
MINIMUM WAGES ACT, 1948

By: Neha Garg



THE MINIMUM WAGES ACT,1948

- CONCEPT

The Minimum Wages Act 1948 is an Act of Parliament concerning Indian labour law that sets the minimum wages that must be paid to skilled and unskilled labours. The Indian Constitution has defined a 'living wage' that is the level of income for a worker which will ensure a basic standard of living including good health, dignity, comfort, education and provide for any contingency. However, to keep in mind an industry's capacity to pay the constitution has defined a 'fair wage'. Fair wage is that level of wage that not just maintains a level of employment, but seeks to increase it keeping in perspective the industry's capacity to pay.



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The Act provides for fixing wage rate (time, piece, guaranteed time, overtime) for any industry .

1) While fixing hours for a normal working day as per the act should make sure of the following:

The number of hours that are to be fixed for a normal working day should have one or more intervals/breaks included.

At least one day off from an entire week should be given to the employee for rest.

Payment for the day decided to be given for rest should be paid at a rate not less than the overtime rate.

2)If an employee is involved in work that categorises his service in two or more scheduled employments, the employee's wage will include respective wage rate of all work for the number of hours dedicated at each task.

3)It is mandatory for the employer to maintain records of all employee's work, wages and receipts .

4)Appropriate governments will define and assign the task of inspection and appoint inspectors for the same.



Enforcement

The Central Government is proper authority for enforcement of act. Schedule Employment is carried under the railway administration, mines, oilfield, major port and corporation established by Central Act. Chief Labour Commissioner is charged under central level and in State level officers in industrial relations are charged for enforcement act and other Labour Laws.



Process of complaints

To process complaints the appropriate government can appoint labour commissioner/ Commissioner for Workmen's Compensation/officer with experience as a judge of Stipendiary Magistrate/ or an officer that is at least above the rank of Labour Commissioner. In case an individual feels that he/she is being paid less than the minimum wages specified for his region/sector/occupation, or is not paid for a duration of work, a complaint can be made to the appointed authority.



Offences And Penalties

Violation of Act in regards to Minimum Wages, working hours & other comes under Central Act is an offences and there is a penalties of 5 years imprisonment and fine of Rs. 10000/- (under section act 22). Any agreement whereby an employee reduces his right under this act shall be null and void.



REFERENCES

- WAGES AND SALERY ADMINISTRATION
RADHA GUPTA
- HANDBOOK OF WAGES AND SALERY ADMINISTRATION
ROCK MILTON L
- WAGES AND SALERY ADMINISTRATION
AFT,LAWRENCE S
- _COMPENSATION WAGE AND SALERY ADMINISTRATION
PRIYENKA SALUJA,RANU CHIDWAL,MAYUR VERMA

