

The Bihar Minimum Wages Rules, 1951

BIHAR

India

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Rule THE-BIHAR-MINIMUM-WAGES-RULES-1951 of 1951

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The Bihar Minimum Wages Rules, 1951Published vide Notification No.W3-1019/51-1. - 197 dated the 12th November, 1951Notification No.W3-1019/51-1. - 197 dated the 12th November, 1951. - In exercise of the powers conferred by Section 30 of the Minimum Wages Act, 1948, (Act XI of 1948), the Governor of Bihar is pleased to make the following Rules, the same having been previously published as required by sub-section (1) of said Section, namely:-

Chapter I Preliminary

1. Short title and extent.

(1)These Rules may be called the Bihar Minimum Wages Rules, 1951.(2)They extend to the whole of the State of Bihar.

2. Interpretation.

- In these Rules, unless the context otherwise requires-(a)'Act' means the Minimum Wages Act, 1948;(b)Deleted;(c)'Authority' means the authority appointed under sub-section (1) of Section 20;(d)'Board' means the Advisory Board appointed under section 7.(e)'Chairman' means the Chairman of the Advisory Board or the Committee, [**] [Words 'Advisory Committee' deleted by Notification No. WW3-1022/58-L-19583 dated 22.11.1958.] as the case may be appointed under Section 9;(f)'Committee' means a Committee appointed under clause (a) of subsection (1) of Section 5 and includes a sub-Committee appointed under that section;(ff)'day' means a period of 24 hours beginning at midnight;(g)'form' means a form appended to these Rules;(h)'Inspector' means a person appointed as Inspector under Section 19;(i)'Registered trade union' means a trade union registered under the Indian Trade Union Act, 1926;(j)'Section' means a section of the Act; and(k)all other words and expressions used herein and not defined shall have the meaning respectively

assigned to them under the Act.

Chapter II

[Membership, Meetings & Staff of the Board and Committee] [Substituted by Notification No. WW3-1022/58-L-19583 dated 22.11.1958.]

3. Term of office of the Members of the Committee [] [Words 'Advisory Committee' deleted by Notification No. WW3-1022/58-L-19583 dated 22.11.1958.].**

- The term of office of the members of the committee [] [Words 'Advisory Committee' deleted by Notification No. WW3-1022/58-L-19583 dated 22.11.1958.] shall be such as in the opinion of the State Government is necessary for completing the enquiry into the scheduled employment concerned and the State Government may, at the time of the constitution of the Committee [] [Words 'Advisory Committee' deleted by Notification No. WW3-1022/58-L-19583 dated 22.11.1958.] fix such terms and may, from time to time extend it as circumstances may require.

4. Term of office of Member of the Board.

(1) Save as otherwise expressly provided in these Rules, the term of office of non-official member of the Board shall be two years commencing from the date of his nomination : Provided that such Member shall, notwithstanding the expiry of the said period of two years continue to hold office until his successor is nominated : Provided further that the term of office of a non-official Member may be terminated by the State Government earlier than the period specified above. (2) A non-official Member of the Board nominated to fill a casual vacancy shall hold office for the remaining period of office of the member in whose place he is nominated. (3) The official Members of the Board shall hold office during the pleasure of the State Government.

4A. [Nomination of substitute-Members. [Inserted by No. VIM3-1022/5-L-19583 dated 22.11.1958.]

- If a Member is unable to attend a meeting of the Committee or the Board, the State Government or the Body which nominated him may by notice in writing signed on its behalf and by such member and addressed to the Chairman of the said Committee or the Board nominate a substitute in his place to attend that meeting. Such a substitute Member shall have all the rights of a member in respect of that meeting.]

5. Travelling allowance.

- A non-official Member of the Committee [*] [Words 'Advisory Committee' omitted by No. VIM3-1022/5-L-19583 dated 22.11.1958.], or the Board shall be entitled to draw travelling and halting allowances for any journey performed by him in connection with his duties as such member at such rates and subject to such conditions as the State Government may determine from time to time.

6. Staff.

(1)The State Government may appoint a Secretary to the Committee, [*] [Words 'Advisory Committee' omitted by No. VIM3-1022/5-L-19583 dated 22.11.1958.] or the Board and such other staff as it may think necessary and may fix the salaries and allowances payable to them and specify their conditions of service.(2)(i)The Secretary shall be the Chief Executive Officer of the Committee, [*] [Words 'Advisory Committee' omitted by No. VIM3-1022/5-L-19583 dated 22.11.1958.] or Board, as the case may be. He may attend the meetings of such Committee, [*] [Words 'Advisory Committee' omitted by No. VIM3-1022/5-L-19583 dated 22.11.1958.] or Board but shall not be entitled to vote at such meetings.(ii)The Secretary shall assist the Chairman in convening meetings and shall keep a record of the minutes of such meeting and shall take necessary measures to carry out the decisions of the Committee, [*] [Words 'Advisory Committee' omitted by No. VIM3-1022/5-L-19583 dated 22.11.1958.] or the Board, as the case may be.

7. Eligibility for re-nomination of the Members of the Committee and the Board.

- An outgoing Member shall be eligible for re-nomination for the membership of the Committee, [*] [Words 'Advisory Committee' omitted by No. VIM3-1022/5-L-19583 dated 22.11.1958.] or the Board of which he was a member.

8. Resignation of Chairman and members of the Committee, [*] [Words 'Advisory Committee' omitted by No. VIM3-1022/5-L-19583 dated 22.11.1958.] or the Board and filling of casual vacancies.

(1)A Member of the Committee [*] [Words 'Advisory Committee' omitted by No. VIM3-1022/5-L-19583 dated 22.11.1958.] or the Board other than the Chairman may, by giving notice in writing to the Chairman, resign his membership.(2)A resignation shall take effect from the date of communication of its acceptance or on the expiry of 30 days from the date of resignation, whichever is earlier.(3)When a vacancy occurs or is likely to occur in the membership of the Committee, [*] [Words 'Advisory Committee' omitted by Notification No. VI/W3-1022/58L. 19583 dated 22.11.1958.] or the Board, the Chairman shall submit a report to the State Government immediately.The State Government shall take steps to fill the vacancy.

9. Cessation and restoration of membership.

(1) If a Member of the Committee, [**] [Words 'Advisory Committee' omitted by Notification No. VI/W3-1022/58L. 19583 dated 22.11.1958.] or the Board fails to attend without sufficient cause, three consecutive meetings, he shall, subject to the provisions of sub-rule (2), cease to be a member thereof. (2) A person who ceases to be a member under sub-rule (1) shall be given intimation of such cessation by a letter sent to him by registered post within fifteen days from the date of such cessation. The letter shall indicate that if he desires restoration of his membership, he may apply thereof within thirty days from the receipt of such letter. The application for restoration of membership, if received within the said period, shall be placed before the Committee [**] [Words 'Advisory Committee' omitted by Notification No. VI/W3-1022/58L. 19583 dated 22.11.1958.] or the Board, as the case may be and if a majority of members present at the next meeting are satisfied that the reasons for failure to attend three consecutive meetings are adequate the member shall be restored to membership immediately after a resolution to that effect is adopted.

10. Disqualification.

(1) A person shall be disqualified for being nominated as, and for being a Member of the Committee, [**] [Words 'Advisory Committee' omitted by Notification No. VI/W3-1022/58L. 19583 dated 22.11.1958.] or the Board, as the case may be (i) if he is declared to be of unsound mind by a competent court; or (ii) if he is an undischarged insolvent; or (iii) if before or after the commencement of the Act, he has been convicted of an offence involving moral turpitude. (2) If any question arises whether a disqualification has been incurred under sub-rule (1), the decision of the State Government thereon shall be final.

11. Meetings.

- The Chairman may, subject to the provisions of Rule 12, call a meeting of the Committee, [**] [Words 'Advisory Committee' omitted by Notification No. VI/W3-1022/58L. 19583 dated 22.11.1958.] or the Board, as the case be at any time he thinks fit: Provided that on a requisition in writing from not less than one half of the Members, the Chairman shall call a meeting within fifteen days from the date of receipt of such requisition.

12. Notice of Meetings.

- The Chairman shall fix the date, time and place of every meeting, and notice in writing containing the aforesaid particulars along with a list of business to be conducted at the meetings shall be sent to each member by registered post at least fifteen days before the date fixed for such meeting; Provided that in the case of an emergent meeting, notice of seven days only may be given to every member.

13. Chairman.

(1)The Chairman shall preside at the meetings of Committee, [**] [Words 'Advisory Committee' omitted by Notification No. VI/W3-1022/58L. 19583 dated 22.11.1958.] or the Board, as the case may be.(2)In the absence of the Chairman at any meeting, the members shall elect from amongst themselves, a member by a majority of votes, who shall preside at such meeting.

14. Quorum.

- No business shall be transacted at any meeting unless atleast one third of the members and atleast one representative of the employers and employees are present:Provided that when at any meeting no representative of the employers or employees has turned up, or less than one-third of the members are present the Chairman may adjourn the meeting to a date not later than seven days from the date of the original meeting and it shall thereupon be lawful to dispose of the business at such adjourned meeting irrespective of the number or class of members present.

15. Disposal of business.

- All business shall be considered at a meeting of the Committee, [**] [Words 'Advisory Committee' omitted by Notification No. VI/W3-1022/58L, 19583 dated 22.11.1958.] or the Board, as the case may be, and shall be decided by a majority of the Members present and voting in the event of an equality of votes the Chairman shall have a casting vote :Provided that the Chairman may, if he thinks fit direct that any matter shall be decided by the circulation of necessary papers and by securing written opinion of the members:Provided further that no decision on any question which is referred under the first proviso shall be taken, unless supported by majority of the members.

16. Method of Voting.

- Voting shall ordinarily be by show of hands but if any member asks for voting by ballot or if the Chairman so decides, the voting shall be by secret ballot and shall be held in such manner as the Chairman may decide.

17. Proceedings of the meetings.

(1)The proceedings of each meeting showing inter alia the names of the members present there shall be forwarded to each member and to the State Government as soon after the meeting as possible and in any case, not less than seven days before the next meeting.(2)The proceeding of each meeting shall be confirmed with such modifications, if any, as may be considered necessary at the next meeting.

Chapter III

Summoning of witnesses by the Committee [] [Words 'Advisory Committee' omitted by Notification No. VI/W3-1022/58L, 19583 dated 22.11.1958.] Or the Board & Production of Documents**

18. Summoning of witnesses and production of documents.

(1)A Committee [**] [Words 'Advisory Committee' omitted by Notification No. VI/W3-1022/58L, 19583 dated 22.11.1958.] or the Board may summon any person to appear before it on a date specified therein and to produce any books, papers or other document and things in his possession or under his control relating in any manner to the enquiry.(2)A summon under sub-rule (1) may be addressed to an individual or an organisation of employers or a registered Trade Union of workers and shall be issued under signature of the Chairman or any person authorised by him in his behalf.(3)A summon under this Rule may be served-(i)in the case of individual, by being delivered or sent to him by registered post;(ii)in 'the case of an employers' organisation or a registered Trade Union of workers, by being delivered or sent by registered post to the secretary or the principal officer of the organisation or Union, as the case may be.(4)The provisions of the Code of Civil Procedure, 1908, relating to the summoning and enforcement of the appearance of witnesses and the production of documents shall, so far as may be apply to proceeding before a committee [**] [Words 'Advisory Committee' omitted by Notification No. VI/W3-1022/58L, 19583 dated 22.11.1958.] or the Board.(5)[All books, papers and other documents or things produced before a Committee [**] [Inserted by G.S.R. 66 dated 26.6.1971.] or the Board in pursuance of a summon issued under sub-rule (1) may be inspected by the Chairman and independent members, and also by such parties as the Chairman may allow with the consent of the other party, but the information so obtained shall be treated as confidential and the same shall be made public only with the consent in writing of the party concerned :Provided that nothing contained in this Rule shall apply to disclosure of any such information for the purpose of a prosecution under Section 173 of the Indian Penal Code (45 of 1860).]

19. Expenses of witnesses.

- Every person who is summoned and appears as witness before the Committee [*] [Words 'Advisory Committee' omitted by Notification No. VI/1022/58 L-19583 dated 29.11.1958.] or the Board shall be entitled to an allowance for expenses incurred by him in accordance with the scale for the time being in force for payment of such allowances to witnesses appearing in civil courts in the State.

Chapter IV

Computation & Payment of Wages, Hours of Work and Holidays

20. Mode of computation of the cash value of wages.

- The wholesale prices at the nearest market, to be selected by the Inspector if there are more than one such market, shall be taken into account in computing in each value of wages paid in kind and of essential commodities supplied at concession rates. This computation shall be made in accordance with such directions as may be issued by the State Government from time to time.

21. Time and conditions of payment of wages and the deductions permissible from wages.

(1)(i)The wages period with respect to any scheduled employment for which wages have been fixed shall not exceed one month and the wages of worker in the employment shall be paid-(a)in the case of establishments in which less than one thousand persons are employed, before the expiry of the seventh day; and(b)in the case of other establishments, before the expiry of the tenth day, after the last day of the wage period in respect of which the wages are payable.(ii)Where the employment of any person is terminated by or on behalf of the employer, the wages earned by him shall be paid before the expiry of the second working day after the day on which his employment is terminated.(iii)The wages of an employed person shall be paid to him without deduction of any kind except those authorised by or under these Rules.(iv)All payments of wages shall be made on a working day.Explanation. - (1) Every payment made by the employed person to the employer or his agent shall for the purposes of these Rules, be deemed to be a deduction from wages.(2)Deductions from the wages of a person employed in a scheduled employment shall be one or more of the following kinds, namely :-(i)fine [in respect of such acts and omissions on the part of the employed person as may be specified by the State Government, by general or special order in this behalf;] [Inserted by Notification No. VI/W3/1022/58/1719583 dated 22.11.1958.](ii)deductions for absence from duty;(iii)deductions for damage to or loss of goods expressly entrusted to the employed person for custody, or for loss of money for which he is required to account, where such damage or loss is directly attributable to his neglect or default;(iv)deductions for house accommodation supplied by the employer [for the State Government or any authority constituted by the State Government for providing housing accommodation;] [Inserted by Notification No. VI/W3/1022/58/1719583 dated 22.11.1958.](v)deductions for such amenities and services supplied by the employer as the State Government may, by general or special order, authorise.Explanation. - The words "amenities and services", in this clause do not include the supply of tools and protective required for the purpose of employment.(vi)deductions for recovery of advances or for adjustment of over payments of wages:Provided that such advances do not exceed an amount equal to wages for two calendar months of the employed person and, in no case, shall the monthly instalment of deduction exceed one fourth of his wages earned in that month;(vii)deductions of Income-Tax payable by the employed person;(viii)deductions required to be made by order of a court or other competent authority;(ix)deductions for subscriptions to, and for payment of advances from any Provident Fund to which the Provident Fund Act, 1925 applies or any recognised Provident Fund as defined in Section 58A of the Indian Income-Tax Act, 1922, or any Provident Fund approved in this behalf by the State Government during the continuance of the approval;(x)deductions for payment to co-operative societies or to a scheme of insurance approved by the State Government;(xi)deductions made for any saving scheme approved by the State Government with the written authority of the

employed person;(xii)[deductions for recovery or adjustment of amounts, other than wages paid to the employed person in error in excess of what is due to him :] [Inserted by Notification No. VI/W3/1022/58/1719583 dated 22.11.1958.] Provided the prior approval of the inspector or any other officer authorised by the State Government in this behalf is obtained in writing before making the deduction, unless the employee given his consent in writing to Such deduction.(3)Any person desiring to impose a fine on an employed person or to make a deduction for damage or loss caused by him shall explain to him personally and also in writing the act or omission or the damage or loss in respect of which the fine or deduction is proposed to be imposed or made and give him an opportunity to offer any explanation in the presence of another person. The amount of the said fine or deduction shall also be intimated to him.(4)The amount of fine or deduction mentioned in sub-rule (3) shall be such as may be specified by the State Government or any officer authorised by them in this behalf. All such deductions and all realisation thereof shall be recorded in a register maintained in Forms I, II and III, as the case may be.[A return in Form III shall be furnished annually, within a time limit as may be notified by the State Government by an employer in respect of employment in a registered factory to the Chief Inspector of Factories, Bihar, and the employer in respect of employment other than in a registered factory to the Labour Officer of the district to which it relates.] [Inserted by Notification No. VI/W3-1022/58/L-19583 dated 22.11.1958.](5)The amount of fine imposed under sub-rule (3) shall be utilised [in accordance with the directions of the State Government or any officer authorised by them in this behalf.] [Substituted by Notification No. VI/W3-1022/58/L-19583 dated 22.11.1958.](6)Nothing in this Rule shall be deemed to affect the provisions of the Payment of Wages Act, 1936.

22. Publicity to the Minimum Wages fixed under the Act.

- [(1) Notices containing the minimum rates of wages fixed together with relevant extracts from the Act, and Rules framed thereunder and the address of the Inspector shall be displayed by every employer in Hindi and in a language understood by the majority of the workers in the employment at a conspicuous place in every factory, workshop or place where the employees are employed, or in the case of out-workers, where out work is given to them or at such other places, as may be selected by the Inspector. Such notices shall be maintained in a clear and legible condition. Such notices shall also be displayed on the notice boards of all Sub-divisional and District offices] [Substituted by S.O.21 dated 6.12.1972.](The extracts from the Act and the rules made thereunder required to be displayed under sub-rule (1) shall be in Form XII.)

23. Weekly holidays.

(1)Unless otherwise permitted by the State Government no worker shall be required to be allowed to work in a scheduled employment on the first day of the week (hereinafter referred to as the said day), except when he has or will have a holiday for whole day on one of three days immediately before or after the said day, [for which he shall receive payment equal to his average daily wages during the preceding week:] [Substituted by Notification No. VI/W8-1091-61-6105 dated 11.12.1961.] Provided that a worker shall be free to work on a day of rest, but not so as to work for more than 10 days consecutively without a holiday for a whole day.(2)Where in accordance with the provision of sub-rule (1) any worker works on the said day and has had a holiday on one of the three

days immediately preceding it, the said day shall, for the purposes of calculating his weekly hours of work, be included in the preceding week. Explanation. - For the purposes of this Rule "week" shall mean a period of seven days beginning at mid-night on Saturday. (2) A worker shall be entitled for work on the day of rest overtime payment at the rate prescribed in Rule 25.

24. Number of hours of work which shall constitute a normal working day.

- [(1) The number of hours which shall constitute a normal day shall be -(a) in the case of an adult-9 hours; (b) in the case of a child-4 hours; (c) in the case of adolescent-6 hours.](2) The working day of an adult worker shall be so arranged that inclusive of the intervals for rest, if any, it shall not spread over more than twelve hours on any day. (3) An Inspector appointed under the Act may require the employer to get an employee, whose age cannot be ascertained by mere appearance, examined by any Medical Officer or Administrative Medical Officer employed under the Employees State Insurance Corporation who will certify the age of the employee. Such Medical Officer shall be entitled to charge a fee of Rs. 4 (four rupees) for examining each such employee and that be paid by the employer. (4) Where an employed person has worked for less than a normal working day, wages proportionate to the hours of work done by him shall be paid to him to the nearest five paise multiple : Provided that if such person has worked for more than three quarters of a normal working day, he shall be deemed to have worked for the full day. (5) The provision of sub-rules (1) to (4) shall, in the case of workers in agriculture employment, be subject to such modifications as may, from time to time, be notified by the State Government. (5A) [No child shall be employed or permitted to work for more than 4 hours on any day; and] [Substituted by G.S.R. 110 dated 24.7.1967.](6) Nothing in this Rule shall be deemed to affect the provision of the Factories Act, 1948 (LXIII of 1948).

24A. Night shift.

- Where a worker in a scheduled establishment works on a shift which extends beyond midnight (a) a holiday for the whole day for the purposes of Rule 23, in his case, means a period of 24 consecutive hours beginning from the time when his shift ends, (b) the following day in such a case shall be deemed to be a period of 24 hours, beginning from the time when such shift ends at the hour of midnight during which such worker was employed in work shall be counted towards his previous day.

25. Extra wages for overtime.

- [(1) When a worker works in any employment for more than 9 hours on any day or for more than 48 hours in any week he shall, in respect of the overtime work, be entitled to wages at double the ordinary rates of wages : Provided that for employment in any mica works, lac manufactory, tea plantation, extra wages for overtime at one and half time the ordinary rate of wages shall be payable to a worker working for more than 48 hours in any week: Provided further that nothing in this Rule shall be deemed to affect the provisions of the Factories Act, 1948. Explanation. - The expression "ordinary rate of wages" means the basic wages plus such allowances including the cash equivalent of the advantages accruing through the concessional sale to the person employed of foodgrains and

other articles as the person employed is for the time being entitled to but does not include a bonus: Provided also that-(i) the total number of over-time work shall not exceed 50 in any quarter; (ii) the spread over, inclusive of intervals for rest shall not exceed 12 hours on any day; and (iii) the total number of hours of work on any day shall not exceed 10. Explanation. - "Quarter" means a period of three consecutive months beginning from the 1st of January, the 1st of April, the 1st of July and the 1st of October.] [Substituted by G.S.R. 110 dated 24.7.1967.](2) A Register showing over-time payment shall be kept in Form IV.

26. [Form of register and records. [Substituted by G.S.R. 119 dated 27.4.1967.]

(1) A register of wages shall be maintained by every employer at the work-spot in Form X. (2) A wage slip in Form XI shall be issued by every employer to every person employed by him at least a day prior to disbursement of wages. (3) Every employer shall get the signature or thumb impression of person employed on the register of wages and wage-slip. (4) Entries in the register of wages and wage-slip shall be authenticated by the employer or any person authorised by him in this behalf. (5) A Muster Roll shall be maintained by every employer and kept in Form V: Provided that State Government may exempt any establishment or class of establishments from the operation of this rule.] [Substituted by S.O. 21 dated 6.12.1972.]

Chapter V

Claims under the Act

27. Application.

- An application under sub-section (2) of Section 20 or subsection (1) of Section 21, by or on behalf of an employed person or group of employed persons, shall be made in duplicate in Forms VI and VII, as the case may be.

28. Authorisation.

- The authorisation to act on behalf of an employed person or persons under sub-section (2) of Section 20 or of sub-section (1) of Section 21 shall be given in Form VIII by an instrument which shall be presented to the Authority hearing the application and shall form part of the record.

29. Appearance of parties.

(1) If an application under sub-section (2) of Section 20 or Section 21 is entertained, the Authority shall serve upon the employer by registered post or special messenger a notice in Form IX to appear before him on a specified date with all relevant documents and witnesses, if any, and shall inform the appellant of the date so specified. (2) If the employer or his representative fails to appear on the specified date, the Authority may hear and determine the application ex-parte. (3) If the applicant or

Serial No. Name Father's/ Husband's name Sex Department Damage or loss caused with date
1 2 3 4 5 6

Whether workers showed cause against deduction,if so enter date Date and amount of the deduction imposed Number of instalment if any Date on which total amount realised Remarks
7 8 9 10 11

Form III[Rule 21 (4)]Annual ReturnReturn of the year ending on the 31st December-

1. (a) Name of the establishment and postal address.

(b)Name and residential address of the owner/ contractor.(c)Name and residential address of the Managing Agent/Director/Partner incharge of the day-to-day affairs of the establishment owned by a Company, Body corporate or Association.(d)Name and residential address of the Manager/Agent, if any.

2. Number of days worked during the year.

*3. Number of days worked during the year.†4. Average daily number of persons employed during the year-(i)Adult.....(iii)Children.....

5. Total Wages paid in cash.....

†6. Total cash value of the wages paid in kind.

7. Deductions-

Number of cases. Total amountRs.P.

(a)Fines.....(b)Deduction for damage or loss.(c)Deduction of breach of contract.

8. Disbursement from fines-

Purpose.(a)...(b)...(c)...

9. Balance of fine found in hand at the end of the year.

Signature.....Designation.....Dated.....* This is the aggregate number of attendance during the year.†The average daily number of persons employed during the year is obtained by dividing the aggregate number of attendance during the number of working days.†Cash value of the wages paid in kind should be obtained by taking the difference between the cost price paid by the employer and the actual price paid by the employees for supplies of essential commodities given at concessional

rates. Form IV [Rule 25 (2)] Overtime register of workers Month ending 20

Serial No.	Name	Father's/ Husband's Name	Sex	Designation and Department	Date on which overtime worked	Extent of overtime on each occasion		
1	2	3	4	5	6	7		
Total overtime worked or production in case of piece workers							Date on which overtime payments made	
8		9	10	11	12	13	14	15

Form V [Rule 25 (5) 7] Muster Roll Name of Establishment Place

Serial No. Name Father's/ Husband's name Sex Nature of work Remarks

For the period ending

Form VI [Form of application by an employee under Section 20 (2)] In the court of the Authority appointed under the Minimum Wages Act, 1948, for area.

Application no. of 20.

(1) (2) (3) Applicant (s)

(through a Legal Practitioner official of Union which is a Registered Trade Union)

Address

versus

(1) (2) (3) opponents

Address

The applicant (s) abovenamed beg (s) respectfully to submit as follows-(1)that- - (2)that- - The applicant(s) has (have) been paid wages at less than the minimum rate of wages. The applicant(s) estimate(s) the value of the relief sought by him (them) at the sum of Rs. The applicant(s) pray(s) that a direction may be issued under sub-section (3) of Section 20 for-(a) Payment of the difference between the wages due according to the minimum rate of wages fixed by the Government and the wages actually paid, and (b) Compensation amounting to Rs. The applicant(s) beg leave to amend or add to or make alteration in the application if any and when necessary.* Signature or thumb impression of the employee(s) or legal practitioner or official of a registered trade union duly authorised. Date The applicant (s) does solemnly declare that what is stated above is true to the best of his (their) knowledge, belief and information. The verification is signed at on day of 20.* Signature or thumb impression of the employee (s) or legal practitioner or official of a registered trade union duly authorised.* When the application is by a group of

employees, thumb impression or signature of two of the applicants need be put to the application and a full list of applicants should be attached to the application. Form VII [Form of application by an Inspector or person acting with the permission of the Authority under Section 20 (2)] In the Court of the Authority appointed under the Minimum Wages Act, 1948, for.....area. Application no. of..... 20(1).....Applicant Addressversus(2).....Opponent: AddressThe applicant abovenamed begs respectfully to submit as follows : (1) that (2) that The opponent is bound to pay wages at the minimum rate of wages fixed by Government but he has paid less wages to the following employees- (1)..... (2)..... (3)..... The applicant estimates the value of the relief sought for the employees at the, sum of Rs. - The applicant prays that a direction may be issued under Sub-section (3) of Section 20 for- (a) Payment of the difference between the wages due according to the minimum rate of wages fixed by Government and the wages actually paid; and (b) compensation amounting to Rs..... The applicant begs leave to amend or add to or make alteration in the application if and when necessary. Signature Date The applicant does solemnly declare that what is stated above is true to the best of his knowledge, belief and information. This verification is signed at on day 20..... Form VIII [Form of Authority in favour of a Legal Practitioner or any Official of a Registered Trade Union referred to in Section 20 (2)] In the Court of the Authority appointed under the Minimum Wages Act, 1948, for- Application no. of 20

(1)..... (2) (3)..... Applicant (s)

versus

(1)..... (2) (3)..... opponents

I hereby authorise Mr a legal practitioner Official of the registered trade union of to appear and act on my behalf in the above described proceeding and to do all things incidental to such appearing and acting. Signature or thumb impression of the employee. Date Form IX [Form of Summons to the Opponent to appear before the Authority when an application under sub-section (2) of section 20 or under Section 21 is entertained] (Title of the application.) To (Name, description and place of residence) Whereas has made the abovesaid application to me under the Minimum Wages Act, 1948, you are hereby summoned to appear before me in person or by a duly authorised agent, able to answer all material questions relating to the application, or who shall be accompanied by some persons able to answer all material questions/able to answer all such questions, on the day of 20 at o'clock in the noon, to answer the claim; and as the day fixed for the appearance is appointed for the final disposal of the application you must be prepared to produce on that day all the witnesses upon whose evidence and all documents upon which you intend to rely in support of your defence. Take notice that, in default of your appearance on the day before mentioned, the application will be heard and determined in your absence. Signature of the Authority Date..... [Form X] [Substituted by G.S.R. No. 119 dated 24.7.1967.] [Rule 26(1)] Register of Wages.

Wage-period from.....	Name of Estt..... Place..... Minimum rates of wages payable
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Serial no.	Name of the employee.	Father's/husband's name	Designation	Basic	D.A.
1	2	3	4	5	6

Rates of wages actually paid	Total attendance/units of work done	Overtime worked	Gross wages payable	
Basic	D.A.			
7	8	9	10	11

Deductions	House-rent	Other deductions	Total deductions	Wages paid	Date of payment	Signature/ thumb-impression of employee.
Employee's contribution to P.F.						
12	13	14	15	16	17	18

[Form XI] [Substituted by G.S.R. No. 119 dated 24.7.1967][Rule 26 (2)] [Inserted by G.S.R. No. 140 dated 5.10.1967.]Wage-Slip.Name of the establishmentPlace

1. Name of employee with father's/husband's name,-
2. Designation-
3. Wage-period-
4. Rate of wages payable-
 - (a) Basic
 - (b) D.A. -
5. Total attendance/unit of work done.
6. Overtime wage-
7. Gross wages payable
8. Total deduction
9. Net wages paid-
 - Pay in charge

Employee's signature/thumb impression.[Form XII] [Inserted by G.S.R. No. 140, dated 5.10.1967.][Rule 22 (2)]Extracts from the Minimum Wages Act, 1948, and the Bihar Minimum Wages Rules, 1951 to be displayed by every employer in Hindi and a language understood by the majority of the workers in the employment.

1. Interpretation (Section 2). - In this Act unless there is anything repugnant in the subject or context-

(a)"adult", "adolescent" and "child" have the meaning respectively assigned to them in Section 2 of Factories Act, 1948;(b)"appropriate Government" means-(i)in relation to any scheduled employment carried on by or under the authority of the Central Government or a Railway Administration, or in relation to a Mine, Oil-Field or major Port or any corporation established by

Central Act, the Central Government; and(ii)in relation to any other scheduled employment, the State Government;(c)"Competent Authority" means authority appointed by the appropriate Government by notification in its Official Gazette to ascertain from time to time the cost of living index-number applicable to the employees employed in the scheduled employment specified in such notification;(d)"cost of living index-number" in relation to employees in any scheduled employment in respect of which minimum rates of wages have been fixed, means the index-number ascertained and declared by the competent authority by notification in the Official Gazette to be the cost of living index-number applicable to the employees in such employment;(e)"employees" means any person who employs, whether directly or through another person, whether on behalf of himself or any other person, one or more employees in any scheduled employment in respect of which minimum rates have been fixed under this Act, and includes except in sub-section (3) of Section 26-(i)in a factory where there is carried on any scheduled employment in respect of which minimum rates of wages have been fixed under this Act any person named under clause (1) of Section 7 of Factories Act, 1948, as manager of the factory;(ii)in any scheduled employment under the control of any Government in India, in respect of which minimum rates of wages have been fixed under this Act, the person or authority appointed by such Government for the supervision and control of employees or where no person or authority is so appointed the head of the department;(iii)in any scheduled employment under any local authority in respect of which minimum rates of wages have been fixed under this Act, person appointed by such authority for the supervision and control of employees or where no person is appointed, the Chief Executive Officer of the local authority;(iv)in any other case where there is carried on any scheduled employment in respect of which minimum rates of wages have been fixed under this Act, person responsible to the owner for the supervision and control of the employees or for the payment of wages;(f)"prescribed" means prescribed by Rules made under this Act;(g)"scheduled employment" means an employment specified in the Schedule, or any process or branch of work forming part of such employment;(h)"wages" means all remuneration, capable of being expressed in terms of money; which would, if the terms of the contract of employment, express or implied, were fulfilled, be payable to a person employed in respect of his employment or of work done in such employment and includes house-rent allowance, but does not include-(i)the value of-(a)any house-accommodation, supply of light, water, medical attendance, or(b)any other amenity or any services excluded by general or special order of the appropriate Government;(ii)any contribution paid by employer to any personal Fund or Provident Fund or under any scheme of social insurance;(i)"employment" means any person who is employed for hire or reward to do any work skilled or unskilled, manual or clerical, in a scheduled employment in respect of which minimum rates of wages have been fixed; and includes an out-worker to whom articles or materials are given out by another person to be made up, cleaned, washed, altered, ornamented, finished, repaired, adopted or otherwise processed for sale for the purpose of the trade or business or that other person where process is to be carried out either in the home of the out worker or some other premises not being premises under the control and management of that other person; and also includes an employee declared to be an employee by the appropriate Government, but does not include any member of the Armed Forces of the Union.(iii)any travelling allowance or the value of any travelling concession.(iv)any sum paid to the person employed to defray special expenses entitled on him by the nature of his employment; or(v)any gratuity payable on discharge;

2. Wages in kind (Section 11). - (1) Minimum wages payable under this Act shall be paid in cash.

(2)Where it has been the custom to pay wages wholly or partly in kind, the appropriate Government being of the opinion that it is necessary in the circumstances of the case may, by notification in the Official Gazette, authorise, the payment of minimum wages either wholly or partly in kind.(3)If the appropriate Government is of the opinion that provision should be made for the supply of essential commodities at concession-rates, the appropriate Government may; by notification in the Official Gazette, authorise the provision of such supplies at concession-rates.(4)The cash value of wages in kind and of concession in respect of supplies of essential commodities at concession-rates authorised under sub-sections (2) and (3) shall be estimated in the prescribed manner.

3. Payment of minimum rates of wages (Section 12) - Where in respect of any scheduled employment a notification under Section 5 is in force, the employer shall pay to every employee engaged in scheduled employment under him wages at a rate not less then the minimum rate of wages fixed by such notification for that class of employees in that employment without any deduction except as may be authorised within such time and subject to such conditions as may be prescribed.

(2)Nothing contained in this Section shall affect the provision of the Payment of Wages Act, 1936.

4. Overtime (Section 14.) - Where an employee, whose minimum rate of wages is fixed under this Act by hour, by the day or by such a longer wages-period as may be prescribed works on any day in excess of the number of hours constituting a normal working day, the employer shall pay him for every hour or part of an hour so worked in excess at the overtime rate fixed under this Act or under law of the appropriate Government for the time being in force, whichever is higher.

(2)Nothing in this Act shall prejudice the operation and the provision of Section 59 of the Factories Act, 1948 in any case where those provisions are applicable.

5. Wages of worker who works for less than normal working day (Section 15). - If an employee whose minimum rates of wages has been fixed under this Act by the day works on any day on which he was employed for the period less than the requisite number of hours constituting a normal working day, he shall, save as otherwise hereinafter provided, be entitled to receive wages in respect of work done by him on that day as if he had worked for a full normal work day;

Provided however, that he shall not be entitled to receive wages for a full normal working day;(i)in any case where his failure to work is caused by his unwillingness to work and not by the omission of the employer to provide him with work; and(ii)in such other circumstances as may be prescribed.

6. Wages of worker who works for less than normal working day (Section 15).

- Where an employee does two or more classes of work to each of which a different minimum rate of wages is applicable, the employer shall pay to such employee in respect of the time respectively occupied in each such class of work, wages at not less than the minimum rate in force in respect of each such class.

7. Minimum time rate wages for piece-work (Section 17). - Where an employee is employed on piece-work for which minimum time rate and not a minimum piece rate has been fixed under this Act, the employer shall pay to such employee wages at not less than the minimum time rate.

8. Power of Inspectors appointed under the Minimum Wages Act (Section 19).

- (1) Subject to any Rules made in this behalf, an Inspector may within the local limits for which he is appointed-

(a)enter, at all reasonable hours, with such assistance (if any), being person in the service of the Government or any local or other public authority, as he thinks fit, any premises or place where employees are employed or work is given out to out-workers in any scheduled employment in respect of which minimum rates of wages have been fixed under this Act, for the purposes of examining any register, record of wages or notices required to be kept or exhibited by or under this Act or rules made thereunder and require the production thereof for inspection;(b)examine any person whom he finds in any such premises or place and who, he has reasonable cause to believe is an employee employed therein or an employee to whom work is given out therein;(c)require any person giving out-work and any out-workers, to give any information, which is in his power to give, with respect to the names and addresses of the persons to, for and from whom the work is given out or received, and with respect to the payments to be made for the work;(d)seize or take copies of such register, record of wages or notices or portions thereof as he may consider relevant in respect of an offence under this Act which he has reason to believe has been committed by an employer; and(e)exercise such other powers as may be described.(2)Every Inspector shall be deemed to be a public servant within the meaning of the Indian Penal Code, 1860 (XLV of 1860).(3)Any person required to produce any document or thing or to give any information by an Inspector under sub-section (2) shall be deemed to be legally bound to do so within the meaning of Section 175 and Section 176 of the Indian Penal Code, 1860 (XLV of 1860).

9. Claims (Section 20) - (1) The appropriate Government may, by notification in the Official Gazette, appoint any Commissioner for Workmen's Compensation or any officer of the Central Government exercising functions as a Labour Commissioner for any region, or any officer of the State Government not below the rank of Labour Commissioner for any region, or any other officer with experiences as a Judge of Civil Court or as a Stipendiary Magistrate to be the Authority to hear and decide for any specified area all claims arising out of payment of less than the minimum rates of wages or in respect of the payment of remuneration for days of rest or for work done on such days under clause (b) or clause (c) of sub-section (1) of Section 3 or of wages at the overtime rate under Section 14 to employees employed or paid in that area.

(2) When an employee has any claim of the nature referred to in sub-section (1), the employee himself, or any legal practitioner or any official of a registered trade union authorised in writing to act on his behalf, or any Inspector, or any person acting with the permission of the Authority appointed under sub-section (1), may apply to such Authority for a direction under sub-section (3): Provided that every such application shall be presented within six months from the date on which the minimum wages or other amount become payable: Provided further that any application may be admitted after the said period of six months when the applicant satisfies the Authority that he had sufficient cause for not making the application within such period. (3) When any application under sub-section (3) is entertained the Authority shall hear the applicant and the employer; or give them an opportunity of being heard, and after such further enquiry, if any as it may consider necessary, may without prejudice to any other penalty to which the employer may be liable under this Act, direct—(i) in the case of a claim arising out of payment of less than the minimum rates of wages, the payment to the employee of the amount by which the minimum wages payable to him exceed the amount actually paid, together with the payment of such compensation as the Authority may think fit, not exceeding ten times the amount of such excess; (ii) in any other case, the payment of the amount due to the employee, together with the payment of such compensation as the Authority may think fit, not exceeding ten rupees; and the Authority may direct payment of such compensation in case where the excess or the amount due is paid by the employer to the employee before disposal of the application. (4) If the Authority hearing any application under this Section is that it was either malicious or vexatious, it may direct that a penalty not exceeding fifty rupees be paid to the employer by the person presenting the application. (5) Any amount directed to be paid under this Section may be recovered—(a) if the Authority is a Magistrate, by the Authority as if it were a fine imposed by the Authority as a Magistrate; or (b) if the Authority is not a Magistrate, by any Magistrate to whom the Authority makes application in this behalf, as if it were a fine imposed by such Magistrate. (6) Every direction of the Authority under this Section shall be final. (7) Every Authority appointed under sub-section (1) shall have all the powers of a Civil Court under the Code of Civil Procedure, 1908 (V of 1908), for the purpose of taking evidence and of enforcing the attendance of witnesses and compelling the production of documents, and every such Authority shall be deemed to be a Civil Court for all the purpose of Section 195 and Chapter XXXV of the [Code

of Criminal Procedure, 1898] [Presently Cr.P.C. of 1973.].

10. Single application in respect of a number of employees (Section 21). - (1) Subject to such Rules as may be prescribed, a single application may be presented under Section 20 on behalf or in respect of any number of employees employed in the scheduled employment in respect of which minimum rates of wages have been fixed and in such cases the maximum compensation which may be awarded under sub-section (3) of Section 20 shall not exceed ten times the aggregate amount of such excess or ten rupees per head, as the case may be.

(2)The authority may deal with any number of separate pending applications presented under Section 20 in respect of employees in the scheduled employments in respect of which minimum rates of wages have been fixed, as a single application presented under sub-section (1) of this Section and the provisions of that subsection shall apply accordingly.

11. Penalties for certain offences (Section 22). - Any employer who-

(a)pays to any employee less than the minimum rates of wages fixed for that employee's class of work or less than the amount due to him under the provisions of this Act, or(b)contravene any Rule or order made under Section 13, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees or with both :Provided that in imposing any fine for an offence under this section, the Court shall take into consideration the amount of any compensation already awarded against the accused in any proceedings taken under Section 20.

12. General provision for punishment of other offences (Section 22A). - Any employer who contravenes any provision of this Act or of any Rule or order made thereunder shall, if no other penalty is provided for such contravention by this Act, be punishable with fine which may extend to five hundred rupees.

13. Cognizance of offences (Section 22B). - (1) No Court shall take cognizance of a complaint against any person for an offence-

(a)under clause (a) of Section 22 unless an application in respect of the facts constituting such offences has been presented under Section 20 and has been granted wholly or in part and the appropriate Government or an officer authorised by it in this behalf has sanctioned the making of the complaint.(b)under clause (b) of Section 22 or under Section 22A, except on a complaint made by, or with the sanction of an Inspector.(2)No Court shall take cognizance of an offence-(a)under clause (a) or clause (b) of Section 22, unless complaint thereof is made within one month of the

grant of sanction under the Section;(b)under Section 22A, unless complaint thereof is made within six months of the date on which the offence is alleged to have been committed.

14. Offence by Companies (Section 22C). - (1) If the person committing any offence under this Act is a company, every person who at the time the offence was committed, was in charge of, and was responsible to the company for the conduct of business of the company as well as the company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without the knowledge or that he exercised all due diligence to prevent the commission of offence.(2)Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager or secretary or other officer of the company shall also be deemed to be guilty of that offence and shall be proceeded against and punished accordingly.Explanation. - For the purpose of this section-(a)"company" means anybody corporate and includes a firm or other association of individual; and(b)"director" in relation to a firm means a partner in firm.

15. Payment of undisbursed amounts due to employees (Section 22D). - All amounts payable by an employer to an employee as the amount of minimum wages of the employees under this Act or otherwise due to the employee under this Act or any Rule or order made thereunder if such amounts could not or cannot be paid to the employee on account of his death before payment or on account of his whereabouts not being known be deposited with the prescribed authority who shall deal with the money so deposited in such manner as may be prescribed.

16. Bar of suits (Section 24). - No court shall entertain any suit for the recovery of wages in so far as the sum so claimed-

(a)forms the subject of an application under Section 20 which has been presented by or on behalf of plaintiff, or(b)has formed the subject of a direction under the Section in favour of the plaintiff; or(c)has been adjudged in any proceeding under the Section not to be due to the plaintiff; or(d)could have been recovered by an application under that Section.

17. Contracting out (Section 25). - Any contract or agreement, whether made before or after the commencement of this Act whereby employer either relinquishes or reduces his right to a minimum rate of wages or any privilege or concession accruing to him under this Act, shall be null and void in so far as it purports to reduce the minimum rate of wages fixed under this Act.

18. Mode of computation of the cash value of wages (Rule 20) - The retail prices at the nearest market, to be selected by the Inspector if there are more than one such market shall be taken into account in computing the cash value of wages paid in kind of essential commodities supplied at concession rates. This computation shall be made in accordance with such directions as may be issued by the State Government from time to time.

19. Time and conditions of payment of wages and the deductions permissible from wages (Rule 21). - (1) (i) The wage period with respect to any scheduled employment for which wages have been fixed shall not exceed one month and the wages of a worker in such employment shall be paid-

(a) in the case of establishments in which less than one thousand persons are employed, before the expiry of the seventh day, and (b) in the case of other establishments, before the expiry of the tenth day, after the last day of the wages period in respect of which the wages are payable. (ii) Where the employment of any person is terminated by or on behalf of the employer, the wages earned by him shall be paid before the expiry of the second working day after the day on which his employment is terminated. (iii) The wages of employed person shall be paid to him without deduction of any kind except those authorised by or under these Rules. (iv) All payments of wages shall be made on a working day. Explanation. - Every payment made by the employer to the employed person or his agent shall for the purpose of these Rules be deemed to be a deduction from wages. (2) Deduction from the wages of a person employed in a scheduled employment shall be of one or more of the following kinds namely :-(i) fines; (ii) deductions for absence from duty; (iii) deductions for damage to or loss of goods expressly entrusted to the employed person for custody, or for loss of money of which he is required to account, where, such damage or loss is directly attributable to neglect or default; (iv) deduction for house accommodation supplied by the employer or the State Government or any authority constituted by the State Government for providing accommodation; (v) deductions for such amenities and services supplied by the employer as the State Government may by general or special order authorise. Explanation. - The words "amenities and service" in this clause do not include the supply of tools and protectives required for the purposes of employment. (vi) deductions for recovery of advance for adjustment of over payment of wages: Provided that such advances do not exceed an amount equal to wages for two calendar months of the employed person and in no case, shall the monthly instalment of deduction exceed one fourth of the wages earned in that month; (vii) deductions of Income-Tax payable by the employed person; (viii) deductions required to be made by order of a court or other competent authority; (ix) deductions for subscriptions to, and

for re-payment of advances from any Provident Fund to which the Provident Fund Act, 1925 applies or any recognised Provident Funds as defined in Section 58A of the Indian Income Tax Act, 1992, or any Provident Fund approved in this behalf by the State Government during the continuance of such approval;(x)deductions for payment to co-operative societies to a scheme of insurance approved by the State Government;(xi)deductions made for any saving scheme approved by the State Government with the written authority of the employed person;(xii)deductions for recovery or adjustment of amount other than wages paid to the employed person in error or in excess of what is due to him:Provided that the prior approval of the Inspector or any other officer authorised by the State Government in this behalf is obtained in writing before making the deductions, unless the employee gives his consent in writing to such deductions.(3)Any person desiring to impose a fine on an employed person or to make a deduction for damage or loss caused by him shall explain to him personally and also in writing the act or omission or the damage or loss in respect of which the fine or deduction is proposed to be imposed or made and give him an opportunity to offer any explanation in the presence of another person.The amount of the said fine or deduction shall also be intimated to him.(4)The amount of fine or deduction mentioned in sub-rule (3) shall be such as may be specified by the State Government or any officer authorised by them in this behalf. All such deductions and all realisations thereof shall be recorded in a register maintained in Form 8 I, II and III, as the case may be. A return in Form III shall be furnished annually, within a time limit as may be notified by the State Government, by an employer in respect of employment in a registered factory to the Chief Inspector of Factories, Bihar and by an employer in respect of employment other than in a Registered Factory to the Labour Officer of the district to which it relates.[Note. - By notification no. VIA/V3-1056.L-957, dated 14th January, 1959, the State Government has fixed the 31st January as the date by which the Annual Return in Form III is required to be submitted by every employer.](5)The amount of fine imposed under sub-rule (3) shall be utilised in accordance with the directions of State Government or any officer authorised by them in this behalf.(6)Nothing in this Rule shall be deemed to affect the provision of the Payment of Wages Act, 1936.

20. Publicity to the minimum wages fixed under the Act (Rule 22). - (1)

Notices containing the minimum rates of wages fixed together with relevant extracts from the Act and the Rules framed thereunder and the address of the Inspector shall be displayed to every employer in Hindi and in a language understood by the majority of the worker in the employment at a conspicuous place in every factory, workshop or place where the employees are employed, or in the case of out worker where out work is given to them or at such other place, as may be selected by the Inspector. Such notices shall be maintained in a clean and legible condition.

(2)The extract from the Act and the Rules made thereunder required to be displayed under sub-rule (1) shall be in Form XII.

21. Weekly holidays (Rule 23). - (1) Unless otherwise permitted by the State Government, no worker shall be required or allowed to work in scheduled employment on the first day of the week (hereinafter referred to as the said day) except when he has or will have a holiday for the whole day on one of the three days immediately before or after the said day for which he shall receive payment equal to his average daily wages during the preceding week:

Provided that a worker shall be free to work on a day of rest but not so, as to work for more than ten days consecutively without a holiday for a whole day.(2)Where in accordance with the provision of sub-rule (1) any worker works on the said day and has had a holiday on one of the three days immediately preceding it, the said day shall, for the purposes of calculating his weekly hours of work, be included in the preceding week.Explanation. - For the purposes of this Rule 'week' shall mean a period of seven days beginning at midnight on Saturday night.(3)A worker shall be entitled for work on the day of rest to overtime payment at the rate prescribed in Rule 25.

22. Number of hours of work which shall constitute a normal working day (Rule 23). - (1) The number of hours which shall constitute a normal working day shall be-

(a)in the case of an adult, 9 hours,(b)in the case of a child, 4 hours, and(c)in the case of an adolescent, 6 hours:Provided that the number of hours of work which shall constitute a normal working day for employment in any mica works, any lac manufactory or any tea plantation shall be, in the case of an adult, 8 hours.(2)The working day of an adult worker shall be so arranged that inclusive of the intervals for rest if any, it shall not spread over more than twelve hours on any day.(3)An Inspector appointed under the Act may require the employer to get an employee whose age cannot be ascertained by mere appearance, examined by a Medical Officer or Administrative Medical Officer employed under the Employee's, State Insurance Corporation who will certify the age of the employee. Such a Medical Officer shall be entitled to charge a fee of Rs. 4 (four rupees) for examining each such employee and that shall be paid by the employer.(4)Where an employed person has worked for less than a normal working day, wages proportionate to the hours of work done by him shall be paid to him to the nearest five paise multiple:Provided that if such person has worked for more than three quarters of a normal working day, he shall be deemed to have worked for the full day.(5)The provisions of sub-rules (1) to (4) shall in the case of workers in agricultural employment, be subject to such modifications as may from time to time, be notified by the State Government.(6)No child shall be employed or permitted to work for more than four hours on any day.(7)Nothing in this Rule shall be deemed to affect the provisions of the Factories Act, 1948 (LXIII of 1948).

23. Extra wages for overtime (Rule-25). - (1) When a worker works in an employment other than an employment in any Mica Works, any Lac Manufactory or any Tea Plantation, for more than 9 hours on any day or for more than 48 hours in week, he shall in respect of overtime work, be entitled to wages at one and half times his ordinary rate of wages :

Provided that for employment in any mica works, any lac manufactory or any tea plantation, extra wages for overtime at one and half time the ordinary rate of wages shall be payable to a worker working for more than 9 hours on any day or for more than 48 hours in any week: Provided further that nothing in this Rule shall be deemed to affect the provisions of the Factories Act, 1948. Explanation. - The expression "ordinary rate of wages" means the basic wages plus allowances including the cash equivalent of the advance accruing through the concessional sale to the person employed of foodgrains and other articles as the person employed is for the time being entitled to but does not include a bonus: Provided also that:-(i) the total number of hours of overtime work shall not exceed 50 in any quarter; (ii) the spread over, inclusive of intervals for rest shall not exceed 12 hours on any day; and (iii) the total number of hours of work on any day shall not exceed 10. Explanation. - "Quarter" means a period of three consecutive months beginning from the 1st of January, the 1st of April, the 1st of July and the 1st of October. (2) A register showing overtime payments shall be kept in Form IV.

24. Form of registers and records (Rule 26). - (1) A register of wages shall be maintained by every employer at the workshop in Form X.

(2) Wages slips in Form XI shall be issued by every employer to every person employed by him at least a day prior to the disbursement of wages. (3) Every employer shall get the signature or the thumb impression of every person employed on the register of wage slip. (4) Entries in the register of wages and wage slip shall be authenticated by the employer or any person authorised by him in this behalf. (5) A Muster Roll shall be maintained by every employer and kept in Form V: Provided that the State Government may exempt any establishment or class of establishments from the operation of this Rule.

25. Application (Rule 27). - An application under sub-section (2) of Section 20 or sub-section (1) of Section 21, by or on behalf of an employed person, shall be made in duplicate in Forms VI and VII, as the case may be.

26. Authorisation (Rule 28). - The authorisation to act on behalf of an employed person or persons, under sub-section (1) of Section 20 or sub-section (1) of Section 21 shall be given in Form VIII by an instrument which shall be presented to the Authority hearing the application and shall form part of the record.

Address of Inspector-.....Notification under section 2(c) Notification No. 8746-NI-46/481, dated the 16th November, 1949. - In exercise of the powers conferred by clause (c) of Section 2 of the Minimum Wages Act, 1948 (XI of 1948), the Governor of Bihar is pleased to appoint the Commissioner of Labour, Bihar to be the "Competent Authority" to ascertain from time to time the cost of living index number applicable to the employees employed in the Province of Bihar in the Scheduled employments of the kinds referred to in sub-clause (ii) of clause (b) of the said section. For Hard Coke Ovens [The 5th May, 2003] S.O. 126, dated the 28th May, 2003. - The following draft of proposal to revise the minimum rates of wages fixed in the State Government Notification S.O. No. 47, dated 5th January, 1996 for certain categories of employees employed in the Hard Coke Ovens in the State of Bihar which the Governor of Bihar proposes to make in exercise of powers conferred by clause (a) of sub-section (1) of Section 3 of the said Act is hereby published as required by clause (b) of sub-section (1) of Section 5 of the said Act for the information of persons likely to be affected thereby and notice is hereby given that the said purpose will be taken into consideration after two months from the date of publication of this notification in the Bihar Gazette. Any objection or suggestion which may be received from any person in respect of the said proposal on or before the date of expiry of the said period of two months shall be considered by the State Government. Draft Proposal

Schedule

1. Skilled -	Minimum rates of wages (Rs. per day)
(i) Fireman	82.52
(ii) Bhatta Mistry	82.52
(iii) Fitter Mistry	82.52
(iv) Black Smith	82.52
(v) Electrician	82.52
(vi) Chairman	82.52
2. Semi Skilled -	
(i) Trolleyman	66.73
(ii) Pump Khalasi	66.73
(iii) Electric Helper	66.73
3. Unskilled -	
(i) Crusher Loader	64.62
(ii) Bhatta Stracker	64.62
(iii) Truck Loader	64.62
(iv) Crane Mazdoor	64.62
(v) Chowkidar and Peon	64.62
4. Supervisory Staff	2009.17 per month
5. Munsi	2009.17 per month
6. Typist/Clerk	2009.17 per month

Note. - (a) The minimum rates of wages are fixed based on the All India Average Consumer Price Index Number (1960-100) 2303.13 Which is the average of the indices of the second half of the year 2001 (July-December). (b) Conversion of the monthly rate of wages into daily rates of wages and vice-versa shall be worked out by dividing the monthly rates by 26 and by multiplying the daily rates by 26. (c) The proposed rates of minimum wages above include of the remuneration payable to the employee in respect of the day of rest in every period of seven days. (d) An employee shall for the work done on the weekly day of rest be entitled to overtime payment as the rate prescribed in Rule 25 of the Bihar Minimum Wages Rules, 1951. (e) Men and Women workers shall get the same rates of wages for the same work or a similar nature.

Explanation. - (a) Unskilled work means work which involves simple operations requiring little or no skill or experience on the job. (b) Semi-skilled work means work which involves some degree of skill or competence acquired there through experience on the job and which is capable of being performed under the supervision or guidance of a skilled employee and includes unskilled supervisory workers. (c) Skilled works is one which involves skill or competence acquired through experience on the job or through training as an apprentice in technical or vocational institute and the performance of which calls for initiative and Judgement. (d) Highly Skilled work means work which call for a degree perfection and full competence in performance of certain tasks acquired through intensive technical or professional training or practical work experience for long year and also requires of a worker to assume full responsibility for the Judgement or decisions involved in the execution of these tasks.

For Minor Engineering Industries [The 13th August, 2003] S.O. 174, dated the 5th September, 2003. - In exercise of the powers conferred by Section 3 of the Minimum Wages Act, 1948 (XI of 1948), the Governor of Bihar is pleased to declare that the Consumer Price Index Number applicable to the employees employed in employment mentioned in column-2 of Schedule I hereto appended (hereinafter referred to as the schedule employment) for the month shown in column-3 of the said schedule shall be as shown in column-4 of the said schedule for the purpose of clause (d) of Section 2 of the said Act.

I

Sl. No.	Schedule Employment	Month and Year	Index No.
1	2	3	4
		January,	
	Minor Engineering Industry (Excluding	2001 February,	
	Automobile	2001 March,	2193.852183.992193.852208.642223.432253.01
1.	Engineering Shops)	2001 April, 2001 May, 2001	
		2001 June,	
		2001	

These rates of variable Dearness allowances will be based on the average of All India Consumer Price Index on which the variable Dearness Allowance has been fixed/revised in the above schedule employments. There will be increase or decrease in wage of rates shown in column-4 with rise or fall the case may be in aforesaid index of the above schedule employment and will be deemed as variable Dearness Allowance components. But even if the index falls below the point on which minimum rates of wages have been fixed/revised there will not be any reduction in the minimum wages

fixed/revised. The payment of variable Dearness Allowance on the basis of average index of January-June, 2001 will be payable at the aforesaid rate from October 2001 and thereafter increase or decrease in the amount of variable Dearness Allowance will be based on the average of All India consumer price index number for every six months and will be applicable after the expiry of 3 months after the said period of six months. For Rice Mill (Flattered) [The 2nd December, 2003] S.O. 209, dated the 31st December, 2003. - The following draft of proposal to fix the Minimum rates of wages first time for certain categories of employees employed in the Flattered rice mill in the State of Bihar which the Governor of Bihar proposes to make in exercise of powers conferred by clause (a) of sub-section (1) of Section 3 of the said Act is hereby published as required by clause (b) of subsection (1) of Section 5 of the said Act for the information of persons likely to be affected thereby and notice is hereby given that the said proposal will be taken into consideration after two months from the date of publication of this notification in the Bihar Gazette. Any objection or suggestion which may be received from any person in respect of the said proposal on or before the date of expiry of the said period of two months shall be considered by the State Government. Draft Proposal

Schedule 3

Serial No. Categories of employees. Minimum rate of wages.

- | | | |
|----|---------------------|------------------------|
| 1. | Unskilled | Rs. 68.00 per day. |
| 2. | Semi skilled | Rs. 72.00 per day. |
| 3. | Skilled | Rs. 87.00 per day. |
| 4. | Highly skilled | Rs. 106.00 per day. |
| 5. | Supervisor/Clerical | Rs. 1947.00 per month. |

Notes. -(a) The minimum rates of wages are based on the All India Consumer Price Index Number (1960-100) 2414 which is the average of the indices of the first half of the year 2003 (January-June). (b) The proposed rates of Minimum wages shall be within the meaning of clause (iii) of sub section (1) of Section 4 of the Minimum Wages Act, 1948. (c) Conversion of the monthly rate of wages into daily rates of wages and vice-versa shall be worked out by dividing the monthly rates by 26 and by multiplying the daily rates by 26. (d) The proposed rates of Minimum wages above include of the remuneration payable to the employee in respect of the day of rest in every period of seven days. (e) An employee shall for the work done on the weekly day of rest be entitled to overtime payment at the rate prescribed in Rule 25 of the Bihar Minimum Wages Rules, 1951. (f) Men and women workers shall get the same rates of wages for the same work or a work of similar nature. Explanation-(A) Unskilled work means work which involves simple operation requiring little or no skill or experience on the job. (B) Semi-skilled work means work which involves some degree of skill or competence acquired through experience on the job and which is capable of being performed under the supervision or guidance of a skilled employee and includes unskilled supervisory workers. (C) Skilled works is that which involves skill or competence required through experience on the job or through training as an apprentice in technical or vocational institute and the performance of which calls for initiative and Judgement. (D) Highly skilled work means work which calls for a degree of perfection and full competence in performance of certain tasks acquired through intensive technical or professional training or practical work experience for long years and also requires of worker to assume full responsibility for the Judgement or decisions involved in the execution of these tasks. For Distilleries [The 20th May, 2004] S.O. 37, dated the 30th May, 2004. - In exercise of

the powers conferred by clause (b) of sub-section (1) of Section 3 of the Minimum Wages Act, 1948 (11 of 1948) read with sub-section (2) of Section 5 of the said Act and after having considered all the representation received on the proposal notified under clause(b) of sub-section (1) of Section 5 of the said Act and also after consulting the Bihar minimum Wages Advisory Board, the Governor of Bihar is pleased to revise the Minimum Rates of wages fixed in Labour, Employment and Training Department's Notification No. S.O. 49 dated 5th January 1996 for certain categories of employees employed in the employment in "Distilleries" in the State of Bihar, as specified in column 3 of the Schedule hereto annexed against each such category of employees specified in the corresponding entry in column 2 thereof, which shall be payable in the whole of the State of Bihar to such different categories of employees employed in the said employment.

2. The Minimum rates of wages so revised shall be within the meaning of clause (iii) of sub-section (a) of Section 4 of the said Act.

3. This notification shall come into force with effect from the date of its issue.

Serial No.	Categories of employees	Minimum rates of wages
		Rs. per day
1.	Un-skilled	68.00
2.	Semi-skilled	70.00
3.	Skilled	86.00
4.	Highly skilled	98.00
5.	Supervisory/Clerical	1935.00 Per month

Note-(a) The minimum rates of wages above are based on the All India consumer Price Index Number (1960-100) 2414 which is the average of the indices of the First half of the year 2003 (January-June).(b)Conversion of the monthly rates of wages into daily rates of wages and vice-versa shall be worked out by dividing the monthly rates by 26 and by multiplying the daily rates by 26.(c)The minimum rates of wages above are inclusive of the remuneration payable to the employees in respect of the day of rest in every period of seven days.(d)An employee shall for the work done on the weekly day of rest, entitled to overtime payment at the rate prescribed in Rule 25 of Bihar Minimum Wages Rules 1951.(e)Men and women workers shall get the same rates of wages for the same work or work of similar nature.Explanation-(a) "Un-skilled" means work which involves simple operation, requiring little or no skill or experience on the job.(b)"Semi-skilled" work means work which involves some degree of skill or competence acquired through experience on the job and which is capable of being performed under the supervision or guidance of a skilled employee and includes un-skilled supervisory work.(c)"Skilled work" is one which involves skill or competence acquired through experience on the job or through training as an apprentice in a technical or vocational institute and the performance of which calls for initiative and judgement.(d)"Highly skilled work" means work which calls for a degree of perfection and full competence in performance of certain tasks, acquired through intensive technical or professional training or practical work experience for long years and also requires of a worker to assume full responsibility for the Judgement or decisions involved in the execution of these tasks.For Bakeries & Confectionaries[5th

June, 2004]S.O. 93, dated the 30th June, 2004. - In exercise of the powers conferred by clause (b) of sub-section (1) of Section 3 of the Minimum Wages Act, 1948 (11 of 1948), read with sub-section (2) of Section 5 of the said Act and after having considered all the representations received on the proposal notified under clause (b) of sub-section (1) of Section 5 of the said Act and also after consulting the Bihar Minimum Wages Advisory Board, the Governor of Bihar is pleased to revise the minimum rates of wages fixed in Labour and Employment Department's Notification No. S.O. 7, dated 5th January 1996 for certain categories of employees employed in the employment in "Bakeries and Confectionaries" in the State of Bihar as specified in column 3 of the schedule hereto annexed against each such category of employees specified in the corresponding entry in column 2 thereof which shall be payable in the whole of the State of Bihar to such different categories of employees employed in the said employment.

2. The minimum rates of wages so revised shall be within the meaning of clause (iii) of sub-section (1) of Section 4 of the said Act.

3. This notification shall come into force with effect from the date of issue.

Schedule 4

Sl. No.	Category of employees	Minimum rates of wages
1	2	3
		Rs.
1.	Unskilled	68.00 per day
2.	Semi-skilled (existing designation, Like Mistri, Karigar, etc.)	70.00 per day
3.	Skilled (trained in the technique of biscuit making and bakery and confectionary)	72.00 per day
4.	Highly skilled (having proper training with appropriate degree).	101.00 per day
5.	Clerk	1821.00 per month
6.	Senior Clerk (including Accountant and Cashier).	2017.00 per month
7.	Salesman	1821.00 per month
8.	Typist	1978.00 per month
9.	Van Driver	1821.00 per month

Notes. - (a) The minimum rates of wages above are based on the All India Average Consumer Price Index Number (1960=100) 2414 which is the average of the Index of the first half of the year 2003 (January-June). (b) Conversion of the monthly rates of wages into daily rates of wages and daily rates of wages into monthly rates of wages shall be worked out by dividing the monthly rates by 26 and by multiplying the daily rates by 26 respectively. (c) The proposed rates of minimum wages above are inclusive of the remuneration payable to the employees in respect of the day of rest in every period of seven days. (d) An employee shall for the work done on the weekly day of rest be entitled to overtime payment at the rate prescribed in Rule 25 of the Bihar Minimum Wages Rules,

1951.(e) Men and women worker shall get the same rates of wages for the same work or work of a similar nature. For Shops Selling Cooked Food [The 9th June, 2004] S.O. 97, dated the 30th June, 2004. - In exercise of the powers conferred by Clause (b) of sub-section (1) of Section 3 of the Minimum Wages Act, 1948 (11 of 1948) read with sub-section (2) of Section 5 of the said Act and after having considered all the representation received on the proposal notified under clause (b) of sub-section (1) of Section 5 of the said Act and also after consulting the Bihar Minimum Wages Advisory Board the Governor of Bihar is pleased to revise the minimum rates of wages fixed in Labour, Employment and Training Department's Notification No. S.O. 77, dated 5th January 1996 for certain categories of employees employed in the employment in "shops selling cooked food stuff" in the State of Bihar as specified in columns 3, 4, 5 and of the schedule hereto annexed against each such category of employees specified in the corresponding entry in column 2 thereof which shall be payable in the whole of the State of Bihar to such different categories of employees employed in the said employment.

2. The minimum rates of wages so revised shall be within the meaning of clause (iii) of sub-section (a) of Section 4 of the said Act.

3. This notification shall come into force with effect from the date of its issue.

Schedule 5

Sl. No.	Categories of Employees	Patna	For Municipal areas.	For Other areas excluding those mentioned incols. 3 and 4.
1	2	3	4	5
		Rs. Per month	Rs. per month	Rs. Per month.
1.	Un-skilled	1961.00	1905.00	1761.00
2.	Semi-skilled	2059.00	1981.00	1819.00
3.	Skilled	2196.00	2157.00	2117.00
4.	Head karigaror Head Halwai	2350.00	2272.00	2196.00
5.	Cashier, Clerk, Store Keeper	2544.00	2371.00	2350.00

The amount of Food and Nasta is included in the above rates. Explanation - The Prevailing designation and duties assigned to the different categories mentioned in column (2) are as follows:

Sl. No.	Categories of employees.	Prevailing designation	Duties assigned
1	2	3	4
1.	Un-skilled Mazdoor	Masalchi, Mazdoor, Water man, Wash boy, Sweeper.	To clean premises to grind spices and other materials for preparation of cooked food stuff and to do other unskilled works accordingly.

2.	Semi-skilledMazdoor	(i) Joogari-helper	To assist thekarigarorHalwaiin preparationof cooked food stuff to grind cooked materials and to do otherincidental work.
		(ii) Salesman	To attend customers on the counter and give delivery ofprepared food stuff across the counter and other incidentalwork.
		(iii)Darwan, Chowkidar,Peon, watchman	To watch and guard the properties of the establishment and todo other work connected the rate.
3.	SkilledMazdoor	Karigar Halwai,Dosa Master, Ice-cream Mistry.	To prepare and cook sweetmeats ice-cream and other items ofcooked food stuff.
4.	Headkarigar,HeadHalwai		As for otherkarigarsorHalwaiand in additionsupervision of personnel and arrangements for preparation ofcooked food stuff.
5.	Cashier, Clerk, Store-Keeper		Keeping of each record entrusted to him for making payment,maintenance of receipts and disbursements typing and orelectrical work making of Bill re-custody of stores andmaintenance of records thereof.

Notes-(a) The minimum rates of wages above are based on the All India Average Consumer Price Index Number (1960=100) 2414 which is the average of the indices of first half of the year 2003 (January- June).(b)The rates given in to schedule are monthly rates. Conversion of the monthly rates of wages into daily rates of wages shall be worked out by dividing the monthly rates by 26.(c)The monthly rates of minimum wages are inclusive of the remuneration payable to the employees in respect of the day of rest in every period of seven days.(d)An employee shall for the work done on the weekly day of rest, be entitled to overtime payment at the rate as prescribed in Rule 25 of the Bihar Minimum Wages Rules, 1951.(e)Men and Women workers shall get the same rates of wages for the same work or work of a similar nature.For Mica Factories etc.[The 11th October, 2004]S.O. 199, dated the 1st December, 2004. - In exercise of the powers conferred by sub-section (1) of Section 3 of the Minimum Wages Act, 1948 (11 of 1948) read with sub-section (2) of Section 5 of the said Act and after having considered all the objections and suggestions received on the proposal notified under clause (b) of sub-section (1) of Section 5 of the said Act and also after having consulted the Bihar Minimum Wages Advisory Board, the Governor of Bihar is pleased to revise the minimum rates of wages for certain categories of employees employed in the employment in 'Mica Work' (Factories and Establishments excluding mines) fixed in the labour and Employment's Notification No. S.O. 61 dated the 5th January 1996 as specified in column 3 of the schedule hereto annexed against each such categories of employees specified in the corresponding entry in column 2 thereof, which shall be payable in the whole of the State of Bihar to such different categories of employees employed in the said employment.

2. The minimum rates of wages so revised shall be within the meaning of clause (iii) of sub section (1) of Section 4 of the said Act.

3. This notification shall come into force with effect from the date of its issue.

Schedule 6

Sl. No.	Category of employees	Revised rates of minimum wages	
1	2	3	
1.	Manager	2309.00	Rs. per month
2.			
3.	Electrician	2085.00	"
4.	Truck Khalasi	1761.00	"
5.	Time Keeper	2085.00	"
6.	Clerk or Munshi	2032.00	"
7.	Typist	2196.00	"
8.	Store Clerk	1975.00	"
9.	Accountant	2309.00	"
10.	Accounts Clerk	1975.00	"
11.	Cashier	2316.00	"
12.	Supervisor	1931.00	"
13.	Office bearer	1765.00	"
14.	Motor Mechanic and fitter	2228.00	"
15.	Motor Driver	2021.00	"
16.	Latheman	1914.00	"
17.	Driller	1914.00	"
18.	Turner	1914.00	"
19.	Durban or Chowkidar	1765.00	"
20.	Sardar or Checker	74.00	Rs. per day
21.	Carpenter	87.00	"
22.	Unskilled Adult worker		
	(a) Category-1	70.00	"
	(b) Category-2	68.00	"
23.	Adolescent unskilled Mazdoor	68.00	"
24.	Piece rated Mazdoor	70.00	"

Notes. -(a)The minimum rates of wages above are based on the All India Average Consumer Price Index Number (1960=100) 2414 which is the average of the index of the first half of the year 2003 (January-June).(b)Conversion of the monthly rates of wages into daily rates of wages into monthly

rates of wages shall be worked out by dividing the monthly rates by 26 and by multiplying the daily rates by 26.(c)The proposed rates of minimum wages above are inclusive of the remuneration payable to the employees in respect of the day of rest in every period of seven days.(d)An employee shall, for the work done on the weekly day of rest be entitled to overtime payments at the rate prescribed in Rule 25 of the Bihar Minimum Wages Rule 1951.(e)Men and women worker shall get the same rates of wages for the same work or work of a similar nature.For Refractories, Fire-bricks, Ceramic Industries[The 27th December, 2005]S.O. 8, dated the 31st January, 2006. - In exercise of the powers conferred by clause (b) of sub-section (1) of Section 3 of the Minimum Wages Act, 1948 (11 of 1948) read with sub-section (2) of Section 5 of the said Act and after having considered all the representations received on the proposal notified under clause (b) of sub-section (1) of Section 5 of the said Act and also after consulting the Bihar Minimum Wages Advisory Board, the Governor of Bihar is pleased to revise the minimum rates of wages fixed in Labour Employment and Training Department's Notification No. S.O. 73 dated 5th January, 1996 for certain categories of employees employed in the employment in "Refractories, Fire-bricks and Ceramic Industry" in the State of Bihar, as specified in column 3 of the Schedule hereto annexed against each such category of employees specified in the corresponding entry in column 2 thereof which shall be payable in the whole of the State of Bihar to such different categories of employees employed in the said employment.

2. The minimum rates of wages so revised shall be within the meaning of clause (iii) of sub-section (1) of Section 4 of the said Act.

3. The notification shall come into force with effect from the date of its issue.

Schedule 7

Sl. No.	Categorise of employees	Minimum rates of wages
1.	Un-skilled	Rs. 68.00 per day
2.	Semiskilled	Rs. 70.00 per day
3.	Skilled	Rs. 79.00 per day
4.	Highly skilled	Rs. 84.00 per day
5.	Clerical-	
	Grade III	Rs. 1761.00 per month
	Grade II	Rs. 1990.00 per month
	Grade I	Rs. 2144.00 per month
6.	Supervisory	
	Grade II	

		Rs. 2045.00 per month
	Grade I	Rs. 2241.00 per month
	Special	Rs. 2410.00 per month
7.	Subordinate staff-	
	Head of Security	Rs. 2045.00 per month
	Assistant Head of Security	Rs. 1990.00 per month
8.	Watchman/ Security Guard/ Peon Record Keeper/ Printing BoyWeigh Bridgement	Rs. 1821.00 per month

Note.-(a)The minimum rates of wages above are based on the All-India Consumer Price Index Number (1960-100) 2414 which is the average of the indices of the First-half of the year, 2003 (January-June).(b)Conversion of the monthly rates of wages into daily rates of wages and that of daily rates of wages into monthly rates of wages shall be worked out respectively by dividing or multiplying by 26.(c)The minimum rates of wages above are inclusive of the remuneration payable to the employees in respect of the day of rest in every period of seven days.(d)An employee shall for the work done on the weekly day of rest, be entitled to overtime payment at the rate prescribed in Rule 25 of the Bihar Minimum Wages Rule, 1951.(e)Men and women workers shall get the same rates of wages for the same work or work of similar nature.For Mineral Grinding Industry[The 16th April, 2005]S.O. 38, dated 16th May, 2005. - In exercise of the powers conferred by clause (a) of sub-section (1) of the Section 3 of the Minimum Wages Act, 1948 (11 of 1948) and after having considered all the representation received on the proposal notified under clause (b) of sub-section (1) of Section 5 of the said Act also after consulting the Bihar Minimum Wages Advisory Board, the Governor of Bihar is pleased to fix the minimum rates of wages as specified in column 3 of the schedule hereto annexed against each category of employees as specified in the corresponding entry in column 2 thereof in respect of certain categories of employees employed in the employment in Minerals Grinding Industry added to part 1 of the schedule the Act under Section 27 of the said Act for the whole of the State of Bihar.

2. The Minimum rates of wages to be fixed shall be within the meaning of clause (iii) of sub-section (I) of Section 4 of the said Act.

3. This notification shall come into force with effect from the date of its issue.

Schedule 8

Sl. No.	Categories of Employees	Minimum rates of wages
1	2	3

1.	Unskilled	68.00 Rs. per day
2.	Semi Skilled	70.00 Rs. per day
3.	Skilled	87.00 Rs. per day
4.	Highly Skilled	104.00 Rs. per day
5.	Supervisory/Clerical	1939.00 Rs. per month

Note. - (a) The Minimum rates of wages are based on the all India Consumer Price Index Number (1960=100) 2414 which is the average of the indices of the first half of the year. 2003 (Jan-June)(b)The proposed rates of minimum wages shall be within the meaning of clause (iii) of sub-section (1) of Section 4 of the Minimum Wages Act, 1948.(c)Conversion of the monthly rates of wages into daily rates of wages and vice-versa shall be worked out by dividing the monthly rates by 26 and by multiplying the daily rates by 26.(d)The proposed rates of minimum wages above inclusive of the remuneration payable to the employee in respect of the day of rest in every period of seven days.(e)An employee shall for the work done on the weekly day of rest be entitled to overtime payment at the rate prescribed in Rule 25 of the Bihar Minimum Wages Rule, 1951.(f)Men and women workers shall get the same rates of wages for the same work or work of a similar nature.Explanation-(a) "Unskilled work" means work which involves simple operations requiring little or no skill or experience on the job.(b)"Semi Skilled" work means work which involves some degree of skill or competence acquired through experience on the job and which is capable of being performed under the supervision or guidance of a skilled employee and includes unskilled supervisory workers.(c)"Skilled Wokers" is one which involves skill or competence acquired through experience on the job or through training as an apprentice in technical or vocational institute and the performance of which calls for initiative and Judgement.(d)"Highly Skilled" work means work which call for a degree of perfection and full competence in performance of certain tasks acquired through intensive technical or professional training or practical work experience for long years and also requires of worker to assume full responsibility for the Judgement or decisions involved in the execution of these tasks.For Tailoring Industry[The 16th April, 2005]S.O. 40 dated 16th May, 2005. - In exercise of the powers conferred by clause (b) of sub-section (1) of Section 3 of the Minimum Wages Act 1948 (11 of 1948) read with sub-section (2) of Section 5 of the said Act and after having considered all the representations received on the proposal notified under clause (b) of sub-section (1) of Section 5 of the said Act and also after consulting the Bihar Minimum Wages Advisory Board the Governor of Bihar is pleased to revise the minimum rates of wages fixed in Labour Employment and Training Department's Notification S.O. 3 dated 5th January 1996 of certain categories of employees employed in the employment in "tailoring Industry" in the State of Bihar as specified in the column 3 of the Schedule hereto annexed against each such category of employees specified in the corresponding entry in column 2 thereof, which shall be payable in the whole of the State of Bihar to such different categories of employees employed in the said employment.

2. The minimum rates of wages so revised shall be within the meaning of clause (iii) of sub-section (1) of Section 4 of the said Act.

3. This notification shall come into force with effect from the date of its issue.

Schedule 9

Sl. No.	Categories of Employees	Minimum rates of wages
1	2	3
1.	Unskilled	Rs. 68.00 per day
2.	Semi Skilled	Rs. 70.00 per day
3.	Skilled	Rs. 87.00 per day
4.	Highly Skilled	Rs. 104.00 per day
5.	Supervisory/Clerical	Rs. 1939.00 per month

Notes.-(a)The minimum rates of wages proposed above are based on the All India Consumer Price Index Number (1960-100) 2414 which is the average of the indices of the first half of the year 2003 (January- June).(b)Conversion of the monthly rates of wages into daily rates of wages and vice-versa shall be worked out by dividing the monthly rates by 26 and by multiplying the daily rates by 26.(c)The proposed rates of minimum wages above are inclusive of the remuneration payable to the employees in respect of day of rest in every period of seven days.(d)An employee shall for the work done on the weekly day of rest, be entitled to overtime payment at the rate prescribed in Rule 25 of Bihar Minimum Wages Rules 1951.(e)Men and women workers shall get the same rate of wages for the same work or work of a similar nature.Explanation:-(a)"Unskilled work" means work which involves simple operation requiring little or no skill or experience on the job.(b)"Semi skilled work" means work which involves some degree of skill or competence acquired through experience of the job and which is capable of being performed under the supervision or guidance of a skilled employees and includes unskilled work;(c)"Skilled work" means work which involves skill or competence acquired through experience on the job or through training as an apprentice in a technical or vocational institute and the performance of which calls for initiative and Judgement.(d)"Highly skilled work" means work which calls for a degree of perfection and full competence in performance of certain tasks acquired through intensive technical or professional training or practical work experience of long years and also require of a worker to assume full responsibility for the Judgement of decision involved in the execution of these tasks.For University, Educational, Research or Cultural Institutions[30th June, 2005]S.O. 63, dated the 20th July, 2005. - In exercise of the powers conferred by clause (b) of sub-section (1) of Section 3 of the Minimum Wages Act, 1948 (11 of 1948) read with sub-section (2) of Section 5 of the said Act. and after having considered all the representation received on the proposal notified under clause (b) of the sub-section (1) of Section 5 of the said Act and also after consulting the Bihar Minimum Wages Advisory Board, the Governor of Bihar is pleased to revise the minimum rates of wages for certain categories of employees and Employed in the employment in Any University. Educational Research or Cultural Institution in the State of Bihar fixed in the Labour and Employment Department's Notification No. S.O. 79 dated 5th January, 1996 specified in columns 3, 4 and 5 of the schedule hereto annexed against each category of employees as specified in the corresponding entry in column 2 thereof which shall be payable in the whole of the State of Bihar to such different categories of employees/employed in the said employment.

2. The minimum rates of wages so revised shall be within the meaning of column (iii) of sub-section (1) of Section 4 of the said Act.

3. This notification shall come into force with effect from the date of its issue.

Schedule 10

Sl. No. Categories of Employees Minimum rates of wages

1	2	3
1.	Unskilled	Rs. 68.00 per day
2.	Semi Skilled	Rs. 70.00 per day
3.	Skilled	Rs. 89.00 per day
4.	Highly Skilled	Rs. 109.00 per day

Notes.-(a)The minimum rates of wages above are based on the All India Average Consumer Price Index No. (1960=100) 2414 which is the average of the First half of the year 2003 (January-June).(b)Conversion of the daily rates of wages into monthly rates shall be worked out by multiplying the daily rates by 26.(c)The Proposed rates of minimum wages above are inclusive of remuneration payable to the employee in respect of the day of rest in every period of 7 days.(d)An employee shall for the work done on the weekly day of rest be entitled to overtime payment at rate prescribed in Rule 25 of the Bihar Minimum Wages Rule 1951.(e)Men and Women workers shall get the same rates of wages for the same work or work of a similar nature.Explanation-(a)"Un-skilled work' means work which involve simple operation requiring little or no skill or experience on the job.(b)"Semi-skilled work' means work which involves some degree of skill or competence acquired through experience the job and which is capable of being performed under the supervision or guidance of a skilled employee and includes unskilled supervisory work.(c)"Skilled work means" which involves skill or competence acquired through experience on the job or through training as an apprentice in a technical or vocational Institute and performance of which calls for initiative and Judgement.(d)"Highly skilled work" means work which calls for a degree of perfection and full competence in performance of certain tasks, acquired through a intensive technical or professional training or practical work experience for long years and also required of a worker to assume full responsibilities for the Judgement or decisions involved in the execution of these tasks.For Private Hospitals, Nursing Homes & Clinics[The 22nd July, 2005]S.O. 73, dated the 5th August, 2005. - In exercise of the powers conferred by clause (b) of sub-section (1) of Section 3 of the Minimum Wages Act, 1948 (11 of 1948) read with sub-section (2) of Section 5 of the said Act and after having considered all the representations received on the proposal notified under clause (b) sub-section (1) of Section 5 of the said Act and also after consulting the Bihar Minimum Wages.Advisory Board, the Governor of Bihar is pleased to revise the minimum rates of wages fixed in Labour Employment and Training Department's Notification No. S.O. 5 dated the 5th January, 1996 for certain categories of employees employed in the employment in Private Hospitals, Nursing Homes and Clinics in the State of Bihar specified in column (3) of the Schedule hereto annexed against each such category of employees specified in the corresponding entry in column (2) thereof, which shall be payable in the whole of the State of Bihar to such different categories of employees employed in the said

employment.

2. The Minimum rates of wages so revised shall be within the meaning of clause (iii) of sub-section (1) of Section 4 of the said Act.

3. This Notification shall come into force with effect from the date of its issue.

Schedule 11

Sl. No.	Categories of Employees	Minimum rates of wages
1	2	3
1.	Unskilled	Rs. 68.00 per day
2.	Semi Skilled	Rs. 70.00 per day
3.	Skilled	Rs. 94.00 per day
4.	Highly Skilled	Rs. 114.00 per day
5.	Supervisory/Clerical	Rs. 2115.00 per month

Notes.-(a)The minimum rates of wages of above are based on the All India Average Consumer Price Index No. (1960=100) 2414 which is the average of the first half of the year 2003 (January to June).(b)Conversion of the daily rates of wages into monthly rates shall be worked out by multiplying the daily rates by 26.(c)The proposed rates of minimum wages above are inclusive of the remuneration payable to the employees in respect of the day of rest in every period of 7 days.(d)An employees shall for the work done on the weekly day of rest be entitled to overtime payment at the rate prescribed in Rule 25 of the Bihar Minimum Wages Rules 1951.(e)Men and women workers shall get the same rates of wages for the same work or work of a similar nature.Explanation-(a)"Unskilled work" means work which involves simple operation requiring little or no skill or experience on the job.(b)"Semi-skilled" work means work which involves some degree of skill or competence acquired through experience on the job and which is capable of being performed under the supervision or guidance of a skilled employee and includes unskilled supervisory work.(c)"Skilled work" is one which involves skill or competence acquired through experience on the job or through training as an apprentice in a technical or vocational Institute and performance of which calls for initiative and Judgement.(d)"Highly skilled Work "means work which calls for a degree of perfection and full competence in performance of certain tasks acquired through intensive technical or professional training or practical work experience for long years and also requires of a worker to assure full responsibility for the (Judgement or decision involved in the execution of these tasks).For Private Security Agency[The 23d August, 2005]S.O. 87, dated the 5th September, 2005. - In exercise of the powers conferred by clause (b) of sub-section (1) of Section 3 of the Minimum Wages Act 1948 (11 of 1948) read with sub-section (2) of Section 5 of the said Act and after having considered all the representation received on the proposal notified under clause (b) of sub-section (1) of Section 5 of the said Act and also after consulting the Bihar Minimum Wages Advisory Board. The Governor of Bihar is pleased to revise the minimum rates of wages for certain categories of employees employed in the employment in the Private Security Agency. The State of Bihar has fixed in the State Government's Notification No.7/MW-4013/98 L&E 3651 and 3652,

dated 24 September, 1998 as specified in column-3 of the schedule hereto annexed which shall be payable in the whole of the State of Bihar to such different categories of employees employed in the said employment.

2. The minimum rates of wages so revised shall be within the meaning of clause (iii) of sub-section (a) of Section 4 of the said Act.

3. This notification shall come into force with effect from the date of its issue.

Schedule 12

Sl. No.	Categories of Employees	Areas having population below 30,000	Areas having population above 30,000 & below 1 lakh	Areas having population above 1 lakh below 2 lakhs	Areas having population above 2 Lakhs
1	2	3	4	5	6
		Rs. per month	Rs. per month	Rs. per month	Rs. per month
1.	Unskilled	1762.00	1819.00	1845.00	1960.00
2.	Semi-skilled	1819.00	1845.00	1962.00	2075.00
3.	Skilled	1845.00	1962.00	2075.00	2232.00
4.	Highly skilled	1964.00	2080.00	2189.00	2467.00

Notes.-(a)The proposed rates of Minimum Wages shall be within the meaning of clause (iii) of sub-section (1) of Section 4 of the Minimum Wages Act, 1948.(b)Conversion of the monthly rates of wages into daily rates of wages and vice versa shall be worked out by dividing the monthly rates by 26 and by multiplying the daily rates by 26.(c)The proposed rates of minimum wages above are inclusive of the remuneration payable to the employees in respect of the day of rest in every period of seven days.(d)An employee shall for the work done on the weekly day of rest be entitled to overtime payment at the rate prescribed in Rule 25 of Bihar Minimum Wages Rules, 1951.(e)Men and women workers shall get the same rates of wages for the same work or work of a similar nature.(f)The minimum rates of wages above are based on the all India Average Consumer Price index Number (1960-100) 2414 which is the average of the indices of the First half of the year, 2003 (January-June).Classification of employees according to this designation and definition-(a)"Unskilled work" means work which involves simple operation requiring little or no skill of experience on the job.(b)"Semi-skilled" work means work which involves some degree of skill or competence acquired through experience on the job and which is capable of being performed under the supervision or guidance of a skilled employee and includes unskilled supervisory work.(1)"Semi-skilled-Security Guard (without Gun and Rifle), Gate Keeper, Clerk, Typist, Accounts Clerk, Steno, Office Assistant.(c)"Skilled work" is one which involves skill or competence acquired through experience on the job or through as an apprentice in a technical or vocational institute and the performances of which calls for initiative and Judgement.(I)Skilled-Security Guard (with Rifle/Gun), Driver, Accountant.(d)"Highly Skilled work" means work which call for a degree of perfection and full competence in performance of certain tasks, acquired through intensive technical

or professional training or practical work experience for long year and also requires of a worker to assume full responsibility for the Judgement or decisions involved in the execution of these tasks.(I)Highly skilled-Security Inspector, Supervisor.For Lac Manufactory[The 12th August, 2005]S.O. 89, dated the 5th September, 2005. - In exercise of the powers conferred by clause (b) of sub-section (1) of Section 3 of the Minimum Wages Act, 1948 (11 of 1948) read with sub-section (2) of Section 5 of the said Act and after having considered all the representations received on the proposal notified under clause(b) of sub-section (1) of Section 5 of the said Act and also after consulting received on the proposal notified under clause (b) of sub-section (1) of Section 5 of the said Act and also after consulting the Bihar Minimum Wages advisory Board, the Governor of Bihar is pleased to revise the minimum rates of wages fixed in Labour, Employment and Training Department Notification No. 65, dated 5th January, 1996 certain categories of employees employees in the employment in "Lac Manufactory" in the State of Bihar, as specified in column 3 and 4 of the schedule here to annexed against each such category of employees specified in the corresponding entry in column 2 thereof, which shall be payable in the whole of the State of Bihar to such different categories of employees employed in the said employment.

2. The Minimum rates of Wages so revised shall be within the meaning of clause (iii) of sub-section (a) of Section 4 of the said Act.

3. This notification shall come into force with effect from the date of its issue.

Schedule 13

Sl. No.	Categories of employees	Minimum rates of wages.	
In units manufacturing shellac through either machine or 'Bhattas' and seed lac through washing-machine using seed lac only.	In units manufacturing shellac through Bhattas and seed lac without washing machine and also in units with or without washing machine.		
1	2	3	4
	Time rated employees		
1.	Karigar	Rs. 69.00 per day	Rs. 69.00 per day
2.	Belwaiya	Rs. 68.00 per day	Rs. 68.00 per day
3.	Pherwaiya	Rs. 68.00 per day	Rs. 68.00 per day
4.	Kharhia, Washer, Rang-karihia, Ghasandar, Mazandar, Crusher, Breaker, Lathwa, Jalbhariya and any other	Rs. 68.00 per day	Rs. 68.00 per day

unskilled labour
not specified in the
schedule.

5.	Kamin, Ghoghahin and Pherikaiya.	Rs. 68.00 per day	Rs. 68.00 per day
6.	Chowkidar and Drawan	Rs. 1761.00 per month	Rs. 1761 per month
7.	Helper of an Engine Driver Oilman Cleaners Etc.	Rs. 1761.00 per month	Rs. 1761.00 per month
8.	Engine Driver Piece rated employees	Ditto	Ditto
1.	Karigar	Rs. 43.00 for melting 40 kg of seed lac	Rs. 43.00 for melting 40 kg of seed lac.
2.	Belwaiya	Rs. 35.00 for melting 40 kg of seed lac.	Rs. 35.00 for melting 40 kg of seed lac.
3.	Pherwaiya	Rs. 21.00 for melting 40 kg of seed lac.	Rs. 21.00 for melting 40 kg of seed lac.
4.	Kamin and Ghoghahin	Rs. 11.00 for washing and separating 40 kg. of seed lac from Bhusi Mullama sand.	Rs. 11.00 for washing and separating 40 kg. of seed lac from Bhusi, Mullama & sand.
5.	Karhiya and khariya, Ghasandar and Mazandar.	Rs. 10.00 for washing 40 kg. of seed lac through washing machine.	Rs. 10.00 for washing 40 kg. of seed lac through washing machine
6.	(Tailor (Khalifa)- (i) When using own machine (ii) when using employers machine	Rs. 6.00 per Bhatta Rs. 3.00 per Bhatta	Rs. 6.00 per Bhatta. Rs. 3.00 per Bhatta.
7.	Crusher	Rs. 7.00 per 40 kgs. of stick lac.	Rs. 7.00 per 40 kgs. of stick lac.
8.	Breaker	Rs. 6.00 per 40 kg. of stick lac.	Rs. 6.00 per 40 kg. of stick lac.

Notes.-(a)The minimum rates of wages above are based on the All India Average Consumer Price Index Number (1960=100) 2414 which is the average of the Indices of the First Half of the year, 2003 (January- June).(b)Conversion of the monthly rates of wages into daily rates of wages and the daily rates of wages into monthly rates of wages shall be worked out by dividing the monthly rates by 26 and by multiplying the daily rates by 26.(c)The minimum wages above are inclusive of the remuneration of payable to the employees in respect of the day of rest in every period of seven days.(d)An employee shall, for the work done on the weekly day of rest be entitled to over time payment at the rate prescribed in Rule 25 of the Bihar Minimum Wages Rules, 1951.(e)Men and Women workers shall get the same rates of wages for the same work or work of a similar nature.For Information Technology[The 3rd August, 2005]S.O.93, dated the 5th September, 2005. - The following draft of proposal to fix the minimum rates of wages First Time for certain categories of employees employed in Information Technology in the State of Bihar which the Governor of Bihar proposes to make in exercise of powers conferred by clause (a) of subsection (i) of Section 5 of the said Act is hereby published as required by clause (b) of sub-section (1) of Section 5 of the said Act for the information of persons likely to be affected thereby and notice is hereby given that the said purpose will be taken into consideration after two months from the date of publication of this notification in the Bihar Gazette.Any objection or suggestion which may be received from any person in respect of the said proposal on or before the date of expiry of the said period of two months shall be considered by the State Government.Draft Proposal

Schedule 14

Sl. No. Categories of Employees Minimum rates of wages

1	2	3
1.	Unskilled	Rs. 68.00 per day
2.	Semi Skilled	Rs. 70.00 per day
3.	Skilled	Rs. 86.00 per day
4.	Highly Skilled	Rs. 105.00 per day
5.	Supervisory/Clerical	Rs. 1946.00 per month

Note.-(a)The minimum rates of wages are based on the All India Consumer Price Index Number (1960=100) 2414 which is the average of the indices of the First half of the year, 2003 (January-June).(b)The proposed rates of Minimum Wages shall be which the meaning of clause (iii) of sub-section (I) of Section 4 of the Minimum Wages Act, 1948.(c)Conversion of the monthly rate of wages into daily rates of wages and vice-versa shall be worked out by dividing the monthly rates by 26 and by multiplying the daily rates by 26.(d)The proposed rates of Minimum wages, above include of the remuneration payable to the employee in respect of the day of rest in every period of seven days.(e)An employee shall for the work done on the weekly day of rest be entitled to overtime payment as the rate prescribed in Rule 25 of the Bihar Minimum Wages Rules, 1951.(f)Men and Women workers shall get the same rates of wages for the same work or work of a similar nature.Explanation:(A)Unskilled work means work which involves simple operations requiring little or no skill or experience on the job.(B)Semi Skilled work means work which involves some degree of skill of competence acquired through experience on the job and which is capable of being performed under the supervision or guidance of a skilled employee and includes unskilled supervisory

workers.(C)Skilled Works is one which involves skill or competence acquired through experience or the job or through training as an apprentice in technical or vocational institute and the performance of which calls for initiative and Judgement.(D)Highly Skilled work means work which call for a degree of perfection and full competence in performance of certain tasks acquired through intensive technical or professional training or practical work experience for long years and also requires of a worker to assume full responsibility for the Judgement or decisions involved in the execution of these tasks.For Bidi Making Manufactory[The 29th July, 2005]S.O. 96, dated the 5th September, 2005.-In exercise of the powers conferred by clause (b) of sub-section (1) of Section 3 of the Minimum Wages Act, 1948 (11 of 1948), read with sub-section (2) of Section 5 of the said Act and after having considered all the representations received on the proposal notified under clause (b) of sub-section (1) of Section 5 of the said Act and also after consulting the Bihar Minimum Wages Advisory Board, the Governor of Bihar is pleased to revise the minimum rates of wages for certain categories of the employees employed in the employment in "Bidi Making Manufactory" in the State of Bihar fixed in the Labour, Employment and Training Departments Notification No. 3264 and 326 dated October 2004 as specified in column 3 of Part I and II of the Schedule hereto annexed which shall be payable in the whole of the State of Bihar to such different categories of employees employed in the said employment.

2. The minimum rates of wages so revised shall be within the meaning of clause (iii) of sub-section (i) Section 4 of the said Act.

3. This notification shall come into force with effect from the date of 01 February 2004.

Schedule 15

Part-I Minimum rates of wages for following No. of Bidis in the State of Bihar. Rs. 66.00 per thousand Bidi provided that where employee's earning this rate if less than Rs. 30.00 per day, he shall be paid at least Rs. 30.00 per that day subject to the conditions specified in the annexure hereto. Part-II { | | Sl. No. | Nature of work done and categories of employees. | Minimum rates of wages | - | 1 | 2 | 3 | - | | Rs. | - | 1. | Labelling (single) | 86.00 per lakh Bidis | - | 2. | Labelling (Double) | 88.00 per lakh Bidis | - | 3. | (a) Employees employed in Sekaiby any process other than Tandur. | 41.00 per lakh Bidis | - | (b) Sekaiby Tandur | 42.00 per lakh Bidis | - | 4. | Packing basket packing | 43.00 per lakh Bidis | - | 5. | Employees employed in processing of tobacco Screening and shelving. | 66.00 per lakh Bidis | - | 6. | Munshi/Cheker/Clerk | 2620.00 per month | } Notes.-(1) The minimum rates of wages above are based on the All India Average Consumer Price Index Number (1960=100) 2472 which is average of the indices of the Second Half of the year 2003 (July to December). (2) Conversion of the monthly rates of wages into daily rates of wages and vice-versa shall be worked out by dividing monthly rates by 26 and by multiplying the daily rates by 26. (3) The above rates are inclusive of the remuneration payable to the employees in respect of the day of rest in every period of seven days. (4) An employee shall for the work done on the weekly day of rest be entitled to overtime payment at the rate prescribed in Rule 25 of the Bihar Minimum Wages Rules, 1951. (5) Men and women workers shall get the same rates of wages for the same work or work of a similar

nature. Annexure (1) The employees shall be entitled to get at least Rs. 14.30 per day (hereinafter referred to as the "guaranteed wages" only where the employer fails to supply sufficient quantity of good raw material (including tobacco leaves) to roll 600 bidis per day. (2) The guaranteed wages shall be inclusive of the wages for any day earned by the employee in respect of beedis actually rolled by him with the quantity of raw material supplied to him by the employer. (3) Where no raw material is supplied by the employer to the employee and the employee is willing to work and reports for duty or for collecting the raw material, the employee shall be entitled to get the full guaranteed wages. (4) The employee shall not be entitled to get guaranteed wages he earns less than the amount of guaranteed wages on any day on account of his unwillingness to work for any reasons whatsoever. (5) The employee shall not be entitled to get the guaranteed wages if he fails to make full use of the raw material supplied to him even if the raw material to be supplied is not sufficient for rolling 600 beedis per day. (6) The employee who works for more than one employer shall not be entitled to get the guaranteed wages from any one of the employers. (7) The employee shall not be entitled to get the guaranteed wages if the failure of the employer to supply raw material is due to fire, catastrophe, epidemics, civic commotion or other similar causes which are beyond his control.

For Loading & Non-Loading Operations [The 29th July, 2005] S.O. 97, dated the 5th September, 2005. - In exercise of the powers conferred by Clause (b) of sub-section (1) of Section 3 of the Minimum Wages Act, 1948 (11 of 1948) read with sub-section (2) of Section 5 of the said Act and after having considered all the representations received on the proposal notified under clause (b) of sub-section (1) of Section 5 of the said Act and also consulting the Bihar Minimum Wages Advisory Board, the Governor of Bihar is pleased to revise the minimum rates of wages fixed in Labour and Employment Department's Notification No. S.O. 45, dated the 5th January, 1996 for certain categories of employee employed in the employment in "Loading and unloading operation" in the State of Bihar as specified in columns 3 and 4 of the schedule hereto annexed against each such category of employees specified in the corresponding entry in column 2 thereof which shall be payable in the whole of the State of Bihar to such different categories of employees employed in the said employment.

2. The minimum rates of wages so revised shall be within the meaning of clause (iii) of sub-section (a) of Section 3 of the said Act.

3. This notification shall come into force with effect from the date of its issue.

Schedule 16

Sl. No.	Categories of employees	Minimum rates of wages Piece rate Time Rates
1	2	3
		Rs. Per day
1.	Loading or unloading of bags, gurckakkis, fertilizers, bales of cloths, Jute, Cotton, etc, tin or drum of Kerosine Oil, Mustard Oil, Coconut Oil, and	68.00

other Oils, Dalda, Molasses, Paints, tar, etc., or any other Load not specified in this schedule from godown or shop or storage place to railway wagons, trucks, bullock carts, etc., or from one place to another and vice versa for carrying loads every 200 meters or parts thereof per load of-	
(a) Less than 20 kg	1.00
(b) From 20 kg to 40 kg	1.00
(c) From 41 kg to 65 kg	1.00
(d) From 66 kg to 85 kg	2.00
(e) From 86 kg to 100 kg	2.00
(f) 101 kg and above	2.00 + 0.25 rupees for every two kg. load over 101 kg.
2. Filling or weighing or sewing of bags or welding of tins and drums or arranging of bags, tins, drums and other load within the same premises.	68.00 p. day.
(i) Filling or refilling or arranging of bags, line and any other load (per load) of-	
(a) Up to 40 kg	1.00
(b) From 41 kg to 65 kg	1.00
(c) From 66 kg to 100 kg	2.00
(d) 101 kg and above	2.00 + 2.00 for every 10 kg. Load over 101 kg.
(ii) Sewing of bags or weldings of tin or drum or weighing of load above 10 kg on scale.	1.00 Rs. per item.
3. Loading and unloading of bamboo, wooden poles and wooden logs, fuel wood and sugar-cane.	68.00 per day
(i) Loading of bamboo and wooden poles...	
(a) per railway wagon	137.00
(b) per truck	65.00
(c) per tyre cart	19.00
(d) per bullock cart	13.00
(ii) Loading of wooden logs and fuel wood	
(a) per railway wagon	137.00
(b) per truck	65.00
(c) per tyre cart	19.00
(d) per bullock cart	13.00
(iii) Unloading of bamboo, wooden poles, wooden logs and wood-	
(a) per railway wagon	44.00
(b) per truck	19.00

	(c) per tyre cart	6.00
	(d) per bullock cart	4.00
	(iv) Loading and unloading of sugar cane-	2.00 per quintal
4.	Loading and unloading of bricks, fire bricks, tiles, fragilewares made of cement or clay or glass, boulders, ballast, challyand coal.	68.00 p.day
	(i) Loading and unloading of fire-bricks, tiles,fragile-wares made of cement or clay or glass	
	(a) per railway wagon	374.00
	(b) per truck	162.00
	(c) per tyre cart	47.00
	(d) per bullock cart	33.00
	(ii) Loading of bricks-	
	(a) per railway wagon	291.00
	(b) per truck	137.00
	(c) per tyre cart	40.00
	(d) per bullock cart	29.00
	(iii) Unloading of bricks-	
	(a) per railway wagon	192.00
	(b) per truck	93.00
	(c) per tyre cart	29.00
	(d) per bullock cart	19.00
	(iv) Loading and unloading of stone chips... .	
	(a) Loading	Rs. 24.00 per 100 eft.
	(b) Unloading	Rs. 16.00 per 100 eft.
	(v) Loading and unloading of ballast-	
	(a) Loading	Rs. 26.00 per 100 eft.
	(b) Unloading	Rs. 16.00 per 100 eft.
	(vi) Loading and unloading of chally-	
	(a) Loading	Rs. 26.00 per 100 eft.
	(b) Unloading	Rs. 16.00 per 100 eft.
5.	Loading and unloading of iron rods, iron, G.I. sheets, G.C.Sheets, iron pipes, hume pipes, machineries, equipments andother hardwares-	
	(i) Loading-	

(a) Per railway wagon	Rs. 328.00
(b) Per truck	Rs. 152.00
(c) Per tyre Cart	Rs. 44.00
(d) Per bullock cart	Rs. 37.00
(ii) Unloading-	
(a) Per railway wagon	Rs. 221.00
(b) Per truck	Rs. 111.00
(c) Per tyre cart	Rs. 34.00
(d) Per bullock cart	Rs. 23.00
6. Loading and unloading of Coal	Rs. 68.00 per day
(i) Loading-	
(a) Per Railway wagon (4 wheelwagon of 22 tons capacity).	Rs. 132.00 p. day
(b) Per truck (200cft)	Rs. 82.00
(c) Per tyre cart	Rs. 23.00
(d) Per bullock cart	Rs. 19.00
(ii) Unloading-	
(a) Per railway wagon (4 wheel) wagon of 22 tons capacity	Rs. 89.00
(b) Per truck (200cft)	Rs. 52.00
(c) Per tyre cart	Rs. 12.00
(d) Per bullock cart	Rs. 8.00
7. Loading and unloading of lime and clay and earth etc.	Rs. 68.00 per day
(i) Loading-	
(a) Per railway wagon (4 wheelwagon of 22 tons capacity)	Rs. 103.00
(b) Per truck (200 eft)	Rs. 60.00
(c) Per tyre cart	Rs. 30.00
(d) Per bullock cart	Rs. 23.00
(ii) Unloading-	
(a) Per railway wagon (4 wheelwagon of 22 tons capacity)	Rs. 73.00
(b) Per truck (200 eft.)	Rs. 37.00
(c) Per tyre cart	Rs. 16.00
(d) Per bullock cart	Rs. 12.00
(ii) Unloading-	
(a) Per railway wagon (4 wheelwagon of 22 tons capacity)	Rs. 73.00
(b) Per truck (200 eft.)	Rs. 37.00
(c) Per tyre cart	Rs. 16.00
(d) Per bullock cart	Rs. 12.00
9. Loading and unloading of cement per bag Cate-Rs. per daygories of	Rs. 100.00

employees common to all Operation

(1) Khalasi/Helper	68.00
(2) Sarang	82.00
(3) Crane driver	83.00
(4) Head crane driver	88.00
(5) Rigger	78.00
(6) Munshi or Clerk	1952.00 per month
(7) Supervisor	2053.00 per month
(8) Mechanic (i)	83.00 per day
(9) Machanic (ii)	79.00 per day
(10) Tarman	72.00 per day
(11) Electrician	82.00 per day
(12) Grizer	78.00 per day
(13) Welder	78.00 per day
(14) Fitter	73.00 per day
(15) Watchman	68.00 per day
(16) Painter or Markman	68.00 per day
(17) Truck Driver	83.00 per day
(18) Light Vehicle Driver	79.00 per day

Notes.-(a)The minimum rates of wages above are based on the All India Average Consumer Price Index (No. 1960=2414 which is the average of the indices of the first half of the year 2003 (January-June).(b)Conversion of the wages into daily rates of wages and daily rates of wages into monthly rates of wages shall be worked out by dividing the monthly rates by 26 and by multiplying the daily rates by 26.(c)The minimum rates of wages above are inclusive of the remuneration payable to the employees in respect of the day of rest in every period of seven days.(d)An employee shall for the work done of the weekly day of rest be entitled to over time payment at the rate prescribed in Rule 25 of the Bihar Minimum Wages Rules, 1951.(e)Men and Women workers shall get the same rate of wages for the same work or work of a similar nature.Explanation-(i)No worker employed in the said employment shall get less than Rs. 68.00 per day.(ii)The minimum guaranteed wage i.e. the fall back wages for all piece rates workers shall be 68.00For Information of the Persons[The 29th July, 2005]S.O. 99, dated the 5th September, 2005. - The following draft of amendment to para-1 of the schedule to the Minimum Wages Act 1948 (11 of 1948) which the Governor of Bihar proposed to make in exercise of the powers conferred by Section 27 of the said Act, is hereby published as required by the said Section for information of the persons likely to be affected thereby and notice is hereby given that the said draft will be taken in the consideration after three months from the date of its publication in the Bihar Gazette.

2. Any objection or suggestion, which may be received from any person in respect of the said draft within the period specified above will be considered by State Government.

Draft Amendment In part of the said schedule, after serial No. 87 the following serial No. and entries will be added namely:-

88. Employment of Sales Promotion of Medicine.

Notification under section 11 [The 15th February 1977] S.O. 412, dated the 18th March, 1977. - In exercise of the powers conferred by sub-section (2) of Section 11 of the Minimum Wages Act, 1948 (11 of 1948), the Governor of Bihar is pleased to authorise the payment of minimum rates of wages wholly in kind in the employment in agriculture and in operations ancillary to agriculture in the whole of Darbhanga Division. Notification under section 19 Appointment of Officers & Power (A) [The 16th May 1988] S.O. 535, dated the 3rd June, 1988. - In exercise of powers conferred by sub-section (1) of Section 19 of the Minimum Wages Act, 1948 (11 of 1948) and in partial modification of Labour and Employment Department's Notification No.2/FI-1096/75-L & E. 1905, dated the 15th May 1976, the Governor of Bihar is pleased to appoint the Officers mentioned in column 2 of the Schedule hereto annexed to be the Inspectors for the purpose in the said Act, so far as it relates to any employment specified in Part I of the Schedule of the aforesaid Act, and to direct that the said Inspectors shall exercise their functions within the local limits of their respective jurisdiction as mentioned in column 4 of the Schedule with the headquarters as shown in column 3 of the Schedule against the designation of the officers.

Schedule 17

Sl. No.	Designation of the Officers	Headquarters	Local limits of jurisdiction
1	2	3	4
1.	Superintendent of Labour, Giridih.	Giridih	Sadar Sub-division of Giridih District.
2.	Superintendent of Labour, Bermoo.	Bokaro Thermal Power Station.	Sub-division of Giridih District.
3.	Superintendent of Labour Kishanganj	Kishanganj	Kishanganj and Araria Sub division of Purnea district.

Appointment of Officers (B) [The 16th May, 1988] S.O. 535, dated the 3rd June, 1988. - In exercise of the powers conferred by sub-section (1) of Section 19 of the Minimum Wages Act, 1948 (11 of 1948) and superseding all the previous notifications issued in this connection, Governor of Bihar is pleased to appoint the officer mentioned in column 2 of the Schedule hereto annexed to be the Inspectors for the purpose of the said Act and to direct that the said Inspectors for the purpose of the said Act, so far as it relates to any employment specified in Part I of the Schedule of the aforesaid Act, and to direct that the said Inspector shall exercise their functions within the local limits of their respective jurisdiction as mentioned in column 4 of the Schedule with the headquarters as shown in column 3

of the Schedule against the designation of the officers.

Schedule 18

Sl. No.	Designation of the officers	Headquarters	Local limits of jurisdiction
1	2	3	4
1.	Superintendent of Labour, (Agriculture Labour) Patna	Patna	Whole of Patna District.
2.	Superintendent of Labour, (Agriculture Labour), Directorate of Agriculture Labour, Patna	Patna	Whole of the State of Bihar
3.	Superintendent of Labour (Agriculture Labour), Daltonganj	Daltonganj	Whole of Palamau district.
4.	Superintendent of Labour (Agriculture Labour) Nalanda	Biharsharif	Whole of Nalanda district
5.	Superintendent of Labour (Agriculture Labour), Bhojpur, Arrah.	Arrah	Whole of the Bhojpur district
6.	Superintendent of Labour (Agriculture Labour), Rohtas.	Sasaram	Whole of Rohtas district.
7.	Superintendent of Labour (Agriculture Labour) Gaya	Gaya	Whole of Gaya district.
8.	Superintendent of Labour (Agriculture Labour), Ranchi	Ranchi	Whole of Ranchi and Lohardagga district.
9.	Superintendent of Labour (Agriculture Labour), Chaibasa.	Singhbhum	Singhbhum district (except Ghatshila and Dalbhum sub-division).
10.	Superintendent of Labour (Agriculture Labour), Hazaribagh.	Hazaribagh	Whole of Hazaribagh district.
11.	Superintendent of Labour (Agriculture Labour), Dhanbad	Dhanbad	Whole of Dhanbad district.
12.	Superintendent of Labour (Agriculture Labour), Bhagalpur.	Bhagalpur	Whole of Bhagalpur district.
13.	Superintendent of Labour (Agriculture Labour), Dumka district.	Dumka	Whole of Santhal Pargana
14.	Superintendent of Labour (Agriculture Labour), Monghyr.	Monghyr	Whole of Monghyr district.
15.	Superintendent of Labour (Agriculture Labour), Sahebganj.	Sahebganj	Whole of Sahebganj district.
16.	Superintendent of Labour (Agriculture Labour) Begusarai.	Begusarai	Whole of Begusarai district.
17.		Darbhanga	Whole of Darbhanga district.

	Superintendent of Labour (Agriculture Labour), Darbhanga.		
18.	Superintendent of Labour (Agriculture Labour), Purnea	Purnea	Whole of Purnea district.
19.	Superintendent of Labour (Agriculture Labour), Muzaffarpur.	Muzaffarpur	Whole of Muzaffarpur district.
20.	Superintendent of Labour (Agriculture Labour), Motihari.	Motihari	Whole of East Champaran district.
21.	Superintendent of Labour (Agriculture Labour), Bettiah	Bettiah	Whole of West Champaran
22.	Superintendent of Labour (Agriculture Labour), Chapra	Chapra	Whole of Saran district
23.	Superintendent of Labour (Agriculture Labour), Saharsa	Saharsa	Whole of Saharsa district
24.	Superintendent of Labour (Agriculture Labour), Gumla	Gumla	Whole of Gumla district.
25.	Superintendent of Labour (Agriculture Labour) Khagaria.	Khagaria	Whole of Khagaria district.
26.	Superintendent of Labour (Agriculture Labour), Siwan.	Siwan	Whole of Siwan district.
27.	Superintendent of Labour (Agriculture Labour) Sitamarhi	Sitamarhi	Whole of Sitamarhi district.
28.	Superintendent of Labour (Agriculture Labour), Jehanabad	Jehanabad	Whole of Jehanabad district.
29.	Superintendent of Labour (Agriculture Labour), Ghatshila.	Jamshedpur	Ghatshila subdivision and Dhalbhum subdivision of Singhbhum district.

Appointment of Officers (C)S.O. 461, dated 9th September, 1991. - In exercise of the powers conferred by sub-section (1) of Section 19 of the Minimum Wages Act, 1948 (11 of 1948) and in supersession of all previous notifications of the Department of Labour, Employment and Training issued in this regard, the Governor of Bihar is pleased to appoint the Officer and Employees mentioned in column-2 of the table given below with regard to the employment mentioned in column-3 and direct that said inspectors shall exercise their functions under the said Act, within the local limits of their respective jurisdictions.

Sl. No.	Designation of the Officers	Employments with regard to which powers of Inspectors is conferred.
1	2	3
1.	Commissioner of Labour, Bihar	All employments mentioned in the Part-I and Part-II of the Schedule of the Act.
2.	Additional Commissioner of Labour, Ranchi.	As above.
3.	All Joint Commissioner of Labour.	As above.
4.	Director, Agriculture Labour, Bihar.	As above.

5.	All Deputy Commissioners of Labour/ Deputy Commissioners of Labour-in-Charge (General).	All employments mentioned in Part-I of the Schedule of the Act.
6.	All Assistant Labour Commissioners/ Assistant Labour Commissioners in-Charge (General).	As above.
7.	All Labour Superintendents/Labour Superintendents-in-Charge(General)	As above.
8.	All Deputy Labour Commissioners/Deputy Labour Commissioners-in-Charge (Agriculture Labour).	Employment mentioned in part of the Schedule of the Act and the following employments schedule of the Act:-(1) Bidi making(2) Constructions and maintenance of Roads or in building operations(3) Dam Constructions and irrigation works.(4) Forestry and Timbering Operations and(5) Dairy and Poultry Farms.
9.	All Assistant Labour Commissioners/ Assistant Labour Commissioners-in-Charge (Agriculture Labour).	As above.
10.	All Labour Superintendents/labour Superintendents-in-Charge(Agr. Labour).	As above.
11.	All Labour Enforcement Officers.	As above.
12.	All Circle Officers	Employment mentioned in Part-II of the Schedule of the Act.
13.	All Inspectors of Factories/Deputy Chief Inspectors of Factories and the Chief Inspector of Factories.	Establishments related to the employments mentioned in Part-I of the Act, which come under the Factories Act, 1948.

S.O. 243, dated 22nd July, 1993. - In exercise of the powers conferred by sub-section (1) of Section 19 of the Minimum Wages Act, 1948 (11 of 1948) and in continuation of Labour, Employment and Training Department's Notification No. S.O. 461 dated the 10th October 1991 and 23, dated the 6th March, 1992 the Governor of Bihar is pleased to appoint all Labour Enforcement officers to be the Inspector in respect of the following employment in Part I of the Schedule of the said Act and to direct that the said Labour Enforcement Officer shall exercise their functions under the said Act within the local limits of their respective Jurisdiction.

1. Lac Manufactory (Non-factory establishment only)

2. Loading and unloading operations (non-factory establishment only)

S.O. 1269, dated 30th September, 1978. - In exercise of the powers conferred by sub-section (1) of Section 20 of the Minimum Wages Act, 1948 (11 of 1948); the Governor of Bihar is pleased to appoint the Block Development Officer, Bahragora (Singhbhum) to be the Authority for the whole of

Bahragora Block having his headquarters at Bahragora to hear and decide all claims arising out of payment of less than the minimum rates of wages or in respect of payment of remuneration for days of rest or for work done on such days under clause (b) or clause (c) of subsection (1) of Section 13 or of wages at the overtime rate under Section 14, to the employees/employed or paid in the employment in agriculture specified in Section 2(b)(ii) of the said Act.S.O. 732, dated 29th April, 1982. - In exercise of the powers conferred by sub-section (1) of Section 20 of the Minimum Wages Act, 1948 (11 of 1948) and in supersession of Labour and Employment Department's Notification number 14/W-3-1026/79-L & E, 234, dated the 4th April, 1981 the Governor of Bihar is pleased to appoint the officers as mentioned in column 2 of the Schedule annexed hereto within the local limits of jurisdiction mentioned in column 4 of the said Schedule as authorities to hear and decide all claims arising out of payment of less than the minimum rates of wages or in respect of payment of remuneration for days of rest or for work done on such days under clause (b) or clause (c) of sub-section (1) of Section 13 or of wages at the overtime rate under Section 14 of the employees employed or paid in the employment in agriculture specified in section 2(b)(ii) of the said Act.

Schedule 19

Sl. No.	Name and designation of the officers	Headquarters	Local limit of jurisdiction
1	2	3	4
1.	Assistant Commissioner of Labour (Agricultural Labour), PatnaDivision.	Patna	Whole of the Patna and Magadh Division.
2.	Assistant Commissioner of Labour (Agricultural Labour) SouthChotanagpur Division.	Hazaribagh	Whole of the South Chotanagpur Division.
3.	Assistant Commissioner of Labour (Agricultural Labour) NorthChotanagpur Division.	Ranchi	Whole of the North Chotanagpur Division.
4.	Assistant Commissioner of Labour (Agricultural Labour)Darbhanga Division.	Darbhanga	Whole of the Darbhanga and Khagaria Districts of BhagalpurDivision.
5.	Assistant Commissioner of Labour, Tirhut Division.	Muzaffarpur	Whole of the Tirhut and Saran Divisions.
6.	Dy. Commissioner of Labour, Bhagalpur Division	Bhagalpur	Whole of the Bhagalpur and Kosi Divisions (Excluding KhagariaDistrict of Bhagalpur Division).

S.O. 20, dated 18th January, 1980. - In exercise of the powers conferred by sub-section (6) of Section 20 of the Minimum Wages Act, 1948 (11 of 1948) as mentioned by the Minimum Wages (Bihar Amendment) Third Ordinance, 1979 (Bihar Ordinance no. 143 of 1979), the Governor of Bihar is pleased to appoint every Presiding Officer of the Industrial Tribunal in the State of Bihar as Appellate Authority to hear and decide appeals against any direction made under sub-section (3) of Section 20 of the said Act by any Presiding Officer of the Labour Court appointed as authority under

sub-section (1) of Section 20 of the said Act.S.O. 22, dated 18th January, 1980. - In exercise of the powers conferred by sub-section (6) of Section 20 of the Minimum Wages Act, 1948 (11 of 1948), as amended by the Minimum Wages (Bihar Amendment) Third Ordinance, 1979 (Bihar Ordinance No. 143 of 1979), the Governor of Bihar is pleased to appoint every Additional Collector in the State of Bihar as Appellate Authority to hear and decide appeals against any direction made under sub-section (3) of Section 20 of the said Act by any Sub-divisional Magistrate, Circle Officer, Deputy Collector, Land Reforms or any other Deputy Collector appointed as Authority under sub-section (1) of Section 20 of the said Act in the local area comprising his jurisdiction.The 24th September, 1985S.O. 1139, dated 5th November, 1985. - In exercise of the powers conferred by sub-section (6) of Section 20 of the Minimum Wages Act, 1948 (11 of 1948), as amended by the Minimum Wages (Bihar Amendment) Act, 1979 (Bihar Act 5 of 1983), the Governor of Bihar is pleased to appoint the Commissioner of Labour, Bihar or any Joint Commissioner of Labour/Director, Agriculture Labour authorised by him in his behalf to hear and decide appeals against any direction made under sub-section (3) of Section 20 of the said Act, by any Deputy Commissioner of Labour, Deputy Commissioner of Labour in-charge, Assistant Commissioner of Labour, Assistant Commissioner of Labour in-charge, appointed as Authority under sub-section (1) of Section 20 of the said Act for the whole of the State of Bihar.The 24th September 1985S.O. 1141 dated 5th November, 1985. - In exercise of the powers conferred by sub-section (6) of Section 20 of the Minimum Wages Act, 1948 (11 of 1948) as amended by the Minimum Wages (Bihar Amendment) Act, 1979 (Bihar Act 5 of 1983), the Governor of Bihar is pleased to appoint the Director of Agriculture Labour, Bihar to hear and decide appeals against any direction made under subsection (3) of Section 20 of the said Act by Assistant Commissioner of Labour (Agriculture Labour), incharge, appointed as Authority under sub-section (1) of Section 20 of the said Act, for the whole of the State of Bihar.Appointment of Officer under Central GovernmentS.O. 193 (E), dated 6th March, 1990. - In exercise of the powers conferred by sub-section (1) of Section 20 of the Minimum Wages Act, 1948 (11 of 1948) and in supersession of the notification of the Government of India in the Ministry of Labour S.O. No. 177 (E), dated the 26th March, 1982 published in the Gazette of India, Extraordinary, Part II, Section 3(ii), dated the 26th March, 1982, except as respects things done or omitted to be done before such supersession, the Central Government hereby appoints the officers mentioned in column (2) of the Table below to the Authority to hear and decide all claims arising out of payment of less than the minimum rates of wages or in respect of the payment of remuneration for days of rest or for work done on such days under clause (b) or clause (c) of subsection (1) of Section 13 or of wages at the overtime rate under Section 14, to the employees employed and engaged in the Schedule employments in relation to which the Central Government is the appropriate Government, in the areas specified in column (3) thereof, namely :Table

Sl. No.	Officer	Head Quarters	Area
1	2	3	4
	Regional Labour (C)		
1.	Commissioner/ Chief Labour Commissioner.	New Delhi	Whole of India.
2.	Regional Labour (C), Commissioner.	Ahmedabad.	The State of Gujzrat and Union territories of Dadra NagarHaveli and Daman & Diu.

3.	Regional Labour (C), Commissioner	Ajmer	The State of Rajasthan.
4.	Regional Labour (C) Commissioner	Assansol.	The State of West Bengal.
5.	Regional Labour (C) Commissioner.	Bangalore.	The State of Karnataka.
6.	Regional Labour (C) Commissioner	Bhubneshwar.	The State of Orissa.
7.	Regional Labour (C), Commissioner.	Bombay	(i) The State of Maharashtra.(ii) The State of Goa.
8.	Regional Labour (C) Commissioner	Calcutta.	The State of West Bengal.
9.	Regional Labour (C), Commissioner	Cochin.	The State of Kerala and Union Territory of Lakshadweep.
10.	Regional Labour (C), Commissioner	Chandigarh.	The State of Himachal Pradesh, Haryana, Punjab and Jammu & Kashmir and the Union territory of Chandigarh.
11.	Regional Labour (C), Commissioner	Dhanbad.	The State of Bihar.
12.	Regional Labour (C), Commissioner	Guwahati, Nagaland.	The State of Assam, Meghalaya, Tripura, Manipur, Arunachal Pradesh and Mizoram.
13.	Regional Labour (C), Commissioner	Hyderabad.	The State of Andhra Pradesh and Yanam region of Union Territory of Pondicherry.
14.	Regional Labour (C), Commissioner	Jabalpur.	The State of Madhya Pradesh.
15.	Regional Labour (C), Commissioner	Kanpur.	The State of Uttar Pradesh.
16.	Regional Labour (C), Commissioner	Madras.	The State of Tamil Nadu and the Union territory of Pondicherry(except Yanam).
17.	Regional Labour (C), Commissioner	Nagpur.	The State of Maharashtra.
18.	Regional Labour (C), Commissioner	New Delhi	Union territory of Delhi.
19.	Regional Labour (C), Commissioner	Patna.	The State of Bihar.

The 13th September, 1991 S.O. 457, dated 10th December, 1991. - In exercise of the powers conferred by sub-section (1) of Section 20 of the Minimum Wages Act, 1948 (11 of 1948) and in supersession to all previous notifications issued by the Department of Labour, Employment and Training in this regard the Governor of Bihar is pleased to appoint the officers mentioned in column 2 of the table below as to hear and decide all claims arising out of payment of less than minimum rates of wages or in respect of, payment of remuneration for weekly days of rest or for work done on such days under

clause (b) or clause (c) of sub-section (1) of Section 13 or of wages at the overtime rate under Section 14 to the employees employed or paid in the employment/ employments shown against their designations in column 3 of the table and direct those authorities to exercise their functions under the said Act in the areas of their respective jurisdictions.

Sl. No.	Designation of the officer	Employment in respect of which authority appointed to hear and decide the claims.
1	2	3
1.	Every Sub-divisional Magistrate	Employments specified in Part I and Part II of the Schedule of the Minimum Wages Act, 1948.
2.	Presiding Officer of each Labour Court	As above.
3.	Every Assistant Labour Commissioner/ Assistant Labour Commissioner-in-charge	Employment specified in Part I of the Schedule of the Minimum Wages Act, 1948.
4.	Every Assistant Labour Commissioner (Agriculture Labour) Assistant Labour Commissioner (Agriculture Labour) in charge	(a) Employments in (1) Bidi making, (2) Construction and maintenance of Road or in Building operations (3) Dam Construction and Irrigation works, (4) Forestry and Timbering operation and (5) Dairy and Poultry farms specified in Part I of the Schedule of the Minimum Wages Act, 1948.
(b) Employments in Agriculture specified in Part II of the Schedule of the Minimum Wages Act, 1948.		
5.	Every Land Reforms Deputy Collector.	Employments in Agriculture specified in Part II of the Schedule of the Minimum Wages Act, 1948.
6.	Every Circle Officer	

Employments in
Agriculture specified in
Part II of the Schedule of
the Minimum Wages Act,
1948.

Notifications under Rule 21 MW/3/18456 dated 23rd December, 1955. - In exercise of the powers conferred by clause (i) of Rule 21 of the Bihar Minimum Wages Rules, 1951, the Governor of Bihar hereby specify the acts and omissions in respect of which fines may be imposed as follows, namely :- (1) Absence from duty without leave and without sufficient cause. - Fine may be imposed only as an alternative to the deduction permissible under clause (ii) of sub-rule 24. (2) Wilful damage to work in process or wilful damage or loss of employers property. (3) Wilful negligence in work or neglect of work. (4) Smoking on the premises of the work place except in place where smoking is permitted. (5) Habitual absence without leave or without sufficient cause from appointed work in the establishment. (6) Habitual breach of any Rules or Instructions for proper maintenance of the factory, workshop or place of work. (7) Wilful insubordination or disobedience whether alone or in combination with others to any lawful reasonable order of a superior. (8) Distributing or exhibiting inside the premises handbills, pamphlets, posters without the previous sanction of the employer. (9) Interference with safety devices installed in the premises. (10) Misconduct fine may be imposed only as alternative to a heavier permissible punishment. MW/3 1029/1955, dated 23rd December, 1955. - In pursuance of sub-rule (5) of Rule 21 of the Bihar Minimum Wages Rules 1951 the Governor of Bihar is pleased to direct that the amount of fine imposed under sub-rule (3) of the said Rule shall be utilized for the following purposes :- (1) Supply of special drugs for the use of employees. (2) Educational facilities including literacy classes handicraft education and reading rooms. (3) Recreational activities, including sports and games, dramas, music and film shows. (4) Other Welfare activities, including maintenance of creaches, (other than that required under any law for the time being in force). Consumers Stores and Credit Societies and grant of donations or interest free loans to workers in case of severe hardship or misfortune. VI/WE-1011/61-L & E-4335 dated 22nd June, 1961. - In exercise of the powers conferred by sub-rule (4) of the Bihar Minimum Wages Rules, 1951 the Governor of Bihar is pleased to direct that - (1) The total amount of the fine which may be imposed on employee in any one wage period shall not exceed an amount equal to three paise in the rupee of the wages payable to him in respect of that wage period; and (2) The amount of deduction for purposes mentioned in Cl. (iii) of sub-rule (2) of Rule 21 shall not exceed the amount of the damage or loss caused to the employer by the neglect or default of the employee. Notification under section 22-BS.O. 1311, dated 22nd August, 1979. - In exercise of the powers conferred by clause (a) of sub-section (1) of Section 22-B of the Minimum Wages Act, 1948 (11 of 1948) and in supersession of the Labour and Employment Department's Notification No. S.O. 1508 dated the 18th September, 1979, the Governor of Bihar is pleased to authorise the officers mentioned in column 2 of the Schedule hereto annexed to sanction the making of complaint under clause (a) of Section 22 of the said Act in respect of such employment as mentioned in column 3 of the Schedule within their respective jurisdiction mentioned in column 4 of the Schedule.

Schedule 20

Sl. No.	Designation of Officers	Name of Employment	Jurisdiction
1	2	3	4
1.	Deputy Commissioner of Labour, Jamshedpur,	All employments mentioned in Part I of the Schedule to the Minimum Wages Act, 1948.	District of Singhbhum.
2.	Deputy Commissioner of Labour, Ranchi.	Ditto	Districts of Ranchi and Palamau.
3.	Deputy Commissioner of Labour, Bokaro Steel City.	Ditto	Districts of Hazaribagh, Giridih & Dhanbad.
4.	Deputy Commissioner of Labour, Bhagalpur.	Ditto	Whole of Bhagalpur and Kosi Divisions (excluding Khagaria Subdivision of Monghyr District.)
5.	Assistant Commissioner of Labour, Dhanbad.	Ditto	Districts of Dhanbad, Hazaribagh & Giridih.
6.	Assistant Commissioner of Labour, Patna	Ditto	District of Patna, Bhojpur, Nalanda, Nawadah of Patna Division.
7.	Assistant Commissioner of Labour, Dalmianagar.	Ditto	District of Rohtas, Aurangabad & Gaya of Patna Division.
8.	Assistant Commissioner of Labour, Kosi Division.	Ditto	Whole of the Kosi Division.
9.	Assistant Commissioner of Labour, Muzaffarpur.	Ditto	Whole of the Tirhut Division.
10.	Assistant Commissioner of Labour, Barauni.	Ditto	Whole of the Darbhanga Division including Khagaria Sub-division of Monghyr District.

S.O. 1313, dated 22nd August, 1979. - In exercise of the powers conferred by clause (a) of sub-section (1) of Section 22-B of the Minimum Wages Act, 1948 (11 of 1948), the Governor of Bihar is pleased to authorise the officers mentioned in column 2 of the Schedule hereto annexed to sanction the making of complaint under clause (a) of Section 22 of the said Act in respect of such employment as mentioned in column 3 of the Schedule within their respective jurisdiction mentioned in column 4 of the Schedule :

Schedule 21

Sl. No.	Designation of officers	Name of Employment	Jurisdiction
1	2	3	4
1.	Assistant Commissioner of Labour (Agricultural Labour), Patna Division.	Employments in (1) Bidimaking manufactory, (2) Construction & maintenance of Roads or in Building operations, (3) Dam construction and Irrigation Works, (4) Forestry and Timbering Operation, and (5) Dairies and Poultry Farms specified in Part I of the Minimum Wages Act, 1948.	Whole of the Patna Division.
2.	Assistant Commissioner of Labour (Agricultural Labour), Tirhut Division, Muzaffarpur.	Ditto	Whole of the Tirhut Division
3.	Assistant Commissioner of Labour (Agricultural Labour), Darbhanga Division, Darbhanga.	Ditto	Whole of the Darbhanga Division.
4.	Assistant Commissioner of Labour (Agricultural Labour), Bhagalpur Division, Bhagalpur.	Ditto	Whole of the Bhagalpur Division
5.	Assistant Commissioner of Labour (Agricultural Labour), Kosi Division, Saharsa.	Ditto	Whole of the Kosi Division.
6.	Assistant Commissioner of Labour (Agricultural Labour), North Chotanagpur Division, Hazaribagh.	Ditto	Whole of the North Chotanagpur Division.
7.	Assistant Commissioner of Labour (Agricultural Labour), South Chotanagpur Division, Ranchi.	Ditto	Whole of the South Chotanagpur Division.

S.O. 1315, dated 22nd August, 1979. - In exercise of the powers conferred by clause (a) of sub-section (1) of Section 22-B of the Minimum Wages Act, 1948 (11 of 1948) the Governor of Bihar is pleased to authorise the officers mentioned in column 2 of the Schedule hereto annexed to sanction the making of complaints under clause (a) of Section 22 of the said Act in respect of the type of employment

mentioned in column 3 of the Schedule within his jurisdiction mentioned in column 4 of the Schedule :-

Schedule 22

Sl. No.	Designation of officers	Name of employment	Jurisdiction
1	2	3	4
1.	Chief Inspector of Factories, Bihar	All establishments registered under the Factories Act, 1948 in employment mentioned in Part I of the Schedule to the Minimum Wages Act, 1948.	Whole of the State of Bihar.

S.O. 1915, dated 28th December, 1981. - In exercise of the powers conferred by clause (a) of sub-section (1) of Section 22-B of the Minimum Wages Act, 1948 (XI of 1948), and in supersession of Labour and Employment Department's Notification No. 2/W3-103/74 L & E,-2218, dated the 22nd September 1975, the Governor of Bihar is pleased to authorise the officers mentioned in column 2 of the Schedule hereto annexed to sanction the making of complaints under clause (a) of Section 22 of the said Act in respect of the type of employment mentioned in column 3 of the Schedule within the area comprising his jurisdiction in column 4 of Schedule.

Schedule 23

Sl. No.	Designation of officers	Name of employment	Jurisdiction
1	2	3	4
1.	Deputy Commissioner	Employment in Agriculture mentioned in Part II of the Schedule to the Minimum Wages Act, 1948.	Whole of the South Chotanagpur Division.
2.	Deputy Commissioner of Labour, Bhagalpur	Ditto	Whole of the Bhagalpur Division and Koshi Division (excluding Khagaria District).
3.	Assistant Commissioner of Labour (Agricultural Labour), Patna Division, Patna	Ditto	Whole of the Patna Division and Magadh Division.
4.	Assistant Commissioner of Labour (Agricultural Labour), Tirhut Division, Muzaffarpur.	Ditto	Whole of the Tirhut Division and Saran Division.
5.	Assistant Commissioner of Labour (Agricultural Labour), Darbhanga Division, Darbhanga	Ditto	Whole of the Darbhanga Division and Khagaria district and Bhagalpur Division.

6.	Assistant Commissioner of Labour (Agricultural Labour)Chotanagpur Division, Hazaribagh.	Ditto	Whole of the North Chotanagpur Division.
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S.O. 27, dated 10th January, 1985. - In exercise of the powers conferred by clause (a) of sub-section (1) of Section 22-B of the Minimum Wages Act, 1948 (XI of 1948), and in partial modification of the Labour and Employment Department's Notification No. 14/RL-1012/81 -L & E-475, dated the 13th August 1981, the Governor of Bihar is pleased to authorise the officers mentioned in column 2 of the Schedule hereto annexed to sanction the making of complaints under clause (a) of Section 22 of the said Act in respect of the type of employment mentioned in column 3 of Schedule within the area comprising his jurisdiction in column 4 of the Schedule.

Schedule 24

Sl. No.	Designation of officers	Name of employment	Jurisdiction
1	2	3	4
1.	Assistant Commissioner of Labour (Agricultural Labour),Ranchi.	Employment in Agriculture mentioned in Part II of theSchedule to the Minimum Wages Act, 1948	Whole of the South Chotanagpur Division.
2.	Assistant Commissioner of Labour (Agricultural Labour),Bhagalpur.	Ditto	Whole of the Bhagalpur Division (excluding Khagariadistrict).
3.	Assistant Commissioner of Labour (Agricultural Labour),Saharsa.	Ditto	Whole of the Kosi Division.

Notifications under section 22-FS.O. 1071, the 3rd August, 1973. - In exercise of the powers conferred by sub-section (1) of section 22-F of the Minimum Wages Act, 1948 (11 of 1948) the Governor of Bihar is pleased to direct that provisions of the Payment of Wages Act, 1936 (4 of 1936) specified in column 1 of the Schedule below, shall apply to claims arising out of the deductions from, or delay in payment of or non payment of the wages payable to the employees employed in such scheduled employments as mentioned in Parts I and II of the Schedule appended to the Minimum Wages Act, for which the State Government is the appropriate Government (not being the employees in respect of whose wages the Payment of Wages Act, 1936 is already applicable) subject to such modifications as specified in the corresponding entry in column 2 of the said Schedule.

Schedule 25

Provisions of
the Payment of Modifications
Wages Act, 1936

1 2

Section 15

- ... In sub-section (2) reference to "this Act" shall be construed as reference to the Minimum Wages Act, 1948, or the Rules made thereunder. In sub-section (3)-(i) reference to "this Act" shall be construed as reference to the 'Minimum Wages Act'. (ii) The words and figures "other person responsible for the payment of wages under Section 3" shall be omitted. Sub-section (4) shall be omitted.
- Section 16 ... For the words and figures "after the day fixed by sub-section (5)" the words "after the due date" shall be substituted.
- Section 17 ... In sub-section (1), the expression "or sub-section (4)" and "or other person responsible for the payment of wages under Section 3" and the whole clause (c) shall be omitted.
- Section 17A ... In sub-section (1), the words and figures "or other person responsible for the payment of wages under Section 3" or "other person" and "or other person responsible for the payment of wages" shall be omitted.
- Section 26 ... So much of Section 26 as relates to the sections aforesaid.

Notification. No. 5292, L.E. & T., dated 8.11.2000.-In exercise of the powers conferred by sub-section (i) of Section 19 of the Minimum Wages Act, 1948 (11 of 1948) and in supersession of all previous notifications of the Department of Labour, Employment and Training issued in this regard to the Labour Enforcement Officer, the Governor of Bihar is pleased to appoint all Labour Enforcement Officers to be the Inspector in respect to the all Scheduled Employments of part-I and part-II of the Minimum Wages Act, 1948, and direct that the said Labour Enforcement Officers (Inspector) shall exercise their functions under the said Act within the Local Limits of their respective jurisdictions. [S.O.663, dated the 7th May, 1973. - In exercise of the powers conferred by sub-section (2) of Section 26 of the Minimum Wages Act, 1948 (Act XI of 1948) the Governor of Bihar is pleased to direct that the provisions of Section 18 of the said Act, read with Rule 26 of the Bihar Minimum Wages Rules, 1951, shall not apply to any Local Authority in the State of Bihar.] [Published in Bihar Gazette (Extraordinary) dated 12.5.1973.]