



ABSTRACT

Minimum Wages Act, 1948-Revision of minimum rates of wages for Employment in any plantation, that is to say, any estate which is maintained for the purpose of growing cinchona, rubber, tea or coffee - Preliminary Notification-Confirmed.

LABOUR AND EMPLOYMENT(JI) DEPARTMENT

G.O.(2D) No.34

Dated: 15-6-2008

Read:-

1. G.O.(2D) No.9, Labour and Employment(JI) Department, dated 14.3.2008.
 2. From the Commissioner of Labour, Chennai letter No.Z1/9674/ 2008, dated 12.6.2008
 3. From the Planters Association of Tamil Nadu Letter dated 17.5.2008
 4. From the Commissioner of Labour, Chennai Letter No.Z1/9674/ 2008 dated 13.6.2008.
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ORDER :

In the Government Order first read above, a Preliminary Notification containing proposals to revise further the minimum rates of wages for the employment in any plantation, that is to say, any estate which is maintained for the purpose of growing cinchona, rubber, tea or coffee was issued and objection and suggestion were invited from the persons likely to be affected by such revision.

2. The Commissioner of Labour in his letter second read above stated that objections / suggestions received on the said preliminary notification were placed before the State Advisory Board on minimum wages in its 58th meeting held on 15.5.2008 and the Board by its majority of members decided to recommend to the Government for the confirmation of the preliminary notification issued for revision of minimum wages for plantation workers. The employers of plantations have expressed their views through their Association which represented in the capacity of a member of the State Advisory Board on Minimum Wages in its 58th meeting held on 15.5.2008.

3. As regards the representation dated 17.5.2008 third cited, the Commissioner of Labour has stated in his letter fourth cited that two months period for receiving the representations on the Preliminary Notification issued for revision of minimum wages for plantation expired on 13.5.2008 and in the High Court orders dated 30.4.2008, it has been directed that objection/suggestion be sent within two weeks commencing from 30.4.2008 with liberty to the Government of Tamil Nadu to issue notification under section 5(2) of the Minimum Wages Act, 1948 (Central Act XI of 1948) on or after 15.06.2008. Accordingly the time limit expired on 13.5.2008 for receiving objections / suggestions. However, the Commissioner of Labour has stated that these objections have already been examined while sending the proposals for confirmation of notification.

4. The Government have carefully examined the objections / suggestions from the Planters' Associations and Trade Unions and also the report of the Commissioner of Labour based on the decision made by the State Advisory Board. The Government have decided to reject the objections / suggestions made by the Planters' Association and Trade Unions and to confirm the above preliminary notification.

5. The appended Notification will accordingly be published in the Tamil Nadu Government Gazette both in English and Tamil. The Secretary to Government, Tamil Development Religious Endowments 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-600079.

(BY ORDER OF THE GOVERNOR)

RAMESH KUMAR KHANNA
SECRETARY TO GOVERNMENT

To

The Works Manager, Government Central Press, Chennai-79 (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 Religious Endowments and Information Department, Chennai-600 009 (2 copies)

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

The Chief Inspector of Factories, Chennai - 600 005 (5 copies)

The Director of Industries and Commerce, Chennai - 600005.

Copy to:

All Collectors.

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-160017

The Secretary to Government Andhra Pradesh, Labour Department, Hyderabad.

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

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

The Secretary to Government of Pondicherry, Labour Deptt., 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, Sastri Bhavan, Chennai-600 006

The Special Personal Assistant to Minister of Labour, Chennai-9

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

The Law Department, Chennai - 600 009.

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SECTION OFFICER

APPENDIX.
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/3219/95, dated 30th August 1995 published at pages 829 to 831 of Part II- Section 2 of the Tamil Nadu Government Gazette, dated the 13th September 1995, the Governor of Tamil Nadu, after consultation with the Advisory Board, hereby revises the minimum rates of wages payable to the classes of employees in the employment in any plantation, that is to say, any estate which is maintained for the purpose of growing cinchona, rubber, tea, coffee or cardamom in the State of Tamil Nadu, specified in column (1) of the Schedule below, as specified in the corresponding entries in column (2) thereof, the draft of the same having been previously published as required by clause (b) of sub-section (1) of section 5 of the said Act.

2. This Notification shall come into force with effect on and from the date of its publication in Tamil Nadu Government Gazette.

THE SCHEDULE.

EMPLOYMENT IN PLANTATION.

Classes of employees	Minimum Rates of Wages (per day)		
	Tea plantations and cinchona plantations in the areas other than those in Kanniyakumari district.	Coffee and cardamom plantations.	Tea and rubber plantations in Kanniyakumari district
(1)		(2)	
	Rs. P.	Rs. P.	Rs. P.
Adults	78.00	77.00	81.50
Adolescents	53.00	52.50	55.50

EXPLANATIONS.-(1) **Dearness Allowance.**- (a) The above minimum rates of wages are linked to average consumer price index for the year 2000 for Chennai City namely 475 points with Base 1982=100 and for every rise of one point over and above 475 points, the employees working in the above mentioned plantations shall be paid dearness allowance at the rate indicated below:-

Adult employees -- 16 paise per point per day.

Adolescent employees -- 11 paise per point per day.

(b) The dearness allowance shall be revised on the first January, first April, first July and first October of every year based on the average consumer price index of Chennai City with base 1982=100 for the second previous quarter beginning from first July, first October, first January and first April, respectively.

(2) Minimum piece rates of basic wages for employees in rubber plantations who are tappers:

(a) Guaranteed time rate -- Rs. 41.25 per day.

(b) Minimum piece rates

Class-I	(Yielding upto 113 kgs. per acre – 0.404686 Hectare per annum) Rs. <u>13.75</u> per half kg upto first 1½ kg of dry rubber.
Class-II	(Yielding above 113 kgs upto 181 kgs. per acre – 0.404686 hectare per annum) <u>Rs.8.25</u> per half kg upto first 2 ½ kg. of dry rubber.
Class-III	(Yielding above 181 kgs upto 272 kgs. per acre – 0.404686 hectare per annum) <u>Rs.4.58</u> per half kg upto first 4 ½ kg. of dry rubber.
Class-IV	(Yielding above 272 kgs. per acre – 0.404686 hectare per annum) Rs.3.17 per half kg upto first 6½ kg. of dry rubber.

(c) The dearness allowance as applicable to other time rated rubber plantation employees.

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

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

**RAMESH KUMAR KHANNA
SECRETARY TO GOVERNMENT**

/True Copy/

Section Officer.