



## ABSTRACT

Minimum Wages Act, 1948-Revision of minimum rates of wages for employment in Coaching academics, that is to say, Tutorial colleges, Technical Institutes, Primary or Nursery Schools, English medium Schools run on commercial lines without Government grant other than those run by Government and local bodies as the case may be - Preliminary Notification-Issued.

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### LABOUR AND EMPLOYMENT(JI) DEPARTMENT

G.O.(2D) No.31

Dated: 29.5.2013

Read:-

1. G.O.(2D) No.34, Labour and Employment(JI) Department, dated.5.5.2003.
2. From the Commissioner of Labour, Chennai -6, Letter No.Z1/4331/2013, dated.8.2.2013.

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### ORDER:

In the Government Order first read above, the minimum rates of wages for the employment in Coaching academics, that is to say, Tutorial colleges, Technical Institutes, Primary or Nursery Schools, English medium Schools run on commercial lines without Government grant other than those run by Government and local bodies as the case may be were fixed under the provisions of the Minimum Wages Act, 1948 (Central Act XI of 1948). The School managements/associations challenged the above said Government Order in various Writ Petitions (W.P.No.4353 of 2004 Batch) before the Hon'ble High Court of Madras. The Hon'ble Court passed orders dated 7.9.2011 upholding the Government Order fixing minimum rates of wages for non-teaching staff. However, the Hon'ble Court partly quashed the Government Order in fixing minimum rates of wages in respect of teachers as they are not employees under the Minimum Wages Act, 1948.

2) In view of the above, the Government have now proposed to revise these minimum rates of wages only for non-teaching staff in the employment in Coaching academics, that is to say, Tutorial colleges, Technical Institutes, Primary or Nursery Schools, English medium Schools run on commercial lines without Government grant other than those run by Government and local bodies as the case may be.

3) The appended Notification will accordingly be published in the Tamil Nadu Government Gazette both in English and Tamil. The Works Manager, Government Central Press, Chennai-600 079 is requested to publish

the Notification and send five copies of the Gazette to the Government for reference and record. The Secretary to Government, Tamil Development and Information Department, Secretariat, Chennai-600 009 is requested to send the Tamil Translation of the Notification to the Works Manager, Government Central Press, Chennai-600 079.

(By Order of the Governor)

Mohan Pyare,  
Principal Secretary to Government.

To

The Works Manager, Government Central Press, Chennai-600 079  
(for publication in the Government Gazette) (2 Copies) (He is requested to send 5 copies of the Notification to this Department for reference and record)

The Secretary to Government, Tamil Development and Information Department, Chennai-600 009. (2 copies)

The Commissioner of Labour, Chennai - 600 006. (5 copies)

The Director of Industrial Safety and Health, Chennai - 600 014. (5 Copies)

The Director of Industries and Commerce, Chennai -600 028.

Copy to:

All Collectors. (through the Commissioner of Labour, Chennai 600 006).

The Secretary to Government of India, Ministry of Labour, New Delhi.

The Director, Labour Bureau, Ministry of Labour, Government of India,  
SCO-28-31, Sector 17-A, Chandigarh-160 017.

The Secretary to Government of Andhra Pradesh, Labour Employment  
Training and Factories Department, Hyderabad.

The Secretary to Government of Karnataka, Labour Department,  
Bengaluru.

The Secretary to Government of Kerala, Labour Department, Trivandrum.

The Secretary to Government of Pondicherry, Labour Department,  
Pondicherry.

The Secretary (Labour) Administration of Union Territory of Lakshadweep,  
Kavarati Island-682 555.

The Employers' and Employees Association, through the Commissioner of  
Labour, Chennai-600 006 (25 copies)

The Regional Labour Commissioner, Shastri Bhavan, Chennai-600 006.

The Special Personal Assistant to Minister for Labour, Chennai-600 009.

The Private Secretary to Principal Secretary to Government, Labour and  
Employment Department, Chennai – 600 009.

The Law Department, Chennai - 600 009.

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// FORWARDED : BY ORDER //

SECTION OFFICER.

**APPENDIX.**  
**NOTIFICATION.**

The following draft of a Notification which it is proposed to issue in exercise of the powers conferred by clause (b) of sub-section (1) of section 3 and sub-section (2) of section 5 of the Minimum Wages Act, 1948 (Central Act XI of 1948) is hereby published for information of all persons likely to be affected thereby, as required under clause (b) of sub-section (1) of section 5 of the said Act.

2. Notice is hereby given that the draft Notification will be taken into consideration on or after the expiry of two months from the date of publication of this Notification in the Tamil Nadu Government Gazette and that any objection or suggestion, which may be received from any person with respect thereto, before the expiry of the aforesaid period, will be considered by the Government of Tamil Nadu. Objection or suggestion, if any, should be addressed to the Principal Secretary to Government, Labour and Employment Department, Secretariat, Chennai-600 009 through the Commissioner of Labour, Chennai - 600 006.

**DRAFT NOTIFICATION.**

In exercise of the powers conferred by clause (b) of sub-section (1) of section 3 and sub-section (2) of section 5 of the Minimum Wages Act, 1948 (Central Act XI of 1948) and in supersession of the Labour and Employment Department Notification No. II(2)/LE/460/2003, published at pages 263 and 264 of Part II -Section 2 of the Tamil Nadu Government Gazette, dated the 25th June 2003, the Governor of Tamil Nadu hereby revises the minimum rates of basic wages payable to the classes of employees in the employment in Coaching academics, that is to say, Tutorial Colleges, Technical Institutes, Primary or Nursery Schools, English medium Schools run on commercial lines without Government grant other than those run by Government and local bodies as the case may be, specified in column(1) of the Schedule below, as specified in the corresponding entries in column(2) thereof:-

**THE SCHEDULE.**

**Employment in Coaching Academics, that is to say, Tutorial Colleges, Technical Institutes, Primary or Nursery Schools, English Medium Schools run on commercial lines without Government grant other than those run by Government and local bodies as the case may be**

Classes of employees.	Minimum rates of basic wages (per month) Rs. P.		
(1)	(2)		
	Zone -A	Zone -B	Zone -C
Non – Teaching Staff			
(a) Clerk / Typist / Cashier / Librarian	5532.00	5360.00	5188.00

(b) Driver	5360.00	5188.00	5016.00
(c) Office Assistant/Gardener/Ayah/Watchman	4500.00	4414.00	4328.00
(d) Scavenger	4414.00	4328.00	4242.00

**Explanations-** **(1) Classification of Zones:** The Classification of Zones shall be as follows:-

Zone A, B, and C shall comprise of the following areas:-

Zone A: Corporations.

Zone B: Municipalities.

Zone C: Town Panchayats, Panchayats and other Places.

**(2) Dearness Allowance:** In addition to the minimum rates of basic wages the employees shall be paid dearness allowance as indicated below:-

- (i) The dearness allowance is linked to the Average Chennai City Consumer Price Index Number for the year 2010, that is 161 points with base 2001=100 and for every rise of one point over and above 161 points, an increase of Rs.26.30 (Rupees twenty six and paise thirty Only) per month shall be paid as dearness allowance.
- (ii) The dearness allowance shall be calculated every year on the first April on the basis of the average of the indices for the preceding twelve months, namely, from January to December.
- (iii) The first calculation shall be effective from the date of publication of the Notification in the Tamil Nadu Government Gazette based on the Average Chennai City Consumer Price Index Number for the previous year.

**(3)** Where the nature of work is the same, no distinction in the payment of wages shall be made between men and women employees.

**(4)** To arrive at the daily rates of wages the monthly wages shall be divided by 26.

**(5)** Wherever the existing wages are higher than the minimum wages fixed herein, the same shall be continued to be paid.

Mohan Pyare,  
Principal Secretary to Government  
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Section Officer.

