of the Minimum Wages Act, 1948 (XI of 1948), in its application to the State of Maharashtra, containing proposal for revision of the minimum rates of wages payable to the employees employed in scheduled employment, viz. " Film Production Industry " (Cine Studios and Cine Laboratories), is hereby published as required by clause (b) of sub-section (1) of section 5 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration by the Government of Maharashtra, after the expiry of two months from the date of publication of this notification in the *Maharashtra Government Gazette*.

2. Any representation, which may be received by the Commissioner of Labour, Commerce Centre, Tardeo, Mumbai 400 034, from any person in respect of the said draft, before the expiry of the abovesaid period, will be taken into consideration by the Government.

DRAFT NOTIFICATION

No. MWA. 82009/CR-1196/Lab-7.-Whereas by the Government Notification, Industries, Energy and Labour Department, No MWA. 5283/5376/Lab-7, dated the 23rd June 1983, the Government of Maharashtra has revised the minimum rates of wages payable to the employees employed in the Scheduled Employment viz Employment in Film Production Industry (Cine Studios and Cine Laboratories) (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 necessary 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 in respect of the proposal published in the Government Notification, Industries, Energy and Labour Department No. MWA. 82009/CR-1196/Lab-7, dated 10th December 2009 and after consulting the Advisory Board, hereby revises, with effect from the minimum rates of wages payable to the employees employed in the said Scheduled Employment and refixes them, as set out in column (3) of the Schedule appended hereto, as the minimum rates of wages payable to the class of employees mentioned against them in column (2) of the said schedule.

Schedule

Sr. No.	Class of Employees	Minimum Rates of Wages (Per month)	
		(Rs.)	
(1)	(2)	(3)	
		Zone-I	Zone-II
1	Skilled	4200.00	4000.00
2	Semiskilled	3900.00	3700.00
3	Unskilled	3600.00	3400.00

Explanation.—For the purposes of this notification—

(a) *Zone I*—Shall comprise of the areas falling within the limits of all Municipal Corporation of Greater Bombay ;

(b) *Zone II*—shall comprise of all other areas in the State, which are not included in Zone I ;

(c) 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 ;

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

(e) the minimum rates of wages shall consist of basic rates, the cost of living allowance ;

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

(g) 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.

(h) an unskilled employee is one who does operations that involve the performance of simple duties which require exercise of little or no independent judgment or previous experience, although a familiarity with the occupational environment is necessary. His work may thus require, in addition to physical exertion, 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 employee 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 684 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.6.00 per month for Zone-I and Rs. 5.00 per month for Zone-II.

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.