

# MINIMUM WAGE

## ACT, 1948

### LAW CAPSULE

(OFFICIAL NEWSLETTER OF  
TRANS-INDIA LAW ASSOCIATES ,  
ADVOCATES & LEGAL  
CONSULTANTS)

VOLUME XVI, PART-XXV

5<sup>TH</sup> JANUARY 2016

### Guidelines to be followed by the Employer regarding the minimum payment of wages to its employees as per the Minimum Wage Act, 1948:

The Minimum Wages Act, 1948 is intended to primarily safeguard the interest of workers particularly in unorganized sector. The Minimum Wages Act binds the employers to pay the minimum wages to employees for different scheduled employments for different classes of work.

As per section 2(h) “ wages means all remuneration capable of being paid in money terms for work done if contract were fulfilled. It consists of Basic, Dearness allowances, House Rent Allowance etc”.

1. Following is the eligibility for the employees to be covered under the benefits of the Act :
  - a) Any person who is employed for hire or reward to do any work in a schedule employment and include an outdoor worker to whom any articles or materials are given for doing some work either at home or any other premises.

#### **Trans-India Law Associates, Advocates & Legal Consultants**

**Office:** TLA SUITE, JA-120, DLF Tower - A, Jasola District Centre, New Delhi-110025

**Court Chamber:** Chamber No. 555, New Delhi Court Complex, New Delhi-110001

Tel. :91-11-26943664, Fax.: 91-11-26970075

[info@tlaindia.org](mailto:info@tlaindia.org) [www.tlaindia.org](http://www.tlaindia.org)

2. Following are the rules provided by the Act:-
- (a) The minimum wages to be paid as prescribed by the Act to employees for different classes of work.
  - (b) The minimum wages as prescribed by the act for adults, adolescent, children and apprentices depending upon different localities.
  - (c) Minimum wage rate has to be fixed by any one or more wage period, viz by hour, by the day, month or other large period.
  - (d) In case of overtime payment for every hour or for part of an hour so worked should be at double rate than ordinary rate.
  - (e) The normal working day should be inclusive of one or more specified intervals;
  - (f) To provide a day rest in every period of seven days with remuneration;
  - (g) To provide for payment for work on a day of rest at a rate not less than the overtime rate;
  - (h) If worker has worked for less than the normal working day then he is entitled to receive wages in respect of work done by him on that day as if he had worked for a full normal working day.
  - (i) An employee is prohibited from giving up any of his right or relinquishment or reducing his right to minimum wages under the Act.

3. Following are the penalties prescribed under the Act for the non-compliance of its provisions:

- a) For paying less than minimum rates of wages - imprisonment upto 6 months or with fine upto Rs.500.
- b) For contravention of any provisions pertaining to fixing hours for normal working day etc - Imprisonment upto 6 months or with fine upto Rs.500

4. As per notification of Government of NCT of delhi no. F.No.12 (142)/02/MW/VII dated on 31/March/2015 the minimum wages rate in delhi are:

- a) The following wage rates are applicable in all schedules employment except employment in "Shop and Establishment and employment in Club"

| Category      | Permonth | Per-day |
|---------------|----------|---------|
| Unskilled-    | 9048.00  | 348.00  |
| Semi skilled- | 10010.00 | 385.00  |
| Skilled-      | 10998.00 | 423.00  |

- b) For employment in "Shop and Establishment and employment in Club"

| Category     | Permonth      | Per-day |
|--------------|---------------|---------|
| Unskilled-   | (i) 9048.00   | 348.00  |
|              | (ii) 8892.00  | 342.00  |
|              | (iii) 8190.00 | 315.00  |
|              | (iv) 7670.00  | 311.00  |
| Semiskilled- | (i) 10010.00  | 385.00  |
|              | (ii) 9854.00  | 379.00  |
|              | (iii) 9048.00 | 348.00  |
|              | (iv) 8944.00  | 344.00  |

**Trans-India Law Associates, Advocates & Legal Consultants**

**Office:** TLA SUITE, JA-120, DLF Tower - A, Jasola District Centre, New Delhi-110025

**Court Chamber:** Chamber No. 555, New Delhi Court Complex, New Delhi-110001

Tel. :91-11-26943664, Fax.: 91-11-26970075

[info@tlaindia.org](mailto:info@tlaindia.org) [www.tlaindia.org](http://www.tlaindia.org)

|          |               |        |
|----------|---------------|--------|
| Skilled- | (i) 10998.00  | 423.00 |
|          | (ii) 10816.00 | 416.00 |
|          | (iii) 9958.00 | 383.00 |
|          | (iv) 9828.00  | 378.00 |

(i) where neither meal nor lodging is provided; (ii) where only lodging is provided; (iii) where only meals twice a day is provided; (iv) where both meals and lodging are provided.

- c) For employment in respect of Clerical and Non Technical Supervisory Staff.

| Category                        | Per month | Per-day |
|---------------------------------|-----------|---------|
| Non -<br>Matriculated           | 10010.00  | 385.00  |
| Matriculated<br>(not graduated) | 10998.00  | 423.00  |
| Graduated &<br>Above.           | 11986.00  | 461.00  |

**For any further details, please contact:**

**Mr. Raj Singh Niranjana, Advocate & Counsel  
for Govt. of India - Supreme Court (9810070075)**

**Email- [raj.singh.niranjana@tlaindia.org](mailto:raj.singh.niranjana@tlaindia.org)**

**Dr. Rajni Patel, Partner (9818043057)**

**Email- [rajni.patel@tlaindia.org](mailto:rajni.patel@tlaindia.org)**

**Ms. Sneha Mukherjee, Junior Partner  
(08860635075)**

**Email- [sneha.mukherjee@tlaindia.org](mailto:sneha.mukherjee@tlaindia.org)**

**Ms. Sonia Bharaj, Joint Partner  
(08860635071)**

**E-mail: [sonia.bharaj@tlaindia.org](mailto:sonia.bharaj@tlaindia.org)**

DISCLAIMER: This document is being furnished to you for your information. You may choose to reproduce or distribute this report for non-commercial purposes in part or in full to any other person with due acknowledgement of Trans India Law Associates ("TLA"). The opinions expressed herein are entirely those of the author(s). TLA makes every effort to use reliable and comprehensive information, but TLA does not represent that the contents of the report are accurate or complete. TLA is an independent, Law Firm. This document has been prepared without regard to the objectives or opinions of those who may receive it.

**Trans-India Law Associates, Advocates & Legal Consultants**

**Office:** TLA SUITE, JA-120, DLF Tower - A, Jasola District Centre, New Delhi-110025

**Court Chamber:** Chamber No. 555, New Delhi Court Complex, New Delhi-110001

Tel.: 91-11-26943664, Fax.: 91-11-26970075

[info@tlaindia.org](mailto:info@tlaindia.org) [www.tlaindia.org](http://www.tlaindia.org)