

Government Of Tamil Nadu

ABSTRACT

Minimum Wages Act, 1948-Minimum rates of wages for employment in Agriculture and works allied to agriculture-Revision of rates-Preliminary Notification-Confirmed.

LABOUR AND EMPLOYMENT(J2) DEPARTMENT

G.O.(2D) No. 24

Dated 08.07.2005

Read:

1. G.O.(2D) No.10, Labour and Employment (J2) Department Dated 28.3.2005.
2. From the Commissioner of Land Reforms, Chennai, letter RC.No B1 / 3472 / 2002 (L.Ref) dated 14.6.2005.

ORDER:

In the Government Order first read above, a preliminary Notification containing proposals for revising the minimum rates of wages for the employment in Agriculture and works allied to agriculture was issued under the provisions of the Minimum Wages Act, 1948 and objections and suggestions were invited from the persons likely to be affected by such revision.

2. The Government after examining the objections and suggestions with regard to the preliminary Notification issued, have decided to confirm the preliminary Notification without any modification.

3. The Government also decided to issue notification authorising payment of Minimum Wages either wholly or partly in kind, fixation of number of hours of work per day for certain classes of employment in Agriculture under Minimum Wages Act and also non- application of provisions of certain sections of the Act to the employees employed in Agriculture and work ancillary to Agriculture under Minimum Wages Act.

4. The appended Notifications will accordingly be published in the Tamil Nadu Government Gazette, both in English and Tamil. The Secretary to Government, Tamil Development, Culture and Religious Endowments

(Translation) 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 for the publication in the Tamil Nadu Government Gazette.

(BY ORDER OF THE GOVERNOR)

RAMESH KUMAR KHANNA
SPECIAL SECRETARY TO GOVERNMENT AND SECRETARY TO
GOVERNMENT(i/c)

To

The Works Manager, Government Central Press, Chennai-600 079 (for publication in the Govt.Gazette) (2 copies)

The Secretary to Government, Tamil Development Culture and Religious Endowments (Translation) Department, Chennai-600 009(2 copies)

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

The Commissioner of Land Reforms, Chepauk, Chennai-600 005 (5 copies)

All District Collectors.

The Director of Agriculture, Chennai-600 005

The Director of Economics and Statistics, Chennai-600 005

The Director of Rural Development, Chennai-15

The Managing Director, Tamil Nadu Dairy Development Corporation, Vepery, Chennai-600 007

The Managing Director, Tamil Nadu Agro-Industries Corporation, Agro House, Guindy Industrial Estate, Chennai-32

The Managing Director, Tamil Nadu Poultry Development Corporation, Chennai.1

The Chief Executive Officer, Khadi and Village Industries Board, Kuralagam, Chennai-1

The Registrar, Tamil Nadu G.D.Naidu Agricultural University, Coimbatore.

All Panchayat Unions Commissioners in the State through the Director of Rural Development, Chennai-15

Copy to:

The Secretary, To Government of India, Ministry of Labour, New Delhi-110 001

The Secretary to Government of Kerala, Labour and Rehabilitation Department, Thiruvananthapuram

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

The Secretary to Government of Karnataka, Labour Deptt. Bangalore

The Secretary to Government of Pondicherry, Labour Deptt. Pondicherry

All Sections in the L & E Deptt. Chennai-9

All Heads of Departments.

The Secretary .to Government,. Revenue Deptt., Chennai-600 009

The Secretary .to Government, I & T/Agriculture Department, Chennai-9

The Director, Tamil Nadu Institute of Labour Studies, Slum Clearance Board Building, Chennai-600 005

SF/SCs

FORWARDED: BY ORDER

SECTION OFFICER.

NOTIFICATION I.

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/1257(a-1)/99 published at pages 1-2 of Part II-Section 2 of the Tamil Nadu Government Gazette, Extraordinary, dated the 28th October 1999, the Governor of Tamil Nadu hereby revises the minimum rates of wages payable to the classes of employees, employed in agriculture and works ancillary to agriculture as ,specified in Part-II of the Schedule to the said Act, in the State of Tamil Nadu, specified in Column (1) of the Schedule below and 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 on and from the date of publication in the Tamil Nadu Government Gazette

THE SCHEDULE.

Classes of Employees (1)	Minimum rates of wages per day (2)
(1) Employees engaged in ploughing with bullocks and ploughs supplied by him.	Rs.150/-
(2) Employees engaged in ploughing with bullocks and	Rs.80/-

ploughs not supplied by him	
(3) Employees engaged in harvest of paddy reaping, carrying to thrashing floor, thrashing, winnowing, measuring and bagging.	Rs.80/- per day for men workers, who do the work for 6 hours and Rs.70/- per day for women workers who do the work for five hours or in kind to the extent of 1/8th of the gross yield of produce whichever is higher, per day.
(4) Employees engaged in harvest of crops other than paddy.	Rs.80/- per day for men workers, who do the work for six hours and Rs.70/- per day for women workers who do the work for five hours.
(5) Employees engaged in sowing, plucking of seedling, re-planting of seedlings and for weeding operations.	Rs.80/- per day for men workers, who do the work for six hours and Rs.70/- per day for women workers who do the work for five hours.
(6) Employees engaged in other agricultural operations, namely trimming bunds and fields, bee-keeping, poultry farming, dairy farming and climbing trees.	Rs.80/- per day for men workers who do the work for six hours and Rs.70/- per day for women workers who do the work for five hours.

Explanations.-

(1) The above revised minimum rates of wages shall also apply to the Agricultural Labourers employed in Colleges and Research Stations under the Tamil Nadu Agricultural University and Agricultural Farms maintained by the Agriculture, Horticulture and other Government Departments.

(2) Where there is no difference in the daily hours of work and where the same work or work of a similar nature is performed, no distinction in the payment of wages should be made between men and women workers as per the Equal Remuneration Act, 1976.

(3) For the purpose of this Notification, minimum rate of wages specified above shall be all inclusive of rate allowing for the basic rate, cost of living allowance and the cash value of concession, if any, but it does not include the cost of food, if any, supplied to the employees and hence the cost of food shall not be deducted from the minimum rates of wages paid to the employees.

NOTIFICATION II.

WHEREAS, it has been the custom in certain parts of the State of Tamil Nadu to pay wages wholly or partly in kind for certain classes of employment in agriculture:

AND WHEREAS, the Governor of Tamil Nadu is of the opinion that it is necessary in the circumstances of the case to authorise the payment of minimum wages either wholly or partly in kind for such classes of employment in agriculture.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (2) of section 11 of the Minimum Wages Act, 1948 (Central Act XI of 1948) and in supersession of Labour and Employment Department Notification No.II(2)/LE/1257 (a-2)/99, dated the 28th October 1999, published at pages 2-3 of Part II- Section 2 of the Tamil Nadu Government Gazette Extraordinary dated the 28th October 1999, the Governor of Tamil Nadu hereby authorises the payment of minimum wages either wholly or partly in kind for the classes of employment in agriculture and works ancillary to agriculture as specified in Part II of the Schedule to the said Act.

Where minimum wages are paid either wholly or partly in kind, such wages shall not be less than the minimum wages that would have been payable had they been paid wholly in cash under the said Act.

The cash value of the minimum wages payable in kind shall be estimated in accordance with the provisions of rule 20 of the Minimum Wages (Tamil Nadu) Rules, 1953.

NOTIFICATION III.

Under clause (a) of sub-section (1) of section 13 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/1257 (a-3)/99, dated the 28th October 1999, published at page 3 of the Tamil Nadu Government Gazette, Extraordinary, dated the 28th October 1999, the Governor of Tamil Nadu hereby fixes for the classes of employees specified in column (1) of the Schedule below, who are employed in agriculture and works ancillary to agriculture in the State of Tamil Nadu as specified in Part II of the Schedule to the said Act, the number of hours of work which shall constitute a normal working day, inclusive of the time taken for meals, rest and other purposes as specified in the corresponding entries in column (2) thereof:-

THE SCHEDULE

Classes of employees	Number of hours of work per day	
	For men workers	For women workers
(1) All employees engaged in agriculture except those engaged in ploughing	6	5

NOTIFICATION-IV.

In exercise of the powers conferred by sub-section (2-A) of section 26 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/1257 (a-4)/99, dated the 28th October 1999, published at page 4 of Part II-Section 2 of the Tamil Nadu Government Gazette , Extraordinary, dated the 28th October 1999, the Governor of Tamil Nadu hereby directs that the provisions of sections 3 and 5 of the said Act shall not apply to each of those employees employed in agriculture and works ancillary to agriculture in the State of Tamil Nadu as specified in Part II of the Schedule to the said Act who are in receipt of wages higher than the minimum rates of wages fixed under the said Act, subject to the condition that the said employees continue to receive such higher rates of wages.

RAMESH KUMAR KHANNA
SPECIAL SECRETARY TO GOVERNMENT AND SECRETARY TO
GOVERNMENT (i/c)

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SECTION OFFICER