



The Minimum Wages (Kerala Amendment) Act, 1960

Act 18 of 1960

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ACT 18 OF 1960

THE MINIMUM WAGES (KERALA AMENDMENT) ACT, 1960^[1]

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

Preamble. — whereas it is deemed necessary to amend the Minimum Wages Act, 1948 (Central Act 11 of 1948), in its application to the State of Kerala;

Be it enacted in the Eleventh Year of the Republic of India as follows. —

1. *Short title, extent and commencement.* — (1) This Act may be called the Minimum Wages (Kerala Amendment) Act, 1960.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force at once.⁵

2. *Amendment of Section 3.* — (1) Section 3 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), in its application to the fixation of minimum rates of wages in respect of employments specified in Part I and Part II of the Schedule to the Act, in relation to which the appropriate Government is the State Government, shall have effect in the State of Kerala subject to the amendments specified in sub-section (2).

(2) In sub-section (1) of section 3 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), —

(i) In the opening words, for the words "The appropriate Government", the words "The State Government" shall be substituted;

(ii) In clause (a), —

(a) in sub-clauses (i) and (ii), for the figures, letters and words "31st day of December, 1959", the figures, letters and words "31st day of March, 1961, or such other date, not being later than the 31st day of March, 1962, as the State Government may, from time to time, fix by notification in the Gazette" shall be substituted ;

(b) after the existing proviso, the following further proviso shall be inserted, namely:

"Provided further that where, in fixing the minimum rates of wages of any employment under sub-clause (1) or sub-clause (ii), any class of employees is left out the State Government may, at any time, fix the minimum rates of wages payable to such class of employees.

Explanation. —For the purposes of this proviso, the expression "employees left out" with reference to an employment shall include—

(i) employees employed in a particular locality in the employment, the minimum rates of wages payable to whom have not been fixed;

(ii) employees employed in any process or branch of work which was not in existence in the employment at the time when the minimum rates of wages were fixed;".

ACT 23 OF 2017**THE MINIMUM WAGES (KERALA AMENDMENT) ACT, 2017**

An Act further to amend the Minimum Wages Act, 1948.

Preamble.—WHEREAS, it is expedient further to amend the Minimum Wages Act, 1948 (Central Act 11 of 1948) in its application to the State of Kerala for the purposes hereinafter appearing;

BE it enacted in the Sixty-eighth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Minimum Wages (Kerala Amendment) Act, 2017.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force at once.

2. *Amendment of Section 20.*—In section 20 of the Minimum Wages Act, 1948 (Central Act 11 of 1948) (hereinafter referred to as the principal Act),—

(a) in sub-section (1), for the words “or any officer of the State Government not below the rank of a Labour Commissioner”, the words “or any officer of the State Government not below the rank of a Deputy Labour Commissioner” shall be substituted;

(b) in sub-section (4), for the words “fifty rupees”, the words “one hundred rupees” shall be substituted;

(c) in sub-section (5), for clause (b), the following clause shall be substituted, namely:—

“(b) if the Authority is not a Magistrate, by the Authority, as if it were arrears of revenue due on land, without prejudice to any other mode of recovery.”.

3. *Amendment of Section 22.*—In section 22 of the principal Act, for the words “five hundred rupees” the words “one lakh rupees” shall be substituted.

4. *Substitution of Section 22A.*—For section 22A of the principal Act, the following section shall be substituted, namely:—

“22A. *General Provision for punishment of other offences.*—

(1) Whoever contravenes the provisions of this Act or the rules made thereunder shall be punishable with fine which may extend to two lakh rupees and in the case of a continuing contravention, with an additional fine which may extend to two thousand rupees for every day during which such contravention continues:

Provided that the total amount of fine shall not exceed two thousand rupees per worker employed.

(2) If any person who has been convicted of any offence punishable under sub-section (1) is again guilty of an offence involving a contravention or failure of compliance of the same provision, he shall be punishable on a subsequent conviction with fine which shall not be less than one lakh rupees but which may extend to five lakh rupees.

(3) Notwithstanding anything contained in sub-section (2) of section 29 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), it shall be lawful for the Magistrate to impose a fine for an amount exceeding ten thousand rupees.”.