

In pursuance of clause (3) of Article 348 of the Constitution of India, the following translation in English of the Government Notification, 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 2nd January 2009

.NOTIFICATION

MINIMUM WAGES ACT, 1948.

No.MWA. 82007/CR-863/Lab-7.—Whereas, by the Government Notification, Industries, Energy and Labour Department, No. MWA. 2683/5448/Lab-7, dated the 5th September 1983, the Government of Maharashtra had revised the minimum rates of wages payable to the employees employed in the Scheduled Employment *viz.* 'Employment in Cinema Exhibition Industry' (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, after considering all the representations received in respect of the proposal published in the Government Notification, Industries, Energy and Labour Department, No. MWA/122004/CR-474/LAB-7, dated the 28th January 2005 and after consulting the Advisory Board, hereby revises, with effect from 2nd January 2009, 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

S. No. (1)	Class of Employees (2)	Minimum rates of wages (Per Month) (3)			
		Multiplex Rs.	Zone I Rs.	Zone II Rs.	Tourning talkies Rs.
1	Skilled	5,500.00	5,000.00	4,500.00	4,000.00
2	Semi Skilled	5,000.00	4,500.00	4,000.00	3,500.00
3	Un-Skilled	4,500.00	4,000.00	3,500.00	3,000.00

Explanation.— For the purposes of this notification.—

(a) *Multiplex.*— means all Multiplex talkies comprising the theatres having more than single screen situated in any of the Zones specified in this notification ;

(b) *Zone I.*— Shall comprise of the areas falling within the local limits of all Municipal Corporations and “A” and “B” grade Municipal Councils ;

(c) *Zone II.*— Shall comprise of “C” grade Municipal Councils and other areas except the areas not covered by Zone I ;

(d) *Tourning Talkies.*— Means all Touring talkies or Mobile Theatres situated in any of the Zones specified in this Notification ;

(e) the minimum rates of daily wages payable to an employee employed in any class 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 stopped that 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, the cash value of concessions, if any ;

(h) the minimum rates of wages payable to the employees employed in Multiplex or Touring talkies, shall be as is specified in column (3), notwithstanding that such Multiples Theatre or touring talkies is situated in any of the Zones ;

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

(j) 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, skilled 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 ;

(k) an unskilled employee is one, who does operations that involve the performance 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, familiarity with a variety of articles or goods.

APPENDIX

1. 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 Numer applicable to the employee employed in the said Scheduled employment. The Competent Authority appointed by Government shall, after 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 employees for these six months and ascertain the rise of such avarage over 619 points. For such rise of every point, special allowance (hereinafter referred to as "the Cost of Living Allowance") payable to the employees for each of the six months immediately following six months in respect of which such average has been calculated at the rate of Rs. 4.61 per month in respect of all Zones.

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.