



सत्यमेव जयते

The Gujarat Government Gazette
EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. XLX] WEDNESDAY, FEBRUARY 11, 2009 / MAGHA 22, 1930

Separate paging is given to this part in order that it may be filed
as a separate compilation

PART I-L

**Notifications, Orders and Awards (other than those published in Part I,
IV-A, IV-B and IV-C) under (Central) Industrial Disputes Act
and Gujarat Industrial Relations Act.**

LABOUR AND EMPLOYMENT DEPARTMENT

Notification

Sachivalaya, Gandhinagar, dated 11th February, 2009.

MINIMUM WAGES ACT, 1948.

No. KHR-15-MWA-102008-302-M(2):-WHEREAS draft notification under Government Notification, Labour and Employment Department, No. **KHR-67-MWA-102008-302-M (2)**, dated the 9th June, 2008, was published as required by clause (b) of sub-section (1) of section 5 of the Minimum Wages Act, 1948. (XI of 1948), at pages **27/5-1 to 27/5-5** in the Government Gazette, Extra-ordinary, Part -IL, inviting objections and suggestions from all persons likely to be affected thereby, within two months from the date of its publication in the *Official Gazette*.

AND WHEREAS, the objections and the suggestions received in respect of the said notification have been considered by the Government;

NOW, THEREFORE, in exercise of the powers conferred by clause (b) of sub-section (1) of section 3 of the Minimum Wages Act, 1948 (XI of 1948), and in supersession of the Government Notification, Labour and Employment Department No. KHR/94/MWA/1097/1619/(2)/M(2) dated the 25th April, 1997, the Government of Gujarat, after consulting the Minimum Wages Advisory Board constituted under section-7 of the Act, hereby revises the minimum rates of wages in respect of the employees employed in **“Brick Manufacturing Industry” the Scheduled Employment under entry-31 of the Schedule to the Act**, in the whole of the state of Gujarat, as set out in the schedule appended here to , so as to consist of :-

- (a) the basic rates of wages as set out in column 3 of the Schedule appended hereto in respect of zones specified in said column 3 for the employees employed in the said scheduled employments in the State of Gujarat as the basic rates payable by the day respectively in such zones to the classes of the employees mentioned against them in column 2 thereof ; and
- (b) a special allowance, and directs that so long as this notification is in force, the rate of such special allowance shall be adjusted by the competent authority, at the interval of every six months commencing from the 1st October, and the 1st April on the basis of the average cost of Living Index Number for the preceding period for six months ending on the 30th June and 31st December, respectively in such manner that:-
 - (i) for the rise of every five points over the cost of Living Index Number 2935 or over any such number which is greater than 2935 applicable to the employees in the said Scheduled Employment, the special allowance payable in addition to the basic rates of wages shall be Rs.0.20 paise per day or Rs.5.20 paise per month;
 - (ii) for the fall of every five points below any cost of Living Index Number, which is not less than 2935, the special allowance shall be reduced at the rate of Rs.0.20 paise per day or Rs.5.20 paise per month:

Provided that the rates of special allowances for the first time after the publication of this notification shall be adjusted at the interval of the period of six months commencing from the 1st October or as the case may be 1st April, the prospective month of that particular year.

SCHEDULE**Employment in Brick Manufacturing Industry.**

Sr. No.	Classes of Employees	Rates payable by per day (Rs.)	
		Zone – I 3	Zone –II 4
I	(a) Patlawala-A (Brick Moulder)	158.90 (1100 Bricks)	154.50
	(Where employees are required to dig earth, prepare mud mixture, mould bricks dry them thereafter arrange them in proper rows and clean the place of work.)		
II	(b) Patlawala-B	154.50 (1000 Bricks)	151.60
	(Where employees are provided with earth at the work site by the employer and whereafter the employee is required to prepare mud mixture, mould bricks, dry them arrange rows and clean the place of work.)		
2	(a) Bharatiwala (Raw Brick Carrier)	120.10 (1100 Bricks)	119.20
	(Where donkeys are utilised for carrying bricks.)		
	*These rates are for carrying 1100 bricks upto a distant of 100 meters. For every 100mts. beyond or part thereof 50 paise extra should be paid over the above rates.		
3	Khadkania (Bricks Arranger)	120.50 (1000 Bricks)	120.10
4	Nakashi (Finished Bricks carrier)	121.40 (1000 Bricks)	120.60

1	2	3	4
5	Accountant Supervisors, Mukadam	140.70	139.10
6	Mistry	140.20	138.50
7	Jalalya (fireman) and Clerk	136.30	135.20
8	Tikdiwala, Chokidar, Peon and other Miscellaneous Labour.	133.70	133.20
9	Truck Driver and Car Driver	138.70	138.70

*If any brick manufacturing industry Employs a truck driver or a car driver, such driver shall be paid minimum rate of wages and the special allowance at the same rates as are applicable to a driver in respect of the Employment in Motor Transport.

Explanation :

The employees shall be entitle to get “ Full back wages” at the rate of fifty percent only where the employer fails to provide him work due to bad whether or for any other reason. The “Full back wages” shall be the average daily wages calculated on the basis of basis rates plus special allowance received in the previous month by the employee:

Provided that the employee shall not be entitled to get “ Full back wages” for the day, if he earns less than the amount of “ Full back wages” on that day on account of his unwillingness to work for any reason what so ever.

Explanation For the purpose of this Notification

(1) (a) Zone 1 shall comprise the areas within the limits of the Municipal Corporation as constituted under the Bombay Provincial Municipal Corporation Act, 1949 and the areas falling within a peripheral distance of ten kilometers from the aforesaid limits.

(b) Zone-II comprise all the areas in the state of Gujarat other than those included in Zone-I.

(2) In case of an employees employed on piece rate basis, the minimum rates of wages shall be so fixed that the minimum rates of wages plus special allowance payable to him, for the number of hours of work which constituted normal working day, shall not be less than the daily wages fixed for the class of employees to which he belongs..

(3) The workers employed on part-time basis shall be paid 50% of the minimum rates of wages plus special allowance, if the works upto four hours and if he works more than four hours, he shall be paid full minimum rates of wages plus special allowance.

(4) The employees employed by contractor or other agencies in the scheduled employment, shall not be paid less than the wages plus special allowance payable to the category of the employees to which they belong.

(5) The perquisites or facilities given to an employee shall not be withdrawn and no deduction shall be made in respect of such perquisites or facilities given to an employee after fixation of minimum rates of wages plus special allowance.

(6) Male and female employees shall be given equal wages for equal work.

(7) The minimum rates of wages payable to an apprentice employed on skilled or semi-skilled work shall be paid 75% of the minimum rates of wages fixed for the class of employees to which he belongs, Plus special allowance for the first three months. After three months they shall be paid in full.

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

A. M. KADRI,
Deputy Secretary to Government.
