

**GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA**

UNSTARRED QUESTION NO:3905

ANSWERED ON:14.12.2009

NON-PAYMENT OF MINIMUM WAGES

Barq Shri Shafiqur Rahman;Bhagat Shri Sudarshan;Laguri Shri Yashbant Narayan Singh;Maadam Shri Vikrambhai Arjanbhai

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether the Minimum Wages Act, 1948, prescribes some punitive action against those contract employers who indulge into alleged underpayment activities and exploitation of their employees; and

(b) if so, the details thereof alongwith the action taken by the Government against such defaulters during each of the last three years and the current year,State-wise?

Answer

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT(SHRI HARISH RAWAT)

(a) & (b): So far as the Minimum Wages Act, 1948 is concerned, Section 12 prevents the employers engaged in scheduled employment from paying them any rate less than the prescribed minimum wage. The wages shall be without any deduction except as authorized. Section 13 provides for fixation of number of hours in a working day and a rest day after a week. Under Section 22, an employer is punishable with imprisonment for a term of six months and/or fine upto Rs.500/- for contravention of any provision of the Act.

The enforcement of the Minimum Wages Act, 1948 is secured at two levels.In the Central sphere, the enforcement is secured through the Inspecting Officers of the Chief Labour Commissioner (Central). The compliance in the State sphere is ensured through the State Enforcement Machinery. They conduct regular inspections and in the event of detection of any case of non- payment or under-payment of minimum wages, they advise the employers to make payment of the shortfall of wages. In case of non-compliance, penal provisions against the defaulting employers are invoked. Details regarding enforcement of the Minimum Wages Act, 1948 during 2005-06 to 2007-08, as available in respect of all employments,is given as per statement at Annexure-I (A to C).