



The Minimum Wages (Maharashtra Amendment) Act, 1960

Act 10 of 1961

Keyword(s):

Minimum Wages, Employment

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**THE MINIMUM WAGES (MAHARASHTRA AMENDMENT)
ACT, 1960.**

CONTENTS.

PREAMBLE.

SECTIONS.

1. Short title.
2. Amendment of section 3 of Act XI of 1948.
3. Insertion of section 21-A in Act XI of 1948.
4. Amendment of section 22-B of Act XI of 1948.
5. Amendment of Schedule to Act XI of 1948.

MAHARASHTRA ACT No. X OF 1961.¹

[THE MINIMUM WAGES (MAHARASHTRA AMENDMENT) ACT, 1960.]

[15th February 1961.]

An Act further to amend the Minimum Wages Act, 1948, in its application to the State of Maharashtra.

XI of 1948. WHEREAS it is expedient further to amend the Minimum Wages Act, 1948, in its application to the State of Maharashtra for the purposes hereinafter appearing ; It is hereby enacted in the Eleventh Year of the Republic of India as follows :—

1. This Act may be called the Minimum Wages (Maharashtra Amendment) Act, Short title. 1960.

XI of 1948. 2. In section 3 of the Minimum Wages Act, 1948 (hereinafter referred to as Amendment of section 3 of Act XI of 1948. " the principal Act "),—

(1) in clause (a) of sub-section (1),—

(a) in sub-clause (i), the words, figures and letters " , before the 31st day of December 1959 " shall be deleted ; and the following proviso shall be added at the end, namely :—

" Provided that, the State Government may, instead of fixing minimum rates of wages under this sub-clause for the whole State, fix such rates for a part of the State, and in the case of an employment under any local authority the State Government may fix such rates for any specified local authority, or class of local authorities ; " ;

(b) in sub-clause (ii), the words, figures and letters " , before the 31st day of December 1959 " shall be deleted ;

(c) in sub-clause (iii), the following provisos shall be added at the end, namely :—

" Provided that, the State Government may, instead of fixing minimum rates of wages under this sub-clause for the whole State, fix such rates for a part of the State :

Provided further that, where the State Government has not for any reason fixed the minimum rates of wages in respect of any such employment before the expiry of one year from the date of such notification, nothing contained in this sub-clause shall, after the commencement of the Minimum Wages (Maharashtra Amendment) Act, 1960, prevent the State Government from fixing the minimum rates of wages in respect of such employment even after the expiry of the said period of one year ; " ;

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1961.

¹ For Statement of Objects and Reasons, See Maharashtra Government Gazette, 1960, Part V, pages 185-86.

(2) to sub-section (1A), the following proviso shall be added, namely:—

“ Provided that, where the State Government has not for any reason fixed the minimum rates of wages in respect of any scheduled employment within one year from the date on which it came to a finding as aforesaid in respect of such employment, nothing contained in this sub-section shall, after the commencement of the Minimum Wages (Maharashtra Amendment) Act, 1960, prevent the State Government from fixing the minimum rates of wages in respect of such employment even after the expiry of the said period of one year.”

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1961.

Insertion
of section
21A in Act
XI of 1948.

3. After section 21 of the principal Act, the following section shall be inserted, namely:—

Liability
for payment
of court-fee.

“21A. (1) In any proceedings under section 20 the applicant shall not be liable to pay any court-fees (other than fees payable for service of process) in respect of such proceedings:

Provided that, when the application is presented by an Inspector, he shall not be liable to pay the process fees also.

(2) Where the applicant succeeds in such proceedings, the authority hearing the application shall calculate the amount of court-fees which would have been payable by the applicant but for sub-section (1), and direct the employer or other person responsible for the payment of wages under section 12 to pay the amount to the State Government. The amount shall, without prejudice to any other mode of recovery, be recoverable as an arrear of land revenue.”

Amendment
of section
22B of
Act XI of
1948.

4. In section 22B of the principal Act, in sub-section (2), for clause (b), the following shall be substituted, namely:—

“(b) under section 22A, unless the complaint thereof is made within six months of the date on which the offence becomes known to the Inspector.”

Amendment
of Schedule
to Act XI
of 1948.

5. (1) In the Schedule to the principal Act, in Part I, the following entries shall be deleted, namely:—

(a) the entries—

(i) “Employment in salt pan industry.”,

(ii) “Employment in any residential hotel, restaurant or eating house as defined in the Bombay Shops and Establishments Act, 1948.”

(iii) “Employment in any industry in which any process of printing by letter press, lithography, photogravure or other similar work, or work incidental to such process or book binding is carried on.”, and

(iv) “Employment in any cotton ginning or cotton pressing manufactory.”,

as added to the said Schedule in its application to the Bombay area of the State of Maharashtra;

(b) the entries—

- (i) "13. Employment in Glass Industry.",
- (ii) "14. Employment in Oil Mills.",
- (iii) "15. Employment of Transport Services.",
- (iv) "16. Employment in Cement Industry",
- (v) "17. Employment in Potteries.",
- (vi) "18. Employment in any cotton ginning and pressing factory.", and
- (vii) "19. Employment in any printing press.",

as added to the said Schedule in its application to the Vidarbha Region of the State ;

(c) the entries—

- (i) "13 the employment in button factories.", and
- (ii) "the employment in the Cotton Ginning and Pressing Factories.",

as added to the said Schedule in its application to the Hyderabad area of the State ; and

(d) the entry—

"Employment in any shop or commercial establishment, other than that covered under any of the other entries in this Schedule.

Explanation.—For the purposes of this entry, the expressions 'shop' and 'commercial establishment' shall have the same meanings as assigned to them in the Bombay Shops and Establishments Act, 1948.",

as added to the said Schedule in its application to the State of Maharashtra.

(2) In Part I of the Schedule to the principal Act, after entry 12, the following entries shall be and shall be deemed always to have been added to the said Part in its application to the State of Maharashtra, namely :—

"13. Employment in any residential hotel, restaurant or eating house as defined in the Bombay Shops and Establishments Act, 1948.

14. Employment in any industry in which any process of printing by letter-press, lithography, photogravure or other similar work or work incidental to such process or book binding is carried on.

15. Employment in any cotton ginning or cotton pressing manufactory.

16. Employment in glass industry.

17. Employment in any shop or commercial establishment, other than that covered under any of the other entries in this Schedule.

Explanation.—For the purposes of this entry, the expressions 'shop' and 'commercial establishment' shall have the meanings respectively assigned to them in the Bombay Shops and Establishments Act, 1948.

18. Employment in Potteries."

(3) The deletion in pursuance of sub-section (1) of any entry specified in sub-clause (ii), (iii) or (iv) of clause (a), sub-clause (i), (ii), (iii), (v), (vi) or (vii) of clause (b), sub-clause (ii) of clause (c), or clause (d), of sub-section (1) shall not affect any minimum rates of wages which may have been fixed in respect of any employment specified in such entry under sub-clause (iii) of clause (a) of sub-section (1) of section 3 of the principal Act before the commencement of this Act and in force in any area immediately before such commencement ; and such rates shall, subject to the provisions of clause (b) of sub-section (1) of the said section 3, continue in force in such area as if they had been fixed in respect of the corresponding employment specified in the Schedule to the principal Act as amended by this section.

THE MINIMUM WAGES (MAHARASHTRA AMENDMENT) ACT, 1962.

CONTENTS.

PREAMBLE.

SECTIONS.

1. Short title.
2. Amendment of section 2 of Act XI of 1948.
3. Amendment of section 3 of Act XI of 1948.
4. Amendment of section 13 of Act XI of 1948.
5. Amendment of section 18 of Act XI of 1948.
6. Amendment of section 20 of Act XI of 1948.
7. Amendment of section 22 of Act XI of 1948.
8. Insertion of new section 22-1A in Act XI of 1948.
9. Amendment of section 26 of Act XI of 1948.
10. Amendment of section 30 of Act XI of 1948.
11. Amendment of Schedule to Act XI of 1948.

MAHARASHTRA ACT No. III OF 1963.¹

[THE MINIMUM WAGES (MAHARASHTRA AMENDMENT) ACT, 1962.]

[14th January 1963]

An Act to amend the Minimum Wages Act, 1948, in its application to the State of Maharashtra.

XI of 1948. WHEREAS it is expedient to amend the Minimum Wages Act, 1948, in its application to the State of Maharashtra, for the purposes hereinafter appearing; It is hereby enacted in the Thirteenth Year of the Republic of India as follows:—

1. This Act may be called the Minimum Wages (Maharashtra Amendment) Short title Act, 1962.

XI of 1948. 2. In section 2 of the Minimum Wages Act, 1948 (hereinafter referred to as the "principal Act"), in clause (i), for the words "and management of that other person;" the words "and management of that other person; and includes for the purposes of sections 20, 21, 22, 22A, 22B, 22C and 22D any person who has been an employee and who has ceased to be so by reason of superannuation, retirement, dismissal, removal, discharge, termination of his service, or otherwise howsoever;" shall be substituted. Amendment of section 2 of Act XI of 1948.

3. In section 3 of the principal Act, in sub-section (1), in clause (a), for the proviso the following shall be substituted, namely:— Amendment of section 3 of Act XI of 1948.

"Provided that, the State Government may, instead of fixing minimum rates of wages under this clause for the whole State, fix such rates for a part of the State or for any specified class or classes of such employments in the whole of the State or any part thereof; and in the case of an employment under any local authority, the State Government may fix such rates for any specified local authority, or class of local authorities."

4. In section 13 of the principal Act,—

(a) in sub-section (1), after clause (a), the following shall be inserted, namely:— Amendment of section 13 of Act XI of 1948.

"(aa) fix the number of hours of work which shall constitute a normal working week;"

(b) in sub-section (3), after the words "the appropriate Government" the words "or by an officer not below the rank of a Deputy Commissioner of Labour especially authorised by the State Government in this behalf" shall be inserted.

5. In section 18 of the principal Act, in sub-section (3), after the words "wage slips", at both the places where they occur, the words "and attendance cards" shall be inserted. Amendment of section 18 of Act XI of 1948.

6. In section 20 of the principal Act, in sub-section (1), after the words "payment of less than the minimum rates of wages" the words, brackets and figures "or in respect of wages not paid within the time prescribed under sub-section (1) of section 12" shall be inserted. Amendment of section 20 of Act XI of 1948.

¹ For Statement of Objects and Reasons, see Maharashtra Government Gazette, 1962, Part V, page 327.

7. In section 22 of the principal Act, in clause (a), after the words "provisions of this Act" the following shall be inserted, namely:—

"or fails to pay the wages within the time prescribed under sub-section (1) of section 12".

8. After section 22 of the principal Act, the following new section shall be inserted, namely:—

"22-1A. Whoever wilfully obstructs an Inspector in the exercise of any power conferred on him by or under this Act, or fails to produce on demand by an Inspector any registers, records or other documents in his custody kept in pursuance of this Act, and which he is required to produce by or under this Act shall, on conviction, be punished with fine which may extend to five hundred rupees."

Inspector.

Amendment
of section 26
of Act XI of
1948.

9. In section 26 of the principal Act, to sub-section (2A) the following proviso shall be added, namely:—

"Provided that, the powers of the State Government under this sub-section may, subject to the control of the State Government, be exercised by the Commissioner of Labour."

Amendment
of section 30
of Act XI of
1948.

10. In section 30 of the principal Act, in sub-section (2),—

(1) in clause (g), for the words "a normal working day" the words "a normal working day or week" shall be substituted;

(2) in clause (j), for the words "and wage slips", at both the places where they occur, the words "or wage slips and attendance cards" shall be substituted.

Amendment
of Schedule
to Act XI of
1948.

11. In the Schedule to the principal Act, in Part I, in entry 17, for the words "other than that covered" the words "not being an employment in any bank or an employment which is included" shall be substituted.

THE MINIMUM WAGES (MAHARASHTRA AMENDMENT) ACT, 1975

CONTENTS

PREAMBLE

SECTIONS

1. Short title and commencement.
2. Amendment of section 20 of Act XI of 1948

MAHARASHTRA ACT No. XXV OF 1976.¹

[THE MINIMUM WAGES (MAHARASHTRA AMENDMENT) ACT, 1975]

[12th July 1976]

An Act further to amend the Minimum Wages Act, 1948, in its application to the State of Maharashtra.

XI of 1948. WHEREAS it is expedient further to amend the Minimum Wages Act, 1948, in its application to the State of Maharashtra, for the purpose hereinafter appearing ; It is hereby enacted in the Twenty-sixth Year of the Republic of India as follows, namely :—

1. (1) This Act may be called the Minimum Wages (Maharashtra Amendment) Act, 1975. Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

XI of 1948. 2. In section 20 of the Minimum Wages Act, 1948, in its application to the State of Maharashtra, to sub-section (1), the following proviso shall be added, namely :— Amendment of section 20 of Act XI of 1948.

“ Provided that the State Government may, by notification in the *Official Gazette*, appoint any Block Development Officer, Tahsildar, Additional Tahsildar or Naib-Tahsildar to be the Authority to hear and decide for any area specified in the notification all such claims of employees employed or paid in employment in agriculture in the area so specified.

Mah. V of 1962. *Explanation.*—For the purposes of this proviso, the expression ‘ Block Development Officer ’ has the meaning assigned to it in the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961.”.

¹ For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1976, Part V, page 618.



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ३, अंक ३४}

बुधवार, सप्टेंबर ७, २०११/भाद्र १६, शके १९३३

[पृष्ठे २, किंमत : रुपये १४.००

असाधारण क्रमांक ९२

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Minimum Wages (Maharashtra Amendment) Act, 2010 (Mah. Act No. XXXIII of 2011), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

H. B. PATEL,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXXIII OF 2011.

(First published, after having received the assent of the President, in the "Maharashtra Government Gazette", on the 7th September 2011.)

An Act further to amend the Minimum Wages Act, 1948, in its application to the State of Maharashtra.

11 of 1948. WHEREAS it is expedient further to amend the Minimum Wages Act, 1948, in its application to the State of Maharashtra, for the purposes hereinafter appearing; it is hereby enacted in the Sixty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Minimum Wages (Maharashtra Amendment) Act, 2010. Short title and commencement.

(2) It shall come into force on such date, as the State Government may, by notification in the Official Gazette, appoint.

(१)

Amendment of section 20 of Act 11 of 1948. 2. In section 20 of the Minimum Wages Act, 1948, in its application to the State of Maharashtra,— 11 of 1948.

(1) in sub-section (1), for the words “any officer of the State Government not below the rank of Labour Commissioner or any other officer with experience as a Judge of a Civil Court or as a stipendiary Judicial Magistrate”, the words “any officer of the State Government not below the rank of the Assistant Labour Commissioner” shall be substituted;

(2) for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) Any amount directed to be paid under this section may be recovered by any Magistrate to whom the authority makes an application in this behalf, as if it were a fine imposed by such Magistrate.”