



सत्यमेव जयते

Government of Bombay

REPORT

OF THE

Minimum Wages Committee for Employment
in any Shop or Commercial Establishment
in the State of Bombay
1959

A. R. BHAT, M.COM., M.L.C.

Chairman

R. G. KAULGI, B.A., LL.B.

Secretary



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REPORT OF THE MINIMUM WAGES COMMITTEE (SHOPS OR COMMERCIAL ESTABLISHMENTS)

1959.

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**REPORT OF THE MINIMUM WAGES COMMITTEE (SHOPS OR
COMMERCIAL ESTABLISHMENTS),
1959.**

CHAPTER I.

COURSE OF ENQUIRY.

1.01. *Preliminary.*—By its Notification No. MWA/4257-J, dated the 10th December 1957, the Government of Bombay in the Labour and Social Welfare Department gave notice of its intention to add to the Part I of the Schedule to the Minimum Wages Act, 1948, employment in any “Shop” or “Commercial Establishment” other than that covered by any other entries in the said Schedule. The Notification stated: “The expression ‘Shop’ and ‘Commercial Establishment’ shall have the same meaning as assigned to them in the Bombay Shops and Establishments Act, 1948 (Bombay Act No. LXXIX of 1948)”. Subsequently *vide* its Notification, Labour and Social Welfare Department, No. MWA. 4257-J, dated the 19th April 1958, the Government added the said employment to the Part I of the Schedule to the said Act (Appendix ‘A’).

1.02. *Appointment.*—As provided in clause (a) of sub-section () of section 5 of the Minimum Wages Act, 1948, the Government, *vide* its Resolution, Labour and Social Welfare Department, No. MWA. 4257-J, dated the 12th July 1958 (Appendix ‘B’) appointed the following Committee to hold enquiries and advise Government in the matter of fixation of minimum rates of wages in respect of employment in any ‘Shop’ or ‘Commercial Establishment’, other than that covered under any of the other entries in the Schedule to the said Act :—

Chairman :

Shri A. R. Bhat, M.Com., M.L.C., 256, Sadashiv Peth, Poona-2.

Independent Members :

1. Prof. D. T. Lakdawala, Department of Economics, University of Bombay, Bombay-1.
2. Shri B. M. Yagnik, M.L.A., 112, Walkeshwar Road, Bombay-6.

Employer's Representatives :

1. Shri A. K. Jobanputra, President, Federation of Bombay Retail Cloth Dealers' Association, 13, Bhangwadi, Kalbadevi Road, Bombay-2.
2. Shri J. K. Mody, President, Chamber of Commerce, Rajkot.
3. Shri Abbasali Kamal, Murtaza Manzil, Nagpur City.

Employees' Representatives :

1. Shri R. S. Thonsekar, 13, Durga Bhavan, Dadabhai Road, Bombay-23.
2. Shri I. G. Desai, M.L.A., Shramjivi Mahamandal, Nanawat Main Road, Surat.
3. Shri G. M. Khodey, Secretary, Nagpur President INTUC, Khoti Road, Mahal, Nagpur.

Secretary :

Shri N. B. Cama, Assistant Commissioner of Labour, Bombay.

1.03. Shri N. B. Cama acted as the Secretary of the Committee till 6th January 1959. Shri R. G. Kaulgi, Assistant Commissioner of Labour, Bombay, was appointed as the Secretary in place of Shri Cama by Government Resolution, Labour and Social Welfare Department, No. MWA. 4257-J, dated the 20th February 1959.

1.04. The Committee was directed to submit to Government its detailed report within six months from the date of its appointment. As the work of the Committee progressed, it became clear that it would not be possible to submit its report within the prescribed time and therefore extension up to 20th March 1959 was requested. Accordingly the Government sanctioned it under its Resolution, Labour and Social Welfare Department, No. MWA. 4257-J, dated 29th December 1959. Another short extension was again requested to which Government consented by its Resolution, Labour and Social Welfare Department, No. MWA. 4257-J, dated the 23rd March 1959 and permitted the Committee to submit its report on or before 31st March 1959.

1.05. *Scope of the Enquiry.*—The terms “Shop” and “Commercial Establishment” have been defined in the Bombay Shops and Establishments Act, 1948, as below :—

Shop.—“Shop” means any premises where goods are sold, either by retail or wholesale or where services are rendered to customers, and includes an office, a store room godown, warehouse or work place, whether in the same premises or otherwise, mainly used in connection with such trade or business but does not include a factory, a commercial establishment, residential hotel, restaurant, eating house, theatre or other place of public amusement or entertainment.

Commercial Establishment.—“Commercial Establishment” means an establishment which carries on any business, trade or profession or any work in connection with, or incidental or ancillary to any business, trade or profession and includes a society registered under the Societies Registration Act, 1860, and a charitable or other trust, whether registered or not, which carries on whether for purposes of gain or not any business, trade or profession or work in connection with or incidental or ancillary thereto but does not include a factory, shop, residential hotel, restaurant, eating house, theatre or other place of public amusement or entertainment.

1.06. The Committee's enquiry was restricted to shops and commercial establishments not covered by any other entries in the Schedule. A list of such employments not covered by this Committee's enquiry is as below :—

- (1) Employment in any woollen carpet making or shawl weaving establishment.
- (2) Employment in any rice mill, flour mill or dal mill.
- (3) Employment in any tobacco (including bidi making) manufactory.
- (4) Employment in any plantation, that is to say, any estate which is maintained for the purpose of growing cinchona, rubber, tea or coffee.

- (5) Employment in any oil mill.
- (6) Employment under any local authority.
- (7) Employment on the construction or maintenance of roads or in building operations.
- (8) Employment in stone breaking or stone crushing.
- (9) Employment in any lac manufactory.
- (10) Employment in any mica works.
- (11) Employment in public motor transport.
- (12) Employment in tanneries and leather manufactory.
- (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.

1.07. Besides, residential hotels, restaurants, eating houses, theatres and other places of public amusement or entertainment which are treated separately under the Bombay Shops and Establishments Act, 1948, were also excluded from the purview of the enquiry.

1.08. While the Shops and Establishments Act has been applied to 148 cities and towns in the Bombay State, the Government by its letter No. MWA. 4257/126159-J, dated the 12th July 1958 addressed to the Chairman, informed him that it was proposed to fix minimum rates of wages in the employment, "Shop" or "Commercial Establishment", in towns with a population of a lakh and above including Aurangabad to start with, and that the Committee might confine its enquiry and recommendations in respect of minimum rates of wages to workers in the employment in "Shop" or "Commercial Establishment" in Aurangabad and the towns with a population of not less than a lakh. The Committee's enquiry was, therefore, restricted to the following cities and towns :—

- | | |
|-----------------|----------------|
| (1) Ahmedabad. | (8) Kolhapur. |
| (2) Ahmednagar. | (9) Nagpur. |
| (3) Aurangabad. | (10) Poona. |
| (4) Baroda. | (11) Rajkot. |
| (5) Bhavnagar. | (12) Sholapur. |
| (6) Bombay. | (13) Surat. |
| (7) Jamnagar. | |

1.09. *Books, Reports, Documents and Data.*—The Committee studied the following data, documents and publications, among others :—

(1) The Minimum Wages Act, 1948 and the Bombay Shops and Establishments Act, 1948.

(2) Data about employment and wages in shops and commercial establishments in the Bombay State collected by the Office of the Commissioner of Labour, Bombay under the Socio-Economic Survey Scheme included in the Second Five-Year Plan of the Bombay State.

(3) "Shops and Commercial Establishments in Greater Bombay" by Dr. D. T. Lakdawala and Shri J. C. Sandesaree.

(4) Report on the enquiry into wages, hours of work and conditions of employment in the retail trade of some towns of the Bombay Presidency prepared by the Labour Office, Government of Bombay, 1936.

(5) Report of the Committee appointed to enquire into the working of the Shops and Establishments, 1939.

(6) Report on the enquiry into the working of the Shops and Establishments Act, 1948 by the Local Authorities in the Bombay State—1955.

(7) Consumers' Cost of Living Indices for cities and towns covered by the present enquiry, wherever available.

(8) The Resolution of the Minimum Wages Central Advisory Board adopted on 9th April 1954 recommending lowest minimum wages for a daily worker for a normal working day.

(9) Recommendations of the 15th Session of the Indian Labour Conference held on 11th and 12th July 1957 regarding wage policy during the Second Five-Year Plan.

(10) Awards and settlements in shops and commercial establishments in the State of Bombay.

(11) I. L. O. Publications and books on the problem of minimum wages and reports of the various Minimum Wages Committees appointed by the Government of Bombay.

1.10. *Questionnaire.*—After the notification giving notice of Government's intention to add employment in any "Shop or Commercial Establishment" other than that covered under any of the entries in part I of the Schedule to the Minimum Wages Act, 1948, was issued, the office of the Commissioner of Labour, Bombay, undertook a sample survey of the existing conditions of labour in shops and commercial establishments in the thirteen cities of the Bombay State mentioned in para. 8 above. The survey pertained precisely to the same employees for whom the minimum rates of wages were to be fixed. The same was in progress when the Committee started its work. Since the

factual information was thus being already collected, the Committee decided to obtain the views of the organisations of employers and employees and other interested in the enquiry on the subject of fixation of minimum rates of wages in the employment in "Shops" or "Commercial Establishments". The list of such organisations was compiled through the recognised Chambers of Commerce and the Officers under the Commissioner of Labour situated at the cities and towns covered by the enquiry. For the purpose of eliciting views a simple but detailed questionnaire seeking information about, the trade or trades represented by such associations, broad categories of employees in the said trade or trades classification of employees, prevailing consolidated rates of wages for various classes of employees, general condition of the trade or trades, existing settlements, awards, if any, and views on the various aspects of the problem of fixation of minimum rates of wages, was prepared in English, Hindi, Marathi and Gujarati.

1.11. Copies of the questionnaire were despatched under a certificate of posting to the organisations of employers and employees and others, requesting them to submit their replies by 30th November 1958 (Appendix "C"). Since requests from a number of organisations for extension of time for submission of their replies to the questionnaire were received, the date was extended upto 15th December 1958. Subsequently, an additional questionnaire asking information about the classification of membership on the basis of the workers employed and the number of members paying income-tax was issued to the organisations of employers (Appendix "D"). A brief questionnaire was also issued to the Authorities administering the Shops and Establishments Act at centres covered by the enquiry (Appendix "E").

1.12. Just before the issue of the general questionnaire, the Chairman held a Press Conference at Poona on 30th October 1958 to explain the nature and scope of the Committee's work. (Appendix "F"). Immediately after the questionnaire was issued, a Press Note drawing the attention of the concerned organisations and other interested individuals to the same was issued through the Director of Publicity.

1.13. One Hundred Sixty-seven replies were received to the general questionnaire, while only 16 replies were received to the additional questionnaire. The poor response to the latter was explained as being due to the non-availability of the required information with the associations to which it was addressed.

1.14. *Tour and Oral Evidence.*—After the receipt of the replies, the Committee visited all the places covered by the enquiry for recording oral evidence of those interested in the enquiry and securing first hand information about the existing wages of workers in shops and commercial establishments, etc.

1.15. With a view to ensuring the widest publicity to the work entrusted to the Committee, Press Notes were issued to the local newspapers informing the public of such visits. Further where it was considered necessary even paid advertisements were inserted in local papers. As suggested by the Committee, the officers under the Commissioner of Labour at various centres

had contacted concerned organizations of employers and employees at the places visited by the Committee. The details about Committee's visits are as below :—

| Place. | Date. |
|-------------------|---|
| Nagpur | 16th, 17th and 18th January 1959. |
| Bombay | 19th to 22nd January 1959 and 3rd March 1959. |
| Surat | 23rd January 1959. |
| Baroda | 24th January 1959. |
| Rajkot | 29th and 31st January 1959. |
| Jamnagar | 30th January 1959. |
| Aurangabad | 13th and 14th February 1959. |
| Ahmednagar | 15th February 1959. |
| Sholapur | 16th February 1959. |
| Poona | 17th and 18th February 1959. |
| Bhavnagar | 4th March 1959. |
| Ahmedabad | 5th and 6th March 1959. |
| Kolhapur | 10th March 1959. |

1.16. In all the Committee examined 216 representatives of organisations of employers and 256 representatives of Unions of employees.

1.17. *Meetings.*—The Committee met the representatives of organisations of employers and employees and wherever possible individual shopkeepers and employees. The Committee recorded evidence even of those who had not submitted written memoranda but expressed their desire to tender oral evidence. The Committee also examined the Inspectors directly concerned with the administration of the Shops and Establishments Act. The Committee had the benefit of the views of the Commissioner of the Poona Municipal Corporation, Chief Officers of the Municipalities at Bhavnagar and Jamnagar and the Deputy Commissioner of Labour, Nagpur. Besides its informal meetings during the tours, the Committee held formal meetings on the 11th August and 13th December 1958 at Bombay, 7th and 8th March 1959 at Matheran and 22nd and 23rd March 1959 at Bombay.

CHAPTER II.

LEGISLATION AND WAGES OF SHOP ASSISTANTS : A RETROSPECT.

2.01. *Shri R. R. Bakhale's Bill.*—Conditions of employment in shops and establishments attracted the attention of the legislature for the first time in 1935, when the Late Shri R. R. Bakhale introduced in 1935 a bill in the Bombay Legislative Council to prohibit the employment of children and limit the hours of work of young persons in shops and to provide for the early closing of shops. The Government of Bombay collected information about service conditions in shops, particularly retail shops in leading trade centres like

Bombay, Ahmedabad, Poona, Sholapur, etc. through the Commissioner of Labour and published it. Shri Bakhale's bill was, however, rejected by the Council.

2.02. *Shops and Establishments Act of 1939 and 1948.*—To the first Kher Ministry goes the credit for regulating statutorily the conditions of service in this vast employment by enacting the Shops and Establishments Act, 1939. An enquiry into the working of that Act was conducted in 1947 by a special committee under the Chairmanship of Shri Shantlal H. Shah, the present State Labour Minister. The Act of 1939 was found inadequate for the objective in view. The Bombay Government, therefore, replaced it by a more comprehensive Act passed in 1948. The same as modified from time to time holds the field.

2.03. *Complaint of Depressed effect on Wages.*—While the Bombay Shops and Establishments Act succeeded to a very substantial extent in regulating most of the conditions of employment, such as hours of work, opening and closing hours, leave with pay, cleanliness and ventilation, etc. it left out wages. It was complained that there being no regulation of wages, the restriction on hours of work and the grant of other privileges had a depressing effect on wages.

2.04. *Government action about Wages.*—The Government, however, had not lost sight of the problem of wages of shop assistants. The Industrial Disputes Act, 1947 covered these employees but since a very large number of establishments is small in size and there is no effective organisation of their employees hardly any benefit accrued to them through collective bargaining. Only the employees in a few among the very big establishments could get their wages conditions regulated through conciliation and adjudication. Some protection was afforded by the application of the Payment of Wages Act to this employment in some cities in the matter of recovery of the illegally delayed and deducted wages. The effective step to improve the depressed wages in shops and commercial establishments was taken by Government by adding the relevant employment to Part I of the Schedule to the Minimum Wages Act in April 1958.

2.05. *Labour Office Survey, 1935.*—The portion of wages of employees in a section of shops, namely retail shops which is numerically the most important was surveyed for the first time by the Labour Office in 1935. The information about the rates of wages then prevailing in different kinds of retail shops collected by sample survey method is available for Bombay, Ahmedabad, Poona and Sholapur which have been covered by our Committee's enquiry. Though not comparable, the information provides some background to the existing wage rates of shop employees. It being thus useful, the town-wise salient features of employment, particularly wages in different kinds of retail shops as recorded in the Report of said survey are given below.

2.06. *Bombay—Shops: Their Personnel.*—The 3,506 shops covered by the enquiry were grouped under 17 different categories:—

- (1) Grocery, Provisions, etc.; (2) Cloth and Colthing; (3) Restaurants;
- (4) Bidis and Pansupari; (5) Milk and Sweetmeats; (6) Tailoring; (7) Metals

and Hardware; (8) Liquor and Toddy etc. (9) Charcoal and Firewood; (10) Vegetables and Fruits; (11) Leather Goods; (12) Gold and Silverware; (13) Cycle, Motor Spare Parts, Electric Wares, etc; (14) Books and Stationery, etc.; (15) Laundries; (16) Chemicals; (17) Miscellaneous.

Of them, the shops belonging to the first three or four categories were the most numerous in Bombay. This miscellaneous group, which accounted for the largest number of shops, consisted of over 60 different types of shops.

2.07. *Personnel of shops.*—Fifteen thousand and eight persons were working in the 3,506 shops covered by the enquiry. Of these, 4171 or 27·79 per cent. were owners or partners, 625 or 4·16 per cent. relatives and 10,212 or 68·05 per cent. shop assistants.

2.08. *Shops employing Assistants.*—An analysis of shops employing assistants and not employing assistants showed that in 18·85 per cent. of the cases no assistants were employed while they were employed in 81·15 per cent. of the cases. Over 23 per cent. of the grocery and provision shops did not employ any paid assistants.

Wage Position.

2.09. It was seen that nearly 87 per cent. of the assistants were paid on a monthly basis, 7·62 per cent. on a daily basis and 5·46 per cent. on a yearly basis. In the grocery and provision shops nearly half the assistants were on the yearly system of payment.

2.10. It was perhaps not generally realised to what extent shop assistants in Bombay were housed or fed by their employers. The enquiry showed that 1,138 shops employing over one-third of the shop assistants covered by the enquiry provided board and lodging to their employees. Besides restaurants, some of the main categories which contributed mainly to this result were (1) grocery and provision shops; (2) milk and sweetmeat and shops; (3) bidi and pansupari shops.

2.11. In the grain shops which formed the major portion of shops paying their assistants annually, the largest number of cases were in the alternate frequency groups Rs. 150—175, Rs. 200—225, Rs. 250—275 and 300—325, those getting Rs. 200—225 forming the largest group. In a few cases assistants were reported to be getting as much as Rs. 400 and over per year.

2.12. Of the daily paid workers, 322 or 46·44 per cent. earn between eight annas and Re. 1 per day, nearly 11 per cent. getting less than eight annas daily. Cases were however reported of assistants earning as much as Re. 4 per day. This wide difference in the earning of assistants in this group is explained by its composition.

2.13. The total number of shop assistants who were reported to be in receipt of a monthly wage was 8,156. Of these, 5,386 were paid a money wage only, while the remaining 2,770 received in addition either boarding and lodging or board or lodging. Of these in receipt of a money wage only 536 or less than 10 per cent. of the total got a monthly wage of under Rs. 15.

The two categories of shops which accounted for a large number of such employees were assistants in restaurants and pan and bidi shops. Over 66 per cent of the assistants were in receipt of a monthly wage of between Rs. 15 and Rs. 45. The categories of shops in which such assistants were to be found in considerable number were the cloth shops, tailoring establishments and liquor, gold and silverware and cycle and motor spare parts shops. In the remaining 1,251 cases the monthly wage reported was between Rs. 45 and Rs. 65 or over. Here again the figures showed that those in receipt of a monthly wage of Rs. 55 and over were prominently to be found in cloth shops, tailoring shops, liquor shops and cycle and motor spare parts shops. No fewer than 95 shop assistants in cloth shops were reported to be getting a wage of Rs. 65 and over, the number of such assistants in liquor shops being 52 and 40 in cycle shops.

2.14. In shops which provided board and lodging or boarding or lodging, wages were comparatively much less than in shops which did not have that system. Thus, while in shops not providing boarding and lodging less than 10 per cent of the assistants get a monthly wage of under Rs. 15, in shops providing boarding and lodging the percentage is 55·27. Again, while in shops not providing boarding and lodging the percentage of employees in receipt of a wage of between Rs. 15 and Rs. 45 was over 66, in shops providing boarding and lodging the number of cases was 1,180 or 42·59 per cent. In the latter type of shops only 59 or 2·14 per cent of cases was the pay reported to be higher than Rs. 45, the corresponding figure for shops not supplying boarding and lodging being nearly 23 per cent.

2.15. *Cloth and Clothing.*—Of the 1,377 assistants in cloth and clothing shops covered by the enquiry, 1,149, were in receipt of a monthly pay.

2.16. There were very few shop assistants getting a salary of less than Rs. 15·31 per cent get between Rs. 15 to 30, while nearly 65 per cent received Rs. 30 or over per month.

2.17. *Bidi and Pansupari Shops.*—Although a large majority of assistants in bidi Shops were in receipt of monthly wages a fairly large number was on daily rates of wages. In more than half the number of cases the wages were below Rs. 20 per month.

2.18. *Grocery and Provisions.*—Grocery and provision shops, showed great variety so far as the conditions of work and wages were concerned. While the living in system obtained to a considerable degree in grain shops, it was almost non-existent in grocery shops. The periods of wage payment also differed the year being almost universal in grain shops and the month in grocery shops. So far as those who were paid a monthly cash wage were concerned the range appeared to lie within the wage groups Rs. 15 to 45, an extremely small number getting less than Rs. 15 per month.

2.19. *Allowances and Bonuses.*—There was no regular system of paying either allowances or bonuses in the Bombay City. That is not to say, however, that no allowances or bonuses were given. About one-tenth of the assistants get small allowances in cash or in kind in the form of a tea or a bidi or pansupari allowance, while 522 assistants were reported to be receiving an annual Diwali cash bonus ranging in value from Rs. 2 to Rs. 15.

2.20. *Ahmedabad.*—The number of retail shops in Ahmedabad was in the neighbourhood of eight thousand. Restaurants, which numbered about 2,000 formed the largest single category of shops in Ahmedabad. Next to them came pan and bidi shops (13,000), grain and grocers' shops (900) cloth shops (800), hair dressing saloons (300), and vegetable stalls (200). These together with boot and shoe shops, meat shops and gold and silver shops accounted for about 76 per cent of the retail shops in Ahmedabad. Tailoring establishments and milk, sweet-meat, charcoal and firewood, hard-ware stationery, cutlery and oil shops are among those which constitute the remaining 25 per cent.

Wages.

2.21. Shop Assistants in Ahmedabad were paid on the basis of an annual salary except in the case of shops run on modern lines. In clothing shops in which about four thousand shop assistants were employed, these are four or five different categories of assistants. First of all, there are the apprentices who received no pay at all during their period of apprenticeship. Next came the general assistants, the range of whose annual income varied from Rs. 50 to Rs. 200. The next category, which accounted for nearly half the total, was of junior salesman, bill collector, etc. and the range of their pay was between Rs. 200 and Rs. 500 per annum. About 30 per cent of the total shop assistants were salesmen in the real sense of the word and the range of their pay varied from Rs. 500 to Rs. 1,200 per annum. Accountants and superior-salesmen who formed about 10 per cent of the total, received an annual pay varying from Rs. 1,200 to Rs. 2,500. In the clothing trade as a whole, the monthly wages varied from Rs. 20 to Rs. 50, the minimum being Rs. 4 and the maximum over Rs. 200.

2.22. Assistants in pan and bidi shops ordinarily earned between Rs. 10 and Rs. 20 per month.

2.23. The starting pay in foodgrain shops was often as low as Rs. 2 the reason being that the ghanchies sent their sons to such shops for learning the trade with a view to starting their own business later on. The assistants started on Rs. 5 per month and they rose up to Rs. 30 per month. In grocery shops, the minimum pay was Rs. 10 and the maximum Rs. 40.

2.24. *Poona—Cloth and Clothing.*—Wages were paid monthly and varied from Rs. 10 to Rs. 50 per month. The employees got leave with pay for 15 days to about a month in the year.

2.25. *Tailoring.*—The workers in tailoring shops were generally on piece work and they were paid half the amount charged to customers. Their daily wages came to between annas 8 and Rs. 1-12-0 per day. Those employed on a monthly basis received from Rs. 18 to Rs. 50 per month.

2.26. *Grain shops.*—The range of monthly wages was from Rs. 6 to Rs. 45. The first ten days of the month were busy days.

2.27. *Pan-Bidi Shops*.—The wages of assistants varied from Rs. 2 with free meals to Rs. 6 without meals per month.

2.28. *Cycles*.—The wages were paid monthly and varied from Rs. 8 to Rs. 40.

2.29. *Sholapur*.—It was estimated that there were one or two thousand retail shops. The bulk of the shops was in the categories of (1) grain and provision (2) cloth and clothing and firewood and charcoal categories. As regards wages the following was the position :—

| Category of Shop. | Pay per month. |
|------------------------|---|
| Grain and Grocery ... | Rs. 8 to Rs. 15 |
| Cloth and clothing ... | Rs. 8 to Rs. 30 (Rs. 4 to Rs. 5 for boys under 18). |
| Fuel and firewood ... | Rs. 10 to Rs. 20. |
| Sweetmeats ... | Rs. 6 to Rs. 20 (Rs. 2 to Rs. 4 for boys under 18). |
| Vegetables ... | Rs. 12 to Rs. 15 (Rs. 6 to Rs. 12 for females and boys under 18). |
| Milk ... | Rs. 8 to Rs. 20. |
| Pan-Bidi ... | Rs. 5 to Rs. 15. |

2.30. *Bureau of Economics and Statistics Survey—1950-51*.—Information about "Income from shops and establishments" is available in an article on "Estimate of Income of Bombay State 1950-51" by Shri V. V. Divatia in the January 1952 issue of the Bulletin of the Bureau of Economics and Statistics, Government of Bombay since no official information was readily available which could give average income of an employee in various types of establishments, the Bureau therefore, carried out sample inquiries in certain cities in the pre-reorganisation Bombay State. The Bureau found that in Greater Bombay, the average yearly income per employee in shops was Rs. 1,080·41 and in commercial establishments Rs. 2,297·18. The average yearly income per employee in six cities each with a population of 1,00,000 and above, namely, Ahmedabad, Baroda, Poona, Surat, Sholapur and Kolhapur was placed at Rs. 779·65 in shops and Rs. 1,400·67 in commercial establishments.

CHAPTER III.

NATURE OF EMPLOYMENT AND ITS EXISTING WAGE STRUCTURE.

3.01. *A vast sector*.—In the Chapter on "Course of Enquiry" the Committee has dealt with the scope of the employment in "Shop" or "Commercial Establishment". It would be noticed therefrom what kinds of establishments, industries and services are excluded from the purview of the present enquiry. The residual sector of Shops and Commercial Establishments is, however, a vast one both from the point of variety of trade and industry covered by it and the number of units constituting it.

3.02. *Major Groups and Sub-Groups.*—Following broadly the pattern of the International Standard Industrial Classification, the Shops and Commercial Establishments could be classified in seven major groups :—

(I) Retail trade, (II) Whole Sale trade, (III) Finance and Foreign trade, (IV) Offices, (V) Professions and services, (VI) Industry and (VII) Un-specified. These major groups embrace the following sub-groups :—

(I) and (II) : *Retail trade and Wholesale trade.*—(1) Food, drink and tobacco ; (2) Fuel ; (3) Clothing and foot wear ; (4) A : other necessaries ; B : Household equipment ; (5) Building materials, ; (6) Producers' goods and raw materials, (7) Miscellaneous.

(III) *Finance and foreign trade.*—(1) Real estate properties ; (2) Stocks, shares and futures ; (3) Providents and insurance ; (4) Money lending-shroffs sawkars, etc. ; (5) Banking, investment, etc. ; (6) Import and Export of goods and commodities.

(IV) *Offices of.*—(1) Factories ; (2) Trusts ; (3) Associations ; (4) Godowns.

(V) *Professions and services.*—(1) Tailoring ; (2) Medical Practitioners ; (3) Hair cutting saloons and beauty shops ; (4) Laundries ; (5) Legal practitioners, Chartered accountants and Income-tax—sales tax consultants ; (7) Others.

(VI) *Industries.*—(1) Cinema studios ; (2) Beverages ; (3) Electric machinery ; (4) Metallic mineral products ; (5) Rubber and rubber products ; (6) Basic metal industries ; (7) Paper and paper products ; (8) Machinery except electrical ; (9) Leather and leather products ; (10) Chemical and Chemical products ; (11) Furniture and fixtures ; (12) Transport and transport equipments ; (13) Wood and cord except furniture ; (14) Miscellaneous repairs ; (15) Textiles ; (16) Printing, publishing and allied ; (17) Metal products ; (18) Foot wear ; (19) Food except beverages ; (20) Miscellaneous ; (21) Tobacco in (bidi making only).

3.03. Even in these sub-groups there are several distinct trades. For instance the retail business in the sub-group food, drink and tobacco would comprise of (1) grocery stores, (2) Dairy products stores, (3) Milk dealers, (4) Meat Shops, (5) Fish Shops, (6) Dry fruit stores, (7) Fruit and vegetable shops, (8) Confectionery stores, (9) Bakeries and caterers, (10) Egg and poultry dealers, (11) Provision stores, (12) Grain shops, etc.

3.04. *Number of Establishments and Employment.*—As regards the number of units in the employment in "Shop" or "Commercial Establishment" in the thirteen towns covered by our Committee's enquiry, it was 2,30,587

employing 3,84,676 persons, as per the information collected by the socio-economic survey branch of the Office of the Commissioner of Labour. The townwise details are given below:—

Number of Establishments and Employment at Selected Centres.

| Centre. | Number of Establishments | | | Employment | | |
|------------------|--------------------------|----------------------------|---------|------------|----------------------------|----------|
| | Shops. | Commercial Establishments. | Total. | Shops. | Commercial Establishments. | Total. |
| | 2 | 3 | 4 | 5 | 6 | 7 |
| Bombay | 81,537 | 21,208 | 102,745 | 138,748 | 127,950 | 266,707 |
| Ahmedabad | 32,730 | 3,714 | 36,444 | 29,034 | 9,864 | 38,898 |
| Poona | 21,915 | 2,605 | 24,520 | 17,117 | 5,318 | 22,435 |
| Nagpur | 8,810 | 435 | 9,245 | * | * | |
| Rajkot | 4,457 | 1,042 | 5,499 | 5,521 | 1,354 | 6,875 |
| Bhavnagar | 4,832 | 448 | 5,280 | 2,766 | 1,188 | 3,954 |
| Jamnagar | 3,685 | 645 | 4,330 | 2,032 | 2,163 | 4,195 |
| Baroda | 10,037 | 1,144 | 11,181 | 4,651 | 2,822 | 7,478 |
| Surat | 5,739 | 2,569 | 8,308 | 4,135 | 11,117 | 16,252 |
| Ahmednagar | 4,442 | 193 | 4,635 | 1,907 | 506 | 2,413 |
| Sholapur | 10,580 | 880 | 11,460 | 7,239 | 2,035 | 9,804 |
| Kolhapur | 4,461 | 688 | 5,349 | 3,228 | 2,097 | 5,325 |
| Aurangabad | 1,364 | 218 | 1,582 | 1,275 | † | |
| Total | 194,589 | 35,998 | 230,587 | 217,653† | 167,023‡ | 384,676‡ |

* Information not available.

† Employees included under shops.

‡ These figures exclude employment at Nagpur.

Townwise population : 1951 Census.

| Town. | Population. | Town. | Population. |
|---------------------|-------------|----------------------|-------------|
| 1. Bombay | 28,39,270 | 8. Surat | 2,23,182 |
| 2. Ahmedabad | 7,93,813 | 9. Baroda | 2,11,407 |
| 3. Poona | 5,39,993 | 10. Rajkot | 1,82,069 |
| 4. Nagpur | 4,49,099 | 11. Jamnagar | 1,04,410 |
| 5. Sholapur | 2,77,087 | 12. Bhavnagar | 1,37,951 |
| 6. Kolhapur | 1,36,835 | 13. Aurangabad | 57,949 |
| 7. Ahmednagar | 1,05,275 | | |

3.05. *Survey of Employment and Wages.*—Employment and wages in Shops and Commercial Establishments mentioned above were surveyed by the Socio-Economic Survey Branch of the Office of the Commissioner of Labour, during April—August, 1958 by the random sample survey method. A sample of 2,400 establishments was selected for the purpose which covered about 8,000 workers.

3.06. *Sample size at selected Centres.*—The sample size for each town was decided, in consultation with the Bureau of Economics and Statistics, Bombay, having regard to the total number of shops and commercial establishments at each centre. The following table shows the total number of establishments and the sample size at the selected centres:—

Sampled size.

| Centre. | | | | | Total number of Shops and Commercial Establishments (1955-56). | Number of samples selected. |
|----------------|----|----|----|----|--|-----------------------------------|
| 1 | | | | | 2 | 3 |
| 1. Bombay | .. | .. | .. | .. | 96,018 | 600 |
| 2. Ahmedabad | .. | .. | .. | .. | 33,565 | 300 |
| 3. Poona | .. | .. | .. | .. | 22,991 | 300 |
| 4. Nagpur | .. | .. | .. | .. | 9,805 | 300 |
| 5. Rajkot | .. | .. | .. | .. | 6,000 | 100 |
| 6. Bhavnagar | .. | .. | .. | .. | 3,223 | 100 |
| 7. Jamnagar | .. | .. | .. | .. | 3,874 | 100 |
| 8. Baroda | .. | .. | .. | .. | 10,627 | 100 |
| 9. Surat | .. | .. | .. | .. | 12,572 | 100 |
| 10. Ahmednagar | .. | .. | .. | .. | 4,231 | 100 |
| 11. Sholapur | .. | .. | .. | .. | 10,262 | 100 |
| 12. Kolhapur | .. | .. | .. | .. | 4,080 | 100 |
| 13. Aurangabad | .. | .. | .. | .. | 1,135 | 100 |

The results of the survey having a bearing on the task assigned to our Committee are given below :

3.07. *Size of Establishments.*—Unlike factories or industrial establishments, shops and Commercial Establishments seem to be small in size from employment view point. The table given below shows the size of sampled establishments.

| Centre. | 1 Emple- yees. | 2-5 Emple- yees. | 6-10 Emple- yees. | 11-20 Emple- yees. | More than 20 Emple- yees. | Total number of concerns. | |
|------------------------|----------------------|------------------------|-------------------------|--------------------------|------------------------------------|------------------------------|------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | |
| Bombay .. | .. 176 | 325 | 56 | 33 | 10 | 600 | 16.3 |
| Ahmedabad .. | .. 102 | 146 | 36 | 13 | 3 | 300 | 17.3 |
| Poona .. | .. 109 | 153 | 33 | 2 | 3 | 300 | 12.7 |
| Nagpur .. | .. 105 | 149 | 38 | 6 | 2 | 300 | 15.3 |
| Rajkot .. | .. 45 | 38 | 14 | 3 | .. | 100 | 17. |
| Bhavnagar .. | .. 43 | 52 | 3 | 2 | 1 | 100 | 5. |
| Jamnagar .. | .. 44 | 41 | 13 | 2 | .. | 100 | 15. |
| Baroda .. | .. 38 | 49 | 9 | 1 | 3 | 100 | 13 |
| Surat .. | .. 22 | 48 | 28 | 1 | 1 | 100 | 30 |
| Ahmednagar .. | .. 34 | 60 | 4 | .. | 2 | 100 | 6 |
| Sholapur .. | .. 29 | 62 | 8 | 1 | .. | 100 | 9 |
| Kolhapur .. | .. 37 | 53 | 9 | 1 | .. | 100 | 10 |
| Aurangabad .. | .. 40 | 53 | 5 | 2 | .. | 100 | 7. |
| Total .. | .. 824 | 1,229 | 256 | 65 | 25 | 2,400 | |
| Percentage to total .. | .. 34.33 | 51.21 | 10.67 | 2.75 | 1.04 | 100 | |

3-08. It will be seen that the model group consists of the employment size of 2 to 5 persons, accounting for about 51 per cent. of the total establishments. As many as 34 per cent. of the total concerns employed only 1 person. Thus the employment size of about 85 per cent. of the total establishments was less than 6 employees. Only 25 establishments or about one per cent. of the total reported to have engaged more than 20 persons each. In Surat, a large percentage of establishments (28 per cent.) engaged 6 to 10 persons each. In Rajkot, Jamnagar, Sholapur, Kolhapur and Aurangabad no concern was reported to have engaged more than 20 persons.

3-09. *Nature.*—The employees were reported to have been classified in to permanent, temporary, casual and badli workers. Where no such distinction was specified all employees were presumed to be permanent employees. The table below gives distribution of employees according to nature of employment :—

| Centre. | Permanent Employees. | Temporary Employees. | Casual Employees. | Badli Employees. | Total Number of Employees. |
|----------------------------------|----------------------|----------------------|-------------------|------------------|----------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| Bombay | 1,889 | 392 | 89 | 6 | 2,376 |
| Ahmedabad | 1,027 | 41 | .... | 3 | 1,071 |
| Poona | 536 | 308 | 47 | 6 | 897 |
| Nagpur | 642 | 346 | 17 | 1 | 986 |
| Rajkot | 302 | 3 | .... | .... | 305 |
| Bhavnagar | 163 | 65 | .... | .... | 230 |
| Jamnagar | 244 | 46 | .... | 1 | 291 |
| Baroda | 269 | 50 | .... | 3 | 322 |
| Surat | 269 | 112 | 56 | 7 | 444 |
| Ahmednagar | 241 | 40 | 26 | 1 | 317 |
| Sholapur | 200 | 45 | 16 | .... | 261 |
| Kolhapur | 117 | 124 | .... | 8 | 249 |
| Aurangabad | 137 | 32 | 97 | .... | 266 |
| Total | 6,036 | 1,593 | 348 | 38 | 8,015 |
| Percentage to total | 75.31 | 19.88 | 4.34 | 0.47 | 100 |

3-10. About 75 per cent. of the employees are reported to be permanent while temporary, employees constitute about 20 per cent. of the total employment. No casual employment is reported from Ahmedabad, Rajkot, Bhavnagar, Jamnagar, Baroda and Kolhapur. The incidence of casual employment was perhaps the highest at Aurangabad. Badli employees seem to be insignificant accounting for only 0.47 per cent. of the total employment.

3.11 In Rajkot and Ahmedabad the proportion of employment of permanent workers was quite high. On the contrary, in Kolhapur about half the number of employees were temporary.

3.12. *Part-timers.*—In the course of investigation it was found that 3.51 per cent. of the total employees covered were part-timers. This can be seen from the following table giving the extent of full time and part-time employment.

| Centre. | Number of full time employees. | Number of Part time Employees. | Total Number of employees. | Percentage to part-time employees to total. |
|--------------------|--------------------------------|--------------------------------|----------------------------|---|
| Bombay | 2,317 | 59 | 2,376 | 2.48 |
| Ahmedabad | 1,045 | 26 | 1,071 | 2.42 |
| Poona | 832 | 65 | 897 | 7.24 |
| Nagpur | 951 | 35 | 986 | 3.54 |
| Rajkot | 286 | 19 | 305 | 6.22 |
| Bhavnagar | 218 | 12 | 230 | 5.21 |
| Jamnagar | 279 | 12 | 291 | 4.12 |
| Baroda | 293 | 29 | 322 | 9.00 |
| Surat | 444 | .... | 444 | .... |
| Ahmednagar | 303 | 9 | 317 | 2.84 |
| Sholapur | 253 | 3 | 261 | 1.15 |
| Kolhapur | 239 | 10 | 249 | 4.01 |
| Aurangabad | 264 | 2 | 266 | 0.75 |
| Total | 7,734 | 281 | 8,015 | 3.51 |

3.13. It could be seen from the table that no part-time employment is reported from Surat. The percentage of part-time employees was the highest in Baroda, the part-timers accounting for 9 per cent. of the total employees. The part-timers were usually reported to be doing clerical and accounting work and styled as "Mehtajis", etc.

3.14. *System of Wage Payment.*—Wages were mostly found to be paid in a consolidated form without any distinction such as basic wages and dearness allowance. Of 2,400 sampled establishments, 2,353 concerns or

about 98 per cent. paid consolidated wages. The following table gives the extent of payment of consolidated wages at various centres :—

| Centre. | | | | | Number of concerns paying consolidated wages. | Percentage to the total Number of concerns. |
|------------|----|----|----|----|---|---|
| Bombay | .. | .. | .. | .. | 579 | 96·50 |
| Ahmedabad | .. | .. | .. | .. | 290 | 96·66 |
| Poona | .. | .. | .. | .. | 297 | 99·00 |
| Nagpur | .. | .. | .. | .. | 295 | 98·33 |
| Rajkot | .. | .. | .. | .. | 99 | 99·00 |
| Bhavnagar | .. | .. | .. | .. | 100 | 100·00 |
| Jamnagar | .. | .. | .. | .. | 99 | 99·00 |
| Baroda | .. | .. | .. | .. | 100 | 100·00 |
| Surat | .. | .. | .. | .. | 100 | 100·00 |
| Ahmednagar | .. | .. | .. | .. | 96 | 96·00 |
| Sholapur | .. | .. | .. | .. | 100 | 100·00 |
| Kolhapur | .. | .. | .. | .. | 99 | 99·00 |
| Aurangabad | .. | .. | .. | .. | 99 | 99·00 |
| Total | | | | .. | 2,353 | 98·04 |

3·15. *Method of Wage Payment.*—A large majority of workers are paid on Part time basis. Of 8,015 workers for whom a wage data has been collected 7,527 or about 94 per cent. are time-rated workers. The following table shows the number of time-rated and piece-rated employees at various centres :—

| Centre. | | | Number of time rated employees. | Number of piece rated employees. | Total | Percentage of piece rated employees to total. |
|------------|----|----|---------------------------------|----------------------------------|-------|---|
| Bombay | .. | .. | 2,326 | 50 | 2,376 | 2·10 |
| Ahmedabad | .. | .. | 1,039 | 32 | 1,071 | 2·98 |
| Poona | .. | .. | 853 | 44 | 897 | 4·90 |
| Nagpur | .. | .. | 886 | 100 | 986 | 10·14 |
| Rajkot | .. | .. | 298 | 7 | 305 | 2·29 |
| Bhavnagar | .. | .. | 192 | 38 | 230 | 16·52 |
| Jamnagar | .. | .. | 290 | 1 | 291 | 0·34 |
| Baroda | .. | .. | 298 | 24 | 322 | 7·45 |
| Surat | .. | .. | 400 | 44 | 444 | 9·90 |
| Ahmednagar | .. | .. | 286 | 31 | 317 | 9·77 |
| Sholapur | .. | .. | 243 | 18 | 261 | 6·89 |
| Kolhapur | .. | .. | 245 | 4 | 249 | 1·60 |
| Aurangabad | .. | .. | 171 | 95 | 266 | 35·71 |
| Total | | .. | 7,527 | 488 | 8,015 | 6·09 |

Aurangabad seems to have the largest number of piece rated employees, who constitute about 36 per cent. of the total number of employees at that centre. Bhavnagar and Nagpur too have considerable number of piece-rated employees. With the solitary exception of one worker, all employees at Jamnagar are time-rated. The piece-rated employees appear to be comparatively insignificant, at Kolhapur, Rajkot, Bombay and Ahmedabad.

3.16. *General Wage Analysts.*—An analysis of the wage data of 7,634 full-time workers shows that about 44 per cent. of the workers are paid at a rate between Rs. 1.50 and Rs. 3.00 per day. The table at the end of the Chapter gives frequency distribution of workers according to average daily rates of pay.

3.17. *Bombay and Ahmedabad.*—The Wages position as shown by the table makes an instructive reading. The wage level in Bombay and Ahmedabad which are the leading industrial centres not only in the Bombay State but in the country is high. But even among them Bombay has a slightly better level than Ahmedabad. That is explained by the fact that while the economy of Bombay is diversified with a variety of industries and has the advantage of possessing a first class port, the economy of Ahmedabad is principally dependent on its better organised cotton textile industry and cloth trade. The cost of living of the middle classes in Bombay which has sprawled northward and southward more than Ahmedabad is slightly higher.

3.18. *Rajkot, Jamnagar and Surat.*—The wage level in Rajkot, Jamnagar and Surat is much low as compared to Bombay and Ahmedabad, but is better than in other towns. The individual wage level of the towns varies within a narrow ambit. Rajkot and Jamnagar were the capitals of princely States prior to their merger. Rajkot was the Capital of the Saurashtra State after the merger of the States with the Union of India. Although since November, 1956 it is no more the capital institutions which increase its importance in the field of industry have been located there. Among these three towns, therefore, Rajkot has a better level of wages. Surat is a very important centre of small scale industry. It has a concentration of power loom and jari units. Jamnagar is a very important trade centre.

3.19. *Poona, Nagpur, Bhavnagar and Baroda.*—The population of Poona and Nagpur exceeds five lakhs but from the point of view of trade and industry they are not in a happy position. Poona has just three or four industrial units which would be considered large scale. Poona has no specialised small scale industry either. Nagpur was the capital of the former Madhya Pradesh State. But as a result of the States Reorganisation, it has lost that status. Further the Hindi districts round about it which were formerly a part of the former Madhya Pradesh State have gone to the new State of Madhya Pradesh. That has dislocated its trade to some extent. Further the cotton textile mills which are its principal large

scale industry and are important source of employment are not in a happy condition. It is situated near the Madhya Pradesh State which is economically backward. These factors have their impact to some extent on the trade and economy of Nagpur. Bhavnagar is generally grouped with Rajkot and Jamnagar. Although it is an industrial centre and a port town, the Committee found that both its wage level and the cost of living were lower than those of Rajkot and Jamnagar. Baroda occupied a very important place among the towns in the country before the merger of the State with the Union of India. Baroda was among the leading princely States. It has lost its position as a capital but is not even the seat of a Divisional Commissioner in the new administrative set up. It has a few large scale industrial units but does not possess small scale industry of the type of Surat. The level of its economy is lower than Surat and the same is reflected in its wage level.

3.20. *Ahmednagar and Kolhapur.*—The wage level of Ahmednagar was found to be similar to that of Surat in the two lowest wage groups of average daily rates of wages up to Re. 1 and up to Rs. 1.50 and to that of Baroda in the next higher wage group. But it has neither any large scale industry nor small scale industry worth the name. Its economy is therefore dependent on its trade. Situated as it is in a notoriously famine region its economy is very vulnerable. So far as Kolhapur is concerned, both the economic condition and wages, are on somewhat lower plane than those of Baroda and Bhavnagar. The town is better placed than Aurangabad.

3.21. *Sholapur and Aurangabad.*—So far as Sholapur is concerned, normally its condition should have been somewhat better than that of Poona because of the existence of five cotton textile mills. Report of the survey made by the office of the Labour Commissioner into conditions of service of shop assistants in 1935 made a special reference to this fact. The condition of the textile mills having deteriorated considerably, the economy of Sholapur which had developed on the base of the said industry has collapsed during the last few years. The same is reflected in the wage level. Aurangabad in the Marathwada area has a population of less than a lakh. Its economy is very backward with the result that the wages there are the lowest among the thirteen towns.

Frequency Distribution of Workers according to Average Daily Rate (CASH FOR FULL TIME-WORKERS)

| Centre. | Upto Rs. 1 | Upto Rs. 1·50 | Upto Rs. 2 | Upto Rs. 2·50 | Upto Rs. 3 | Upto Rs. 3·50 | Upto Rs. 4 | Upto Rs. 4·50 | Upto Rs. 5 | Upto Rs. 6 | Upto Rs. 7 | Above Rs. 7 | Total. |
|-----------------|----------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|----------------------|--------------------------|
| Bombay .. | 48 (2·1) | 148 (10·7) | 375 (16·2) | 719 (31·1) | 997 (43·2) | 1,252 (54·2) | 1,447 (62·7) | 1,568 (67·9) | 1,715 (74·3) | 1,895 (82·1) | 2,001 (86·7) | 308 (13·3) | 2,309 (100·0) |
| Ahmedabad .. | 40 (3·8) | 114 (10·9) | 257 (24·6) | 380 (36·4) | 508 (48·7) | 610 (58·5) | 714 (68·5) | 791 (75·8) | 858 (82·3) | 942 (90·3) | 969 (92·9) | 74 (7·1) | 1,043 (100·0) |
| Poona .. | 80 (9·9) | 174 (21·5) | 358 (44·6) | 486 (60·1) | 611 (75·5) | 687 (84·9) | 727 (89·9) | 743 (91·8) | 770 (95·2) | 798 (98·6) | 802 (99·1) | 7 (0·9) | 809 (100·0) |
| Nagpur .. | 85 (9·0) | 205 (21·8) | 430 (45·7) | 592 (63·0) | 693 (73·7) | 769 (81·3) | 839 (89·3) | 855 (91·0) | 881 (93·7) | 906 (96·4) | 921 (98·0) | 19 (2·0) | 940 (100·0) |
| Rajkot .. | 6 (2·1) | 32 (11·3) | 71 (25·2) | 123 (43·6) | 153 (54·3) | 182 (64·5) | 226 (80·1) | 240 (85·1) | 254 (90·1) | 269 (95·4) | 275 (97·5) | 7 (2·5) | 282 (100·0) |
| Bhavnagar .. | 29 (13·4) | 62 (28·7) | 112 (51·9) | 149 (69·0) | 165 (76·4) | 186 (86·1) | 197 (91·2) | 201 (93·1) | 207 (95·8) | 213 (98·6) | 214 (99·1) | 2 (0·9) | 216 (100·0) |
| Jamnagar .. | 20 (7·2) | 48 (17·2) | 102 (36·5) | 144 (51·6) | 184 (65·9) | 210 (75·3) | 229 (82·1) | 239 (85·7) | 251 (90·0) | 261 (93·5) | 265 (95·0) | 14 (5·0) | 279 (100·0) |
| Baroda .. | 32 (10·9) | 77 (26·3) | 126 (43·0) | 173 (59·0) | 209 (71·3) | 239 (81·6) | 261 (89·1) | 268 (91·5) | 277 (94·5) | 283 (96·6) | 288 (98·3) | 5 (1·7) | 293 (100·0) |
| Surat .. | 24 (5·4) | 25 (16·9) | 137 (30·9) | 230 (51·9) | 324 (73·1) | 375 (84·7) | 394 (88·9) | 406 (91·6) | 425 (95·9) | 437 (98·6) | 440 (99·3) | 3 (0·7) | 443 (100·0) |
| Ahmednagar .. | 18 (5·9) | 53 (17·4) | 129 (42·3) | 188 (61·6) | 224 (73·4) | 247 (81·0) | 256 (83·9) | 276 (90·5) | 285 (93·4) | 286 (94·4) | 295 (96·7) | 10 (3·3) | 305 (100·0) |
| Sholapur .. | 70 (30·6) | 105 (45·9) | 156 (68·1) | 185 (80·8) | 203 (88·6) | 211 (92·1) | 222 (90·9) | 226 (98·7) | 227 (99·1) | 228 (99·6) | .. | 1 (0·4) | 229 (100·0) |
| Kolhapur .. | 29 (12·9) | 75 (33·5) | 139 (62·1) | 174 (77·7) | 194 (86·6) | 205 (91·5) | 215 (96·0) | 218 (93·3) | 223 (99·6) | 224 (100·0) | .. | .. | 229 (100·0) |
| Aurangabad .. | 92 (35·1) | 145 (55·3) | 188 (71·8) | 214 (81·7) | 232 (88·5) | 238 (90·8) | 246 (93·9) | 250 (95·4) | 253 (96·6) | 255 (97·3) | 257 (98·1) | 5 (1·9) | 262 (100·0) |
| Total .. | 573 (7·5) | 1,313 (17·2) | 2,578 (33·8) | 3,757 (49·2) | 4,697 (61·5) | 5,411 (70·9) | 5,937 (78·2) | 6,281 (82·3) | 6,626 (86·8) | 6,999 (91·7) | 7,179 (94·0) | 455 (6·0) | 7,634 (100·0) |

CHAPTER IV.

**“MINIMUM WAGES” FOR SHOPS AND COMMERCIAL ESTABLISHMENTS :
APPROACH TO ITS FIXATION.**

4.01. *Definition of Minimum Wages.*—The term “Wages” has been defined in section 2(h) of the Minimum Wages Act, 1948, as :—

“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 service excluded by general or special order of the appropriate Government ;
- (ii) any contribution paid by the employer to any Pension Fund or Provident Fund or under any scheme of social insurance ;
- (iii) any travelling allowance or the value of any travelling concession ;
- (iv) any sum paid to the person employed to defray special expenses entailed on him by the nature of his employment ; or
- (v) any gratuity payable on discharge”.

4.02. It will be seen that the above definition only indicates what the ‘wages’ include and what the ‘wages’ do not include. The fixation of minimum wages in terms of money is left to the wage fixing Authority. The Provisions in the Act, however, afford no guidance in that behalf.

4.03. *Protection.*—Once the Minimum the Wage is fixed a number of safeguards are provided for its protection. Section 12 of the Act makes it obligatory on the employer in every Scheduled Employment to pay his employee wages at a rate not less than the minimum statutorily prescribed. If an employee is aggrieved because of a breach of this obligation by the employer he could apply to the prescribed Authority for the redress of his grievance.

4.04. Section 20(3) provides :—

“When any application under sub-section (2) is entertained, the Authority shall hear the applicant and the employer, or give them an opportunity of being heard, and after such further inquiry, 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.

The Authority may direct payment of such compensation in cases where the excess or the amount due is paid by the employer to the employee before the disposal of the application."

4.05. Further, Section 22 makes the defaulting employer liable to criminal action. It provides that he "shall be punished with imprisonment for a term which may extend to six months or with a fine which may extend to five hundred rupees or with both".

4.06. Possible evasion through contracting out has also been prevented by laying it down that any contract or agreement whether made before or after the commencement of the Act, whereby an employee either relinquishes or reduces his right to a minimum rate of wages or any privilege accruing to him under the Act shall be null and void, in so far as it purports to reduce the statutory minimum rates of wages (section 25). As a safeguard against the misuse of the above rights granted to employees, the Act provides that if the Authority hearing a complaint about less payment than the minimum rates of wages is satisfied 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 making such a complaint [section 20(4)].

4.07. *Recommendation for guidance.*—Although the Minimum Wages Act, 1948 does not afford any guidance for the fixation of minimum wages, the Labour and Social Welfare Department, Government of Bombay, forwarded to our Committee for its information the resolution of the Minimum Wages Central Advisory Board passed in its meeting held on the 9th April 1954, in Bombay. The resolution states: "the wage fixing and revising machinery should regard the following consolidated wage, i. e., basic wage plus dearness allowance and other allowance which form part of wages as defined in the Act (Minimum Wages Act, 1948), as the lowest minimum wages for an adult worker for a normal working day:—

Daily rate and its monthly equivalent:—

| | | | | | Rs. a. p. |
|---------|-----|-----|-----|-----|-----------|
| Class A | ... | ... | ... | ... | 2 0 0 |
| Class B | ... | ... | ... | ... | 1 10 0 |
| Class C | ... | ... | ... | ... | 1 6 0 |
| Class D | ... | ... | ... | ... | 1 2 0 |

4.08. The Board, however, qualified the above recommendation by stating in the resolution, "where, in view of the existing low level of wages, the increase to the extent of the minimum wage mentioned above would be sharp, the existing rates may be so advanced in a phased manner that, not later than the period of three years, the minimum wage for the lowest category of workers fixed under the Minimum Wages Act would be the minimum wage mentioned

above. In very exceptional cases where the advancement of the existing level to the minimum wage mentioned above will lead to considerable unemployment, such advancement may be made as may appear feasible from time to time, the matter being reviewed every year until the minimum wage mentioned above is reached”.

4.09. *Employee's Plea.*—Generally the representatives of the unions of employees in shops and commercial establishments were found to be not satisfied with the national minimum recommended by the Minimum Wages Central Advisory Board. Several of them particularly the spokesman of the Ahmedabad Gumastha Mahamandal urged upon the Committee to take into consideration “the acceptance of socialist pattern of society as the objective of State Policy and the Second Five-Year Plan which has been drawn up in pursuance of that objective” which “have given further fillip to the cause of fair wages in recent past”. In the said context the Committee's attention was drawn to the following recommendation of the 15th Session of the Indian Labour Conference held on the 11th and 12th July, 1957, on the subject of “wage policy” during the Second Five-Year Plan.

“1. While accepting that minimum wage was need based and should assure the minimum human needs of the Industrial worker the following norms were accepted as a guide for all wage fixing Authorities including Minimum Wage Committees, Wage Boards, Adjudicators, etc. :—

(i) In calculating the minimum wage the standard working class family should be taken to comprise three consumption units for one earner, the earning of women, children and adolescents being disregarded ;

(ii) Minimum food requirements should be calculated on the basis of a net intake of calories as recommended by Dr. Akyreyd for an average Indian adult of moderate activity ;

(iii) Clothing requirements should be estimated on the basis of a per capita consumption of 18 yards per annum, which would give for the average worker's family of four a total of 72 yds. ;

(iv) In respect of housing, the rent corresponding to the minimum area provided for under Government's Industrial Housing Scheme should be taken into consideration in fixing the minimum wage ;

(v) Fuel, lighting and other miscellaneous items of expenditure should constitute 20 per cent. of the total minimum wage.

2. Wherever the minimum wage fixed was below the norms recommended above, it would be incumbent on the Authorities concerned to justify the circumstances which prevented them from adherence to the aforesaid norms.”

4.10. In support of their plea for the fixation of “fair wages” for the employees in shops and commercial establishments, some representatives of the employees' unions referred to one of the Directive Principles of State Policy, namely “The State shall endeavour to secure to all workers, work, a living wage, conditions of work ensuring a decent standard of life...”. The following view of the Fair Wages Committee, “a minimum wage must provide not merely for bare subsistence of life but for the preservation of the efficiency

of the worker. For this purpose, the minimum wage must provide for some measure of education, medical requirements, and amenities", was also quoted. The spokesman of the Ahmedabad Grumastha Mahamandal submitted to the Committee a detailed statement prepared on the basis of the recommendation of the 15th session of the Indian Labour Conference, which put the figure of the minimum wage for the worker in the lowest category at Rs. 163·48 at the current prices. He also, stressed the view that the paying capacity was irrelevant in the matter of minimum wage fixation. Many others representing employees argued that a unit which could not pay minimum wages had no right to exist. In their view, the fixation of the minimum wages at rates proposed by them would not cause unemployment worth consideration and whatever extent it did as a result of the wage fixation as desired by them it need not weigh with the Committee.

4.11. *Employer's Submission.*—The representatives of most of the Employer's Associations conceded that in the case of some of the employees there was a need for an increase in their wages. A few of them, such as the Maskati Cloth Market Association, Ahmedabad in its written memorandum and the Maharashtra Chamber of Commerce, Bombay in its oral evidence even proposed some increase in the existing normal wages mentioned by them. All of them were, however, emphatic that the minimum wages should be fixed with reference to the capacity of the majority of the units in the employment, "Shop" or "Commercial Establishment" which were small ones, and that any increase beyond the capacity to pay would mean closure or curtailment of activity and any abnormal rise in the existing wages, unemployment. Representatives of a few employers' associations stated that if minimum wages were fixed beyond the capacity to pay, in an attempt to survive malpractices might be resorted to on a wide scale.

4.12. Employers' Associations took strong objection to the view that a unit which could not pay minimum wages had no right to exist. The Federation of Bombay Retail Cloth Dealers' Association stated that the view offended against the fundamental right of freedom to carry on any trade or business. The Gujarat Vyapari Mahamandal, Ahmedabad, argued, "In a country like India where absolute objective of the Government is to encourage small scale industry and small units so as to facilitate decentralisation of economy, it is extremely difficult to appreciate that these business units which cannot pay statutory minimum wages should have no right to exist. The tendency to think in this fashion is highly inconsistent with the ideology accepted and propagated by the Government of India and the State Governments and obviously derogatory to small size trade and business which are scattered all over the country". At Ahmedabad the spokesman of the Ahmedabad Chemical Merchants' Association, the Ahmedabad Iron and Paint Merchants' Association, the Ahmedabad Paper Merchants' Association and the Railway Transport Relief Association, while urging for special consideration of the employment, "Shop" or "Commercial Establishment", very pertinently pointed that while in the case of industries, small, medium or big, some kind of Government help either in the form import of restrictions, protective duties, long and medium term finance, etc. was available, the "Shop" or "Commercial Establishment",

as an employment had not only received any direct or indirect help but had been saddled with additional expenditure on maintenance of records, submission of returns etc., under various Acts. Further, he argued that the recent economic policy of the Government in respect of import control, state trading etc. had adversely affected some sections of trade. He pleaded that it was inopportune to fix minimum wages under existing conditions. This view was shared by many other employers' Associations, also.

4.13. The Indian Merchants' Chamber, Bombay opposed the application of the Minimum Wages Act to shops and commercial establishments in the Bombay State on three grounds, viz.: (1) the application of the Act to a part of the country would result in the business and trade interests of the Bombay State being placed in a disadvantageous position, as compared to similar interests in other States where no attempt has been made for fixing minimum wages for such an employment, (2) it would bring about diversion of the trade and business now carried on by retailers to shop windows and itinerant pedlars, and (3) it would be detrimental both to the shops engaging part-time employees as well as persons offering such partial employment. But the strongest representation on the subject came from the Saurashtra Chamber of Commerce, Bhavnagar, which expressed its fundamental opposition to the statutory fixation of minimum wages. Its spokesman refused even to submit any proposal for it.

4.14. *Norms of 15th Indian Labour Conference.*—The Committee duly considered the views put forward by the employers' and employees' representatives. The Committee regrets that it is not able to recommend wages computed on the basis of the norms prescribed by the Indian Labour Conference in 1957. The reasons are that firstly, the wages if fixed on the basis of the said norms would cause unemployment on a very large scale and secondly, the level of our national income would not permit the fixation of such high minimum wages.

“What living standards can be called ‘reasonable’ depends to a large extent upon the real per capita income of the Country.” Unfortunately, in spite of completion of the First Five Year Plan, the net national output has not shown substantial improvement to warrant a considerable increase in wages. The per capita net national output which was Rs. 246·3 in 1950–51 at 1948–49 prices rose to Rs. 273·6 in 1955–56 and the expectation of an increase by the end of the Second Five Year Plan is only to 331/-. The per capita net availability of cereals and pulses was 13·2 ozs. and 2·5 ozs. per day in 1957. But in 1958 it was 12·3 ozs. and 2 ozs. respectively. Further, the expectation of per capita consumption of 18 yards of cloth by the farmers of the Second Five Year Plan appears to be difficult of fulfilment. The Textile Enquiry Committee—1958 has observed: “since the economic development is not at the rate envisaged in the Second Five Year Plan, we do not anticipate that the per capital consumption will exceed 17·5 yards

4.15. Any attempt to fix the minimum wages on the basis of physical requirements without reference to the national production would not meet with success. The wages need be fixed with reference to both the cost of a minimum standard of living and national production. Wages

fixed without reference to an increase in national production of consumption goods and services would add to the inflationary pressure. As has been pointed out in "Problems of Wage Policy in Asian Countries" a Monograph prepared for the "Asian Regional Conference, Tokyo, 1953" the total wage bill should not substantially surpass the value of the supply of wage goods at current prices. If it did, the consequent inflationary pressure would considerably add to the already difficult problems of maintaining monetary stability which are inherent in economic development." Further, as the Royal Commission on labour in India stated and which has been quoted with approval by the Fair Wages Committee, "It is obviously possible to raise the standard of living of sections of industrial workers by methods which would involve diminution of national income that is available for other sections of the community."

4.16. We have given elsewhere a table showing frequency distribution of workers according to an average daily wage. It will be found therefrom that 86.8 workers receive wages less than Rs. 130 per month. If the minimum monthly wages were to be fixed on the basis of the recommendations of the Indian Labour Conference, which are computed at a figure higher than that of Rs. 130 most of the employers would be very adversely affected. In view of the elastic demand for their services and the competitive nature of the trade, it would not be possible for them to pass on the burden to the consumers by raising proportionately the gross profit margin. A very large majority of shops in Bombay and most of the shops in some other towns employ 1 to 5 workers. Except the few shops in very specialised trades where the turnover per worker, or the profit margin is very high, all others, the Committee is afraid, would be compelled to turn themselves into self-employed shops, or to reduce the number of persons employed and increase the turnover per worker. In view of the under employment that generally prevails in the distribution trade, there would be scope for the latter. This would mean unemployment of a very large number of employees. It may be noted that "unemployment among non-manual workers tends to be reabsorbed more slowly than unemployment in general." As has been brought out in the Monograph prepared for 43rd Session of the International Labour Conference, Geneva, 1959, the position is far more serious in the economically backward countries. As it is, the employees in shops and commercial establishments are not very much educated. There is already a keen competition for such jobs from the educated unemployed. The study group on educated unemployed set up by the Planning Commission has concluded that "the number of persons who had completed the secondary education and holders of intermediate university degree or other equivalent qualifications would be 6,650,000 by 1960 of whom some 600,000 would be unable to find work unless some special action was taken". It needs no argument to show that the condition of those who would be thrown out of employment would be indeed pitiable and that there would be not much chance of their being easily absorbed in vocations other than shops where few or no particular qualifications are necessary.

4.17. That the fixation of wages calculated on the basis of the formula of the Indian Labour Conference is not immediately practicable, has been conceded even by the spokesmen of the employees' associations. For instance, the spokesman of the Ahmedabad Gumastha Mahamandal, who quoted the

recommendations of the Indian Labour Conference for the guidance of the Committee, and the written memorandum of whose Association, had asked for a minimum wage of Rs. 100 brought it down to Rs. 80 in his discussion with the Committee. The same was the experience of the Committee elsewhere. It was only in a couple of cases that the representatives of employees' Associations did not reduce their original demands. In the opinion of the Committee, the recommendations of the Indian Labour Conference are in the nature of a directive principle to be followed in the matter of fixation of minimum wages. The Committee hopes that the national income and production in the country would soon so improve that it would be possible to increase the general wage level in this country, at least by stages, to the one envisaged by the Indian Labour Conference.

4.18. *Fair Wages.*—For the same reasons, the Committee has not been able to recommend a wage in terms of the definition of 'fair wages' made by the Fair Wages Committee. The wage is dependent mainly on the effort put forward by the worker and his services to the industry. The output of his effort is circumscribed by many an extraneous factor. Even where the management is efficient and the workers conscientious and intelligent the quantum of their output cannot be increased beyond the limit, in a short time. As observed by the Minimum Wages Committee for employment in Oil Mills, "For all our industries it can be said that the legal minimum should be fixed at as high a point as the industry can hope to bear in normal times." Once that is fixed, whatever further needs to be done to raise the standard of living falls within the purview of social action by the State. The directive principles of State policy provide for free and compulsory education for children, public assistance in case of sickness and raising the level of nutrition and the standard of living. "Social expenditure in this behalf must, if it is to be economically administered, attempt to give help to those who most need it and to render help in the manner which is most effective". The Bombay State has been taking steps in such a direction. Free medical facilities are being extended and free education at all stages is intended to be made available irrespective of caste and creed to the children from low income group of persons having an annual income of Rs. 900 or less.

4.19. *Limited Scope.*—The scope of the fixation of minimum wages is limited. Such a fixation is not meant to bring about an increase in the level of wages of individual establishments according to their capacity to pay. The function of the minimum wage fixation is to bring up to a reasonable level the wages where they are depressed. Therefore, such a fixation would help only such classes of workers which are receiving very low wages. As has been stated by Professor D. R. Gadgil in his Regulation of Wages and Other Problems of Industrial Labour in India, "apart from those classes of workers who receive the lowest wages today, regulation of wages cannot be expected to do much more for workers in general than bring up the rates in the low paying units to a fair level". The wages in the sector referred to us have no doubt been unduly depressed. It is probably the employees in shops and commercial establishments who have borne the greatest burden of war and post-war price increases. Relief is long due to them, but in view of their numerical importance and the prevalent circumstances this has to be confined

largely to the depressed sections among them. As could be seen from the table of frequency distribution of workers according to average daily wage, in shops and commercial establishments surveyed by the Office of the Commissioner of Labour, 49·2 per cent. of the workers had been drawing Rs. 65 or less per month. Considering the same by cities, the number of such workers was lowest in Bombay at 31·1 per cent; while it was the highest in Sholapur and Aurangabad at 80·8 per cent. and 81·7 per cent. respectively. What the Committee has attempted to do is to see that the depressed wages of the lowest 30/40 per cent. of the workers are reasonably brought up. Since the Committee has also recommended minimum wages for semi-skilled and skilled, which are higher than the prevalent level of remuneration paid to these categories of employees, the recommendation of the Committee would benefit more persons.

4·20. In performing its task the Committee has tried to implement the recommendations of the Minimum Wages Central Advisory Board after making due allowance for the rise in the prices since 1954. Since the wages have been found to be extremely depressed, the increase in them to the minimum wage recommended by us would mean precipitous rise, which in its turn would cause dislocation in the cases of some shops, as per the suggestion of the Board, the Committee has recommended that the increase should be phased so that the existing employees would reach the suggested minimum in a period not exceeding 2 years from the date of fixation of minimum wages. Even from the point of view of the employees, a phased rise in the wages of unskilled workers would prove more beneficial. It is a common experience that any steep rise in the wages of such workers initially leads to dissipation of higher earnings on unhealthy activities, which are not conducive to increase in efficiency. The argument of dissipation against making a somewhat steep increase in wages would lose its significance if the increase is reasonably spread over. What would constitute a reasonable spread over would depend on the quantum of increase in relation to the existing wage. Thus phasing while giving breathing time to employers for adjustment and thereby lessening tendency towards resort to malpractices, would also have the incidental advantage of checking workers from frittering away their earnings on non-essential items of expenditure. The Committee, however, would make it clear that so far as the new recruitment is concerned, all new entrants should be paid full minimum wage that may be fixed regardless of phases.

4·21. *Wages of Adolescents.*—The Committee found at several places that one of the characteristics of employment in 'shops' or 'Commercial Establishments' was that adolescents were recruited for service. It was argued before the Committee that if the minimum wage was made applicable to such teen aged employees, that would mean dislocation of the structure of the trade and also unemployment of these young persons. The minimum wages committee for the Printing Industry recommended minimum wages for the unskilled category of workers by age groups, only those of the age of 22 years and above getting the minimum wage fixed for the said class. The age groups recommended were (1) upto the age of 18 years (2) of 19 to 21 years, and (3) of 22 years and above, on the ground that workers of the first two age groups have no responsibilities of their own family and their capacity for the required

standard of work is also not fully developed. Quoting Prof. Barbara Wootton, the said Committee stated that in Britain, the manual employments in industry, the maximum adult rate was generally reached at 21 or year or two later. This view has appealed to our Committee. Further, the information available to our Committee has shown that such fixation of wages by age is not restricted only to manual employments. For instance, the agreement revised in 1955 between the Newspaper Proprietors Association, London, and the National Union of Journalists provided that the junior working journalist at the age of 16 would get 25 per cent. ; of 17, 30 per cent. ; of 18, 40 per cent. ; of 19, 45 per cent. ; of 20, 55 per cent. ; of 21, 65 per cent. ; of 22, 75 per cent. ; of 23, 85 per cent. ; and of 24, 90 per cent. or 100 per cent. of the wages agreed to be paid to a person entering journalism at or above the age of 24 where total service was under 2 years and at least 2 years respectively. Since the employers' associations had explained to the Committee that the recruitment to higher categories in shops was made invariably by promotion from immediate lower class of workers employed, the Committee has not thought it necessary to make a recommendation of wages by age-groups in the category of higher classes of workers.

4.22. *Need for minimum wages.*—As regards the plea made by some associations of employers that minimum wages should not be fixed in the employment "Shops" or "Commercial Establishments", our Committee being appointed to recommend to Government the minimum wages in this particular employment, its consideration is beyond the scope of the terms of reference. However, the Committee would like to state that data regarding the existing wages in this employment clearly indicate that there is sweating at some levels and the employment itself is of such a nature that collective bargaining for a very large section of the employees is not practicable and, therefore, fixation of minimum wages at a reasonable level is desirable. So far as the Fundamental Right of freedom of trade and the Directive Principle regarding securing for workers a living wage, a decent standard of life, etc., quoted by the employers' associations and employees' unions respectively are concerned, the Committee thinks that they are not contradictory; both are reconcilable. What the Fundamental Right assures is that there should not be unreasonable restrictions on trade and what the Directive Principle regarding living wage asks the State to do is that it should endeavour to secure it for workers. The minimum wages of a reasonable level, therefore, could be fixed without offence to any of them.

4.23. *Minimum wages and capacity to pay.*—The employers' associations have taken strong objection to the view that the unit which cannot pay minimum rates of wages has no right to exist. The objection could be understood to the fixation of very high rate of wages which would mean extinction of a large number of units in the employment concerned. Further, any Authority entrusted with the task of fixing the minimum wages would not lose sight, to quote the Fair Wages Committee, of "the objective which is not merely to determine wages which are fair in the abstract, but to see that employment at existing levels is not only maintained but also possibly increased". On the other hand, minimum wage fixation at a level which would hurt no firm is very difficult. Fixation of any worthwhile minimum wage in an unorganised industry is likely to lead to the closure of a few marginal units which must be

put up with in national interests. As the spokesman of the Trading Establishments Employees' Union, Kolhapur put to the Committee, "This only implied that if an employer cannot pay minimum wages, he has no right to employ. He can of course, if he so chooses, run his own shop or commercial establishment, as a self-employed person."

4.24. As regards the plea of the employees' unions that the general paying capacity of the trade or industry was irrelevant in the matter of minimum wage fixation, the Committee regrets that it cannot fully agree with that view. It would like to quote with approval, the view of the Fair Wages Committee that "though the living wage is the target, it has to be tempered, even in advance countries, by other considerations particularly the general level of wages in other industries and the capacity of the industry to pay." That is particularly so when the minimum wages is fixed for the first time and when the State does not provide unemployment insurance.

4.25. *Exemption of certain units.*—A large number of employers' associations suggested that to start with, minimum wages should be fixed in shops and commercial establishments employing more than 5 workers. This suggestion is not acceptable to the committee because that would mean, in the city of Bombay alone, exclusion of 56,398 shops and commercial establishments which employ 1 to 5 workers out of the total number of 67,031 shops and commercial establishments employing 1 or more workers i.e. 88 per cent. of the shops which employ one or more workers would be exempted from the Minimum Wages Act. Classified information of shops and commercial establishments according to the number of persons they employ is not available for all the places we are concerned with. But such information as we could gather as well as the employee-wise distribution of the sample units covered in the Labour Office Enquiry lead us to the conclusion that in some of the towns such an exclusion of shops from the operation of minimum wages would mean practically no benefit to the workers.

4.26. *Diversion of trade.*—The employment in "Shop" or "Commercial Establishment" has within its orbit a very large variety of trades, most of which are local in character. Others have developed because of certain economic and locational advantages not likely to be easily counteracted. The Committee, therefore, has not been able to appreciate the argument of the Indian Merchants' Chamber that the business and trade interests of the Bombay State would be placed at such a disadvantageous position in comparison with similar interests in other States that the fixation of minimum wages, which would certainly lead to better efficiency of workers should not be undertaken. So far as the Chamber's contention of diversion of the trade of retailers to shop windows and itinerant pedlars is concerned, it has already been taking place to some extent when the minimum wages are not fixed. The reasons for it are to be found somewhere else. The fixation of minimum wages is not likely to appreciably strengthen this trend. The point tried to be made out by the Chamber, thus, does not appear to be significant. It is a matter of regret that the Chamber did not explain its stand by meeting the Committee when requested to do so. It could be inferred that the Chamber had no further

argument to substantiate its points beyond what it mentioned in its memorandum.

4.27. *Division of Employment in categories.*—In arriving at its conclusions regarding the minimum wages it should recommend for the three classes of workers in Shops and Commercial Establishments, two important considerations weighed with the Committee. It wanted to give relief to the low-paid employees by suggesting a reasonable increase in their wages but it was also anxious that its recommendations should not cause any substantial unemployment. The capacity to pay though not the sole deciding factor is certainly a very important factor in this connection. The Committee found that the capacity differed with the size as reflected in the turn-over, profits and the number of employees, as also with the character of the trade. There were suggestions from one section or another that minimum wages be fixed on the basis of each such criterion. There was, however, no unanimity of views in this matter either among the employers' associations or employees' unions. So far as the basis of turnover was concerned, it was difficult to get reliable figures. Further the turnover by itself was no indicator of the capacity because the margin of profit differed with the trade. Net profits were very variable and their proper assessment for the purposes of implementation of the Minimum Wages Act would have meant immense difficulties and complexities. Since the employment covered a very large number and variety of trades which within their orbit had distinct sub-divisions, fixation of minimum wage for each of them separately, even if it were possible, would have been administratively almost impractical. Further even if the Committee has desired to recommend trade-wise minimum wages, it had no data required for the purpose. The only rough and ready criterion with all its drawbacks for judging the capacity of the units to pay was the number of persons employed. The plea of the employers' associations that units employing workers below a particular number should be excluded was based on the ground that those units which employed a small number of employees would not be able to pay minimum wages on par with those employing more workers. In order that the employees in bigger shops may at least get a little better wage than what the small shops could afford, the Committee decided that for the purposes of the fixation of minimum rates of wages it should divide them into two categories, namely, shops employing more than two workers and shops employing one or two workers. Since commercial establishments even of small size can transact a large amount of business, the Committee saw no purpose in classifying them according to the number of persons employed. Since most of the shops employed five or less workers further categorisation was not practicable.

4.28. The employment "Shop" or "Commercial Establishment" covered besides establishments in trade and commerce, small units in manufacturing concerns which were not governed by the Factories Act as also certain small service establishments such as tailoring, hair-dressing saloons and laundries. The characteristic which distinguished them from the Shops and Commercial Establishments proper was that the former essentially involved manual work while the latter, clerical and commercial work. The earning capacity of a small industrial unit is comparatively low because it generally employs labour intensive methods. Skill of employees of such establishments has a different connotation. The Committee has, therefore, put them in a category of their own.

4.29. *Minimum rate of wages.*—The Minimum Wages Act, 1948, permits under section 3(2) fixation of minimum rate of wages in any of the following four ways :—

- (a) “ A minimum time-rate ” ;
- (b) “ A minimum piece-rate ” ;
- (c) “ A guaranteed time-rate, viz., a minimum rate of remuneration to apply in case of employees employed on piece-work for the purpose of securing to such employees a minimum rate of wages on a time-work basis ” .
- (d) “ Overtime rate ” .

The Wage-fixing Authority has been authorised by section 4 of the Act to fix (1) a basic rate of wages plus the cost of living allowance plus the cash-value of concessions, (2) a basic rate of wages with or without the cost of living and other allowances, or (3) an all-inclusive rate allowing for basic rate, the cost of living allowance and the cash-value of concessions, if any.

4.30. During its enquiry the Committee found that only a few occupations has wages fixed on piece-work basis which differed from trade to trade and industry to industry. Even in such cases, no reliable data about the work-load and the rate of wages for the same was made available to the Committee. So far as workers employed on piece-work for which minimum time-rate is fixed are concerned, section 17 lays down that the employer shall pay to such employees wages at not less than the minimum time-rate. The Committee has, therefore, decided to recommend only a minimum time-rate.

4.31. Similarly the evidence before the Committee clearly showed that the most common method regarding payment of wages that prevailed was that of an all-inclusive rate. So, the Committee has recommended only consolidated rates of wages for different classes of work.

4.32. The Committee has considered the problem of overtime payment and has come to the conclusion that while the hours of work put in over and above 48 hours in a week of six days constituted “ legal ” overtime, the hours of work put in over and above the normal week of less than 48 hours to 48 hours was “ ordinary ” overtime. It has, therefore, suggested different rates of overtime wages for “ legal ” and “ ordinary ” overtime.

4.33. *Different minima of wages.*—The Minimum Wages Act, 1948 has given discretion to the Wage-fixing Authority to fix different minima for (1) different classes of work in the same scheduled employment, (2) adults, adolescents, children and apprentices, and (3) different localities.

4.34. *Classification of employees.*—The Act defines “ employee ” as any person 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 any 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 purposes of the trade or business of that other person where the process is to be carried out either in the home of the out worker or in 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. Thus workers in the employment "Shop" or "Commercial Establishment" who serve either on the premises or outside the premises would be covered by the minimum wages that would be fixed. The Committee has come to the conclusion that such employees should be divided into three broad classes namely, skilled, semi-skilled and unskilled whatever be the nature of work whether commercial, clerical or manual. The employment "Shop" or "Commercial Establishment" covers three types of establishments where the nature of work is somewhat different. In shops and commercial establishments proper the principal character of work is commercial and clerical while in small industrial establishments and certain services which are covered by this employment, it is manual. But it should be noted that in all these categories of establishments, the element of commercial, clerical and manual are involved which makes it difficult to draw a fine distinction as to whether a particular occupation in the employment is purely commercial and clerical or manual. Both from the written memoranda and the oral evidence, it became evident that categorisation of employees in establishments into semi-skilled and unskilled would be difficult because essentially the nature of work in Shops and Commercial Establishments proper was commercial and clerical. The committee feels that in this matter the following view expressed by the Full Bench of the Industrial Court, Bombay, in the dispute between the Rashtriya Mill Mazdoor Sangh, Bombay, *versus* Mill Owners' Association, Bombay, in Reference (IC) No. 17 of 1953 could be a proper guide. The Full Bench stated, "a person whose work is mainly manual should not be considered a semi-clerk merely because he has to note some figures and keep an elementary record".

4.35. *Question of occupationwise classification.*—As has been seen in another chapter, the employment "Shop" or "Commercial Establishment" embraces a very large variety of trades, services and industries which again have a number of distinct sub-divisions. The nomenclatures of the occupations in them differ very widely and in some cases the same term connotes different content of skill for different sizes of establishments. It has not been possible for us to attempt standardisation of terms, because the task of correctly evaluating the work denoted by a particular occupational term would require thorough study, expert knowledge and experience of occupations in scores of trades and services covered by the employment, "Shop" or "Commercial Establishment". The Committee has defined who is a "skilled", "Semi-skilled" or "Unskilled" employee and hopes that the definitions would be helpful to an employer in placing his employee in his proper class and to an employee in finding out if he has been correctly placed.

4.36. *Adults, Adolescents, Children and Apprentices.*—So far as the minimum wages of adults and adolescents are concerned the Committee has dealt with it earlier in this chapter and following the view expressed therein has made specific recommendations for the fixation of their minimum wages.

4.37. So far as children are concerned section 32 of the Bombay Shops and Establishments Act lays down that no child shall be required or allowed to work whether as an employee or otherwise in any ' establishment ', notwithstanding that such child is a member of the family of the employer. The question, therefore, of recommending minimum wages for them does not arise.

4.38. Apprenticeship is a very common feature of the employment in " Shop " or " Commercial Establishment ". The period varies from trade to trade. It was represented by some employers' representatives that it extends to two or three years, and had pleaded that the Committee should recognise it. On the other hand, quite a number of employees' representatives has urged that the period should not be beyond three months. It was also pointed out by the latter that in some cases the apprentices were not paid or paid meagre amounts and any unduly long prolongation of the apprenticeship period was liable to grave abuses.

4.39. The Bombay Minimum Wages Rules provide that " an apprentice means a person who is employed for the purpose of being trained in any scheduled employment ; provided that such a person shall not be deemed to be an apprentice if the period of training in such scheduled employment or such process or branch of work forming part of such employment exceeds such period not exceeding three years ".

4.40. The Committee has duly considered the submissions of the employers and employees and come to the conclusion that the period of apprenticeship should not exceed one year. The Committee feels that its recommendation is not likely to affect adversely the existing trade practice because it has recommended fixation of wages by age groups for the unskilled category from which, it has been stated by the employers' representatives that permanent employees are generally selected, the confidence and training and not so much the academic qualifications being the criterion for such selection. The apprenticeship period would therefore effect only such persons in the unskilled category whose age is above 21 years and those that are directly recruited in the higher categories.

4.41. *Money Value of Food, Shelter, etc.*—In some trades, particularly those of " Mithai and Farsan ", and grain, the system of employing persons on wages in cash and kind has been prevalent. Employees are paid wages in cash in addition to the provision of food, shelter, etc., by employers. It has become a special characteristic of employment in some of these trades. The Committee feels that it would neither be proper to cause any dislocation in such trades nor to give scope for disputes as to the cash value of wages in kind. It has, therefore, recommended that should be considered a proper money equivalent for food, shelter, etc., provided to employees.

4.42. *Part-time workers.*—The Committee found that some of the jobs in shops and commercial establishments were done by part-time employees. It was normal feature of this employment. Section 15 of the Minimum Wages Act lays down that if an employee works on any day for a period less than the

requisite number of hours constituting a normal working day, he shall be entitled to receive wages as if he has worked for a full normal working day. If no special provision is made to exclude them from the operation of this section it would cause dislocation and mean unemployment of such part-timers. As mentioned earlier, the Indian Merchants' Chamber, Bombay had in its memorandum specifically referred to this aspect. The Committee feels that with due safeguards against its possible misuse, part-time employees in shops and commercial establishments should be excluded from the operation of the section by the issue of a suitable notification in the *Official Gazette* as per powers conferred on Government under section 26(2). There would be no abuse of such a concession if the term "Part-time" worker is properly defined. The State Government has issued such a notification in the case of the employment under any local authority. The Committee feels that the State Government may move the Union Government for a suitable amendment of this section, so as to permit employment of genuine part-timers with due protection of their wages.

4.43. *Sub-Standard and Disabled workers.*—At some places the Committee found in the employment in "Shop", sub-standard workers employed on low wages some of the employers' representatives who expressed their views on the question of their employment stated that if minimum wages were fixed very much higher than those which the service rendered by such sub-standard and disabled workers warranted, they would have no alternative but to dispense with them. The minimum wages laws of several countries contain special provisions for sub standard and disabled workers providing safeguards against any abuse. Since a very large majority of establishments in the employment under consideration employ less than five persons the Committee has found it difficult to make any definite recommendation in this matter. It, however, urges that Government may carefully watch the effects of the fixation of minimum wages on these unfortunate workers, and if necessary, take suitable steps for relief.

4.44. *Division of Township Zones.*—During the enquiry, the committee found that it could not recommend uniform rates of wages for all the thirteen towns because their general economic conditions, the specific conditions of the employment referred to it and the cost of living differed. It is impossible to have identical conditions in regard to these features in any two towns. But the Committee came to the view that where the economic conditions differed within a narrow margin, the towns could be grouped together. It has, therefore, grouped the thirteen towns into six Zones. While doing so, it considered whether it could adopt population as its basis. But it found that some towns with a smaller population were economically better placed because of a variety of factors such as geographical situation, development and specialisation of industry etc. Thus it was pointed out to the Committee at Aurangabad that though its population was more, Nanded, Latur and Jalna were commercially more important and if not instead, at least along with Aurangabad they should have been chosen for the application of the Minimum Wages Act. Similarly, in Kolhapur it was urged that Jaisingpur and Sangli should have also been chosen for the fixation of Minimum Wages.

4.45. *The Three Acts.*—In the context of the fixation of minimum wages for workers in the employment in “Shop” or “Commercial Establishment” some observations were made by the employees’ and employers’ representatives regarding the administration of the Bombay Shops and Establishments Act, 1948, the Payment of Wages Act, 1936 and the Minimum Wages Act, 1948. While the employees’ representatives were not satisfied with the administration of Act because there was no effective inspection of shops and establishments in the matter of service conditions of employees, the employers’ representatives complained that they were being prosecuted for technical offences and the administering authority looked more to the letter than the spirit of the Act. The employees’ representatives expressed a fear that if the inspection was loose the benefits which the fixation of minimum wages was intended to confer on employees in shops and commercial establishments should not accrue to them in practice. On the other hand the spokesmen of employers were afraid that the application of the Minimum Wages Act would throw additional burden on them as more returns would have to be sent to Government and registers to be maintained. The employees’ representatives while agreed on the demand for tightening of the administrative machinery were divided on the subject of suitable administrative machinery. Some of them urged that the administration be taken over by Government while others were equally emphatic that it should remain with the local authorities. The Committee feels that for the proper enforcement of the Act, the number of Inspectors needs to be augmented and supervisory machinery strengthened. So far as the burden of additional separate returns is concerned, the Committee feels that common forms returns, registers etc. which could be effectively used for the purposes of the three acts could be devised.

4.46. There is one point in connection with phasing of the minimum wages which the Committee wants to bring to the notice of Government. The Committee found that the Payment of Wages Act was not made applicable to all the town which have been referred to it for inquiry. It is essential that it should be applied immediately so that reliable data regarding existing wages would be available.

4.47. In regard to implementation of whatever the minimum wages are fixed the Committee would like to draw attention to the following two recommendations by the Asian Regional Conference of I. L. O. held in 1953 :—

(1) in order to make statutory wage regulation effective, there should be an authority in each country fully empowered by law, and adequately staffed and equipped, to carry the responsibility for the enforcement of statutory wage provisions ;

(2) the work of this authority should be facilitated by such means as the framing of wage provisions in simple form easily understood by all concerned, the provision of inspectorate staff suitably qualified, trained in their work and adequately remunerated so as to ensure that they inspire the confidence of employers and workers alike, and the laying down of procedures for bringing complaints of infringement of wage provisions to the notice of the enforcing authority without risk or detriment to the worker’s livelihood.

CHAPTER V.

SPECIFIC RECOMMENDATIONS IN TERMS OF THE ACT.

A.

I. *Zones*.—The following places in the State should be divided into six zones as mentioned below :—

- | | | |
|----------|-----|--|
| Zone I | ... | Greater Bombay Municipal Corporation Limit. |
| Zone II | ... | Ahmedabad Municipal Corporation Limit. |
| Zone III | ... | Municipal limits of the towns of Rajkot, Jamnagar and Surat. |
| Zone IV | ... | Municipal Corporation Limits of Poona and Nagpur, and Municipal limits of the towns of Baroda and Bhavnagar. |
| Zone V | ... | Municipal limits of the towns of Ahmednagar and Kolhapur. |
| Zone VI | ... | Municipal limits of the towns of Sholapur and Aurangabad. |

II. *Classification of "Shops" and "Commercial Establishments"*.—For the purposes of the fixation of minimum wages in the employment "Shop" or "Commercial Establishment", the shops and commercial establishments as defined by the "Bombay Shops and Establishments Act, 1948" shall be divided into three classes as below :—

- | | | |
|-----------|-----|--|
| Class (a) | ... | "Shops" employing more than two employees and "Commercial Establishments" other than those covered in (c). |
| Class (b) | ... | "Shops" employing two or less employees other than those covered in (c). |

Note.—For the purposes of the fixation of minimum rates of wages in the employment in any "Shop" or "Commercial Establishment", a shop shall be deemed to be employing two or less employees if it has in its employment not more than two employees for not less than 270 days during the period of twelve calendar months immediately preceding the date of Notification promulgating minimum rates of wages.

An employee, in a "Shop" employing two or less employees shall be entitled to higher wages fixed for employees in Class (a) if the number of employees in the shop in which he is employed exceeds two provided that the period of service of such employees shall not be less than 270 days during a period of twelve calendar months. Alternatively a "Shop" employing more than two employees shall be deemed to belong to class (b) provided the number of its employees who have put in more than 270 days in a period of twelve calendar months is two or less.

- | | | |
|-----------|-----|--|
| Class (c) | ... | Industrial units which are not governed by the "Factories Act, 1948" but are governed by the "Bombay Shops and Establishments Act, 1948", and the firms employing less than 10 workmen in the services of (1) tailoring, (2) hair cutting saloons and (3) laundries. |
|-----------|-----|--|

III. *Classes of Work.*—The wage fixing authority has been given discretion to prescribe different minima for different classes of work in a Scheduled employment. Accordingly the employees in the employment "Shop" or "Commercial Establishment" should be divided into 3 categories of work, viz.—

- (1) *Skilled* in manual, clerical and commercial work ;
- (2) *Semi-skilled* in manual, clerical and commercial work ;
- (3) *Unskilled* in manual, clerical and commercial work.

A skilled employee is one who is capable of working efficiently, of exercising considerable independent judgment and of discharging his duties responsibly. He must possess a thorough and comprehensive knowledge of the trade, craft or industry in which he is employed:

A semi-skilled employee is one who does work generally of a well defined routine nature, wherein the major requirement is not so much of the judgment, skill and dexterity, but of proper discharge of duties assigned to him for relatively narrow job and where important decisions are made by others. His work is thus limited to the performance of routine operations of limited scope.

An unskilled employee is one who does operations that involved the performance of simple duties which require the exercise of little or no independent judgment or previous experience, although a familiarity with the occupational environments is necessary. His work may thus require in addition to physical exertion, familiarity with a variety of articles or goods.

IV. *Classification of occupations.*—Since the employment in any "Shop" or "Commercial Establishment" embraces a very large number of trades with a variety of occupations and since the same term or designation indicates different levels of duties, it is neither possible to recommend placing of employees by occupational terms or designations into the three distinct categories mentioned in II-A above nor to standardise occupation terms.

V. *Wages.*—The Committee recommends the consolidated rates of wages (basic wage plus dearness allowance) as below for employees in the employment "Shop" or "Commercial Establishment" for a calendar month irrespective of the number of days in such a month i.e. 28, 29, 30 or 31 days as per the Christian Calendar.

The daily wage of an employee shall be computed by dividing the recommended consolidated wage for the category to which he belongs by the number of days in a calendar month provided however that where an employee is employed for five days in a week, he shall be entitled to be paid at a daily rate arrived at by dividing the recommended monthly consolidated rate of wages by 26.

It shall, however, not be incumbent on the employer to divide the consolidated rate of wages into basic wage and dearness allowance. Similarly where the system of basic wage plus dearness allowance is in vogue, the employers may continue it provided the total does not fall below the recommended minimum wages.

(a) (i) The following wages should be fixed zone-wise for "Shops" employing more than two employees and "Commercial Establishments", other than those covered under (c):—

| Zone. | | | Unskilled. | Semi-skilled. | Skilled. |
|-------|-----|-----|------------|---------------|----------|
| | | | Rs. | Rs. | Rs. |
| I | ... | ... | 70 | 100 | 140 |
| II | ... | ... | 65 | 95 | 130 |
| III | ... | ... | 55 | 75 | 110 |
| IV | ... | ... | 50 | 70 | 100 |
| V | ... | ... | 45 | 62.50 nP. | 90 |
| VI | ... | ... | 40 | 55 | 80 |

(ii) *Phasing*.—Where the existing wages in "Shops" employing more than two employees and "Commercial Establishments", other than those covered under (c) are lower than the zonewise minimum wages stated in (a) (i) above the same shall be phased as below :—

(1) Those who are drawing the wages shown in Column 1 below shall be given the wages shown in Column 2 immediately after issue of the Notification. They shall be given the wages shown in Column 4 at the end of one year after the issue of the Notification and the wages shown in Column 6 at the end of second year after the issue of the Notification.

(2) Those who are drawing the wages shown in Column 3 below shall be given wages shown in Column 4 immediately after the issue of the Notification. They shall be given the wages shown in Column 6 at the end of a year after the issue of the Notification.

(3) Those who are drawing the wages shown in Column 5 below shall be given the wages shown in Column 6 immediately after the issue of the Notification.

Unskilled.

| Zone. | 1 | 2 | 3 | 4 | 5 | 6 |
|--------|-----------------|------|-------------------------|---------|----------------|------|
| I .. | Rs. 45 and less | (55) | Above 45 up to 55 | (62.50) | Above 55 | (70) |
| II .. | Rs. 45 and less | (55) | Above 45 up to 55 | (60) | Above 55 | (65) |
| III .. | Rs. 35 and less | (40) | Above 35 up to 45 | (47.50) | Above 45 | (55) |
| IV .. | Rs. 30 and less | (40) | Above 30 up to 40 | (45) | Above 40 | (50) |
| V .. | Rs. 20 and less | (25) | Above 20 up to 32.50 | (35) | Above 32.50 | (45) |
| VI .. | Rs. 15 and less | (20) | Above 15 up to 27.50 | (30) | Above 27.50 | (40) |

Semi-Skilled.

| Zone. | 1 | 2 | 3 | 4 | 5 | 6 |
|--------|------------------------|------|-------------------------|---------|----------------|---------|
| I .. | Rs. 70 and less | (80) | Above 70 up to 85 | (90) | Above 85 | (100) |
| II .. | Rs. 70 and less | (80) | Above 70 up to 80 .. | (87.50) | Above 80 | (95) |
| III .. | Rs. 55 and less | (60) | Above 55 up to 62.50 | (67.50) | Above 62.50 | (75) |
| IV .. | Rs. 45 and less | (55) | Above 45 up to 57.50 | (62.50) | Above 57.50 | (70) |
| V .. | Rs. 42.50 and less. | (50) | Above 42.50 up to 50 | (56) | Above 50 | (62.50) |
| VI .. | Rs. 40 and less | (45) | Above 40 up to 47.50 | (50) | Above 47.50 | (55) |

Skilled.

| Zone. | 1 | 2 | 3 | 4 | 5 | 6 |
|--------|-----------------|-------|----------------------|---------|-------------|-------|
| I .. | Rs. 90 and less | (110) | Above 90 up to 115 | (120) | Above 115 | (140) |
| II .. | Rs. 90 and less | (110) | Above 90 up to 115 | (120) | Above 115 | (130) |
| III .. | Rs. 75 and less | (80) | Above 75 up to 87.50 | (95) | Above 87.50 | (110) |
| IV .. | Rs. 70 and less | (75) | Above 70 up to 85 | (87.50) | Above 85 | (100) |
| V .. | Rs. 60 and less | (70) | Above 60 up to 70 | (80) | Above 70 | (90) |
| VI .. | Rs. 55 and less | (60) | Above 55 up to 67.50 | (70) | Above 67.50 | (80) |

So far as those who will be employed after the issue of the Notification are concerned, they shall be paid minimum wages mentioned in (a) (i) above.

(iii) *Age Groups.*—The wages by age groups as indicated below shall be applicable only to employees in the unskilled category employed in “Shops” employing more than two employees and “Commercial Establishments”, *other than* those covered under (c) :—

| Zone. | 18 and below. | 19 to 21 (both inclusive). | 22 and above. |
|---------|---------------|----------------------------|---------------|
| | Rs. nP. | Rs. nP. | Rs. nP. |
| I ... | 35·00 | 52·50 | 70·00 |
| II ... | 32·50 | 49·00 | 65·00 |
| III ... | 27·50 | 41·00 | 55·00 |
| IV ... | 25·00 | 37·50 | 50·00 |
| V ... | 22·50 | 34·00 | 45·00 |
| VI ... | 20·00 | 30·00 | 40·00 |

(b) (i) The following wages should be fixed zone-wise for “Shops” employing two or less employees, *other than* those covered under (c) :—

| Zone. | Un-skilled. | Semi-Skilled. |
|---------|-------------|---------------|
| | Rs. | Rs. |
| I ... | 65 | 85 |
| II ... | 60 | 85 |
| III ... | 50 | 65 |
| IV ... | 45 | 60 |
| V ... | 40 | 55 |
| VI ... | 38 | 52 |

(ii) *Phasing.*—Where the existing wages in “Shops” employing two or less employees, *other than* those covered under (c) are lower than those in (b) (i) above the same shall be phased as below :—

(1) Those who are drawing the wages shown in column 1 below shall be given the wages shown in column 2 immediately after issue of the Notification. They shall be given the wages shown in column 4 at the end of the one year after the issue of the Notification and the wages shown in column 6 at the end of 2 years after the issue of the Notification.

(2) Those who are drawing the wages shown in column 3 below shall be given wages shown in column 4 immediately after the issue of the Notification. They shall be given the wages shown in column 6 at the end of a year after the issue of the Notification.

(3) Those who are drawing the wages shown in column 5 below shall be given the wages shown in Column 6 immediately after the issue of the Notification.

Unskilled.

| Zone. | 1 | 2 | 3 | 4 | 5 | 6 |
|--------|------------------|---------|-----------------------|---------|-------------|---------|
| I .. | Rs. 45 and less. | (55) | Above 45 up to 55. | (60) | Above 55 | .. (65) |
| II .. | Rs. 45 and less. | (55) | Above 45 up to 52.50. | (57.50) | Above 52.50 | .. (60) |
| III .. | Rs. 35 and less. | (40) | Above 35 up to 40. | (45) | Above 40 | .. (50) |
| IV .. | Rs. 30 and less. | (37.50) | Above 30 up to 35. | (40) | Above 35 | .. (45) |
| V .. | Rs. 25 and less. | (30) | Above 25 up to 30. | (35) | Above 30 | .. (40) |
| VI .. | Rs. 15 and less. | (20) | Above 15 up to 26. | (27.50) | Above 26 | .. (38) |

Semi-Skilled.

| Zone. | 1 | 2 | 3 | 4 | 5 | 6 |
|--------|---------------------|------|-----------------------|------|-------------|---------|
| I .. | Rs. 65 and less. | (75) | Above 65 to 72.50. | (80) | Above 72.50 | .. (85) |
| II .. | Rs. 65 and less. | (75) | Above 65 up to 72.50. | (80) | Above 72.50 | .. (85) |
| III .. | Rs. 50 and less. | (55) | Above 50 up to 57.50. | (60) | Above 57.50 | .. (65) |
| IV .. | Rs. 42.50 and less. | (50) | Above 42.50 up to 50. | (55) | Above 50 | .. (60) |
| V .. | Rs. 40 and less. | (45) | Above 40 up to 47.50. | (50) | Above 47.50 | .. (55) |
| VI .. | Rs. 38 and less. | (40) | Above 38 up to 42. | (46) | Above 42 | .. (52) |

So far as those who will be employed after the issue of the Notification are concerned, they shall be paid minimum wages mentioned in (b) (i) above.

(iii) *Age Groups.*—The wages by age groups as indicated below shall be applicable only to employees in the unskilled category employed in “Shops” employing two or less employees, *other than* those covered under (c) :—

| Zone. | | 18 and below. | 19 to 21 (both inclusive). | 22 and above. |
|-------|-------|---------------|-------------------------------|---------------|
| | | Rs. nP. | Rs. nP. | Rs. nP. |
| I | .. .. | 35·00 | 52·50 | 65·00 |
| II | .. .. | 32·50 | 49·00 | 60·00 |
| III | .. .. | 27·50 | 41·00 | 50·00 |
| IV | .. .. | 25·00 | 37·50 | 45·00 |
| V | .. .. | 22·50 | 34·00 | 40·00 |
| VI | .. .. | 20·00 | 30·00 | 38·00 |

(c) The following wages should be fixed zone-wise for manual workers in industrial units which are not governed by the “Factories Act, 1948” but are governed by the “Bombay Shops and Establishments Act, 1948” and the firms employing less than 10 workmen in the services of (1) tailoring, (2) hair cutting saloons, and (3) laundries :—

| Zone. | Age 18 years and below. | Unskilled. | | | Semi-Skilled. | Skilled. |
|-------|----------------------------|---|----------------------------|---------|---------------|----------|
| | | Age 19 to 21 years (both inclusive). | Age 22 years and above. | | | |
| | Rs. nP. | Rs. nP. | Rs. nP. | Rs. nP. | Rs. nP. | |
| I | .. | 35·00 | 52·50 | 65·00 | 80·00 | 90·00 |
| II | .. | 32·50 | 49·00 | 60·00 | 70·00 | 80·00 |
| III | .. | 27·50 | 41·00 | 55·00 | 60·00 | 65·00 |
| IV | .. | 25·00 | 37·50 | 50·00 | 55·00 | 60·00 |
| V | .. | 22·50 | 34·00 | 45·00 | 50·00 | 55·00 |
| VI | .. | 20·00 | 30·00 | 40·00 | 47·50 | 52·50 |

VI. *Minimum Wages for Part-time Workers.*—A part-time employee whose daily hours of work exceed four or are split into more than one period shall be entitled to receive wages in respect of the work done by him on that day as if he had worked for a full normal working day. Part-time employees whose daily hours of work do not exceed four and are not split into more than one

period of work shall be excluded from the purview of section 15 of the Minimum Wages Act, 1948 by the issue of a notification in the *Official Gazette* as per powers conferred on the State Government under section 26(2) of the said Act. In due course, the State Government should move the Union Government for a suitable amendment of section 15 itself, so as to permit employment of part time workers with due protection of their wages. Such part-timers be entitled to receive prescribed minimum wages proportionate to the number of hours worked.

VII. *Existing Wages.*—Where on the day of Notification, an employee is receiving wages higher than the minimum wages prescribed for the category to which he belongs, he shall continue to receive the same.

VIII. *Apprentices.*—An apprentice shall be entitled to half the minimum wage of the category in which he is employed.

A person being taken up as an apprentice shall be given a letter of appointment to that effect and at the completion of his apprenticeship period, which shall in no case exceed one year, he shall be given a certificate stating that he has completed the period of apprenticeship. At the end of this period, he shall be entitled to the minimum wage of the category in which he has served as an apprentice.

IX. *Cash Value of food, shelter, etc.*—Where an employee is supplied with food and shelter, etc. the zone-wise cash value of the same for the purposes of the computation of the minimum wages prescribed for the employees in the three classes of "Shops" and "Commercial Establishments" shall be as under for adults of the age of 22 years and above and others whether unskilled, semi-skilled or skilled :—

| Zone. | | | | Adults of 22 years and above. | 21 years and below. |
|-------|----|----|----|----------------------------------|------------------------|
| | | | | Rs. nP. | Rs. nP. |
| I | .. | .. | .. | 35·00 | 25·00 |
| II | .. | .. | .. | 32·50 | 22·50 |
| III | .. | .. | .. | 27·50 | 20·00 |
| IV | .. | .. | .. | 25·00 | 17·50 |
| V | .. | .. | .. | 22·00 | 16·25 |
| VI | .. | .. | .. | 20·00 | 15·00 |

The minimum wages in the case of such employees shall be paid after deducting the cash value as above.

X. *Over-time.*—So far as the payment of wages for “legal” over-time is concerned, the same be paid in terms of the provisions in the “Bombay Shops and Establishments Act, 1948” in that behalf.

Regarding wages for “Ordinary” overtime, the same be paid proportionately at the ordinary consolidated rate of minimum wages recommended by us.

The term “legal” overtime means the hours of work put in, over and above 48 hours in a week of six days or 9 hours in any day.

The term “ordinary” overtime means hours of work in excess of the normal (scheduled) hours of work in a week of six days, where such a week of less than 48 hours is already in vogue, upto 48 hours. For example if in a “Shop” or “Commercial Establishment” the normal hours of work in a week of six days are 42, the “ordinary” overtime will be 6 hours, for which overtime wages will be paid at the ordinary consolidated rate of minimum wages recommended by the Committee.

XI. *Piece Rates.*—The employment, “Shop” or ‘Commercial Establishment” embraces a very large number and variety of trades, which it was beyond capacity of the Committee to examine in detail during the very limited time allotted to it for the submission of our report. It has, therefore, not been possible for the Committee to make any recommendations for a piece rate of wages. Further, the employers are free to pay their employees on piece rate wages as per provisions of Section 17 of the Minimum Wages Act, if such rates do not adversely affect them in terms of the minimum time rate wages.

XII. *Revision and Reconsideration.*—Committee’s proposals regarding minimum wages may be revised after three years. If there be an abnormal rise in prices of essential commodities, Government may revise them earlier.

B. *Miscellaneous.*—(1) In order that the Statutory minimum wages may be strictly enforced, Government should provide adequate number of inspectors and supervising machinery for the purpose.

(2) Government should forthwith apply the Payment of Wages Act, 1936 to those towns covered by the Committee’s enquiry to which it is not made applicable so far.

(3) In order that the employers may not have to maintain separate muster-rolls, wage registers, etc. under the Minimum Wages Act, the Bombay Shops and Establishments Act and the Payment of Wages Act, a single common form each of muster roll, wage register etc. as will satisfy the requirements of all the acts should be prescribed. Government may consider the forms appended to this report for the purpose.

CHAPTER VI.

ACKNOWLEDGMENT AND THANKS.

The task assigned to the Committee was complex and comprehensive. It could perform it because of the full co-operation that it received from Shri S. E. Sukthanker, D.F.C., I.A.S., Commissioner of Labour, Bombay, who readily made available to the Committee the requisite staff and also the factual information which the Social-Economic Survey Section of his office had collected about the employment and wages in Shops and Commercial Establishments. The Committee expresses its gratitude to him.

In the preparation of lists of Organisations of Employers, the recognised Chambers of Commerce and Industry and of the Unions of Gumasthas and local trade associations, the officers under the Commissioner of Labour at the centres covered by the enquiry rendered help to the Committee. Valuable information about the Employment became available through the evidence tendered by the trade associations and labour unions. The Committee is thankful to all of them.

Shri N. B. Cama, Assistant Commissioner of Labour, acted as the Secretary of the Committee upto the stage of the issue of the questionnaire when he proceeded on leave. Shri Cama conscientiously attended to the work of the Committee. Shri R. G. Kaulgi, Assistant Commissioner of Labour, joined the Committee as its Secretary, when it was in the mid-stream. The Committee found in Shri Kaulgi a well informed Secretary, as he was dealing with the administration of the Minimum Wages Act and supervision over the administration of the Shops and Establishments Act. He had, also a varied experience of conciliation under the Bombay Industrial Relations Act and the Industrial Disputes Act. All this experience, coupled with his ever willingness to bear the pressing burden of work cheerfully, helped the Committee considerably in doing its work expeditiously. His duties in respect of this Committee had become onerous because the time at its disposal had been shortened due to the delay in the printing of the questionnaire. The resourcefulness that he showed was remarkable. The Committee records its deep appreciation of his services.

Though not directly associated with the work of the Committee, Shri G. K. Dhutia, Assistant Commissioner of Labour, assisted the Committee as and when needed.

The staff allotted to the Committee discharged its duties satisfactorily. Shri H. N. Thadhani, who acted as the Stenographer of the Committee was very proficient. His capacity to summarise on the spot the oral evidence tendered before the Committee in English, Gujarati, Marathi and Hindi was striking. Shri S. S. Parab and Shri V. G. Vagaskar were very helpful in finding out the needed references and organising tours of the Committee. Shri D. J. Nandedkar, Assistant Research Officer, prepare useful town-wise notes on condition of wages even though on leave. The Committee would

also like to refer to the services of Shri S. V. Trivedi and Kumari N. Y. Kanvinda, junior members of the staff and the menial staff who also did their work ungrudgingly.

R. G. KAULGI,
Secretary.

A. R. BHAT,
Chairman.

D. T. LAKDAWALA,
Member.

B. M. YAGNIK,
Member.

A. K. JOBANPUTRA,
Member.

J. K. MODY,
Member.

ABBASALI KAMAL,
Member.

R. S. THONSEKAR,
Member.

I. G. DESAI,
Member.

G. M. KHODEY,
Member.

Bombay, dated the 23rd March 1959.

APPENDIX "A".

NOTIFICATION

LABOUR AND SOCIAL WELFARE DEPARTMENT:

Old Secretariat Building,

Bombay 1, 19th April 1958.

No. MWA. 4257-J.—Whereas by Government Notification, Labour and Social Welfare Department, No. MWA. 4257-J, dated the 10th December 1957, issued under section 27 of the Minimum Wages Act, 1948 (XI of 1948), the Government of Bombay gave notice of its intention to add to Part I of the Schedule to the said Act, the following employment namely:—

“Employment in any Shop of 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.”

Now, therefore, in exercise of the powers conferred by the said section 27, the Government of Bombay hereby adds to Part I of the Schedule to the said Act the following employment with effect from 19th April 1958:—

“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.”

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

B. B. BRAHMBHATT,

Deputy Secretary to Government.

APPENDIX "B".

Minimum Wages Act, 1948:

Appointment of Committee under the —

GOVERNMENT OF BOMBAY,

LABOUR AND SOCIAL WELFARE DEPARTMENT.

Resolution No. MWA. 4257-J.

Old Secretariat Building,

Fort, Bombay, the 12th July, 1958.

RESOLUTION.

As required by clause (a) of sub-section (1) of section 5 of the Minimum Wages Act, 1948 (XI of 1948), the Government of Bombay hereby appoints the following Committee to hold enquiries and advise it in the matter of fixation of minimum rates of wages in respect of the employment in any shop or commercial establishment, other than that covered under any of the other entries in the Schedule to the said Act, added to Part I of the Schedule to the said Act by the Government Notification, Labour and Social Welfare Department, No. MWA. 4257-J, dated the 19th April 1958. (The expressions “shop” and “commercial establishment” shall have the same meanings as assigned to them in the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948).

Chairman.

Shri A. R. Bhatt, M.Com., M.L.C., 256, Sadashiv Peth, Poona 2.

Independent Members.

1. Professor D. T. Lakdawala, Department of Economics, University of Bombay, Bombay 1.

2. Shri B. M. Yagnik, M.L.A., 112, Walkeshwar Road, Bombay 6.

Employers' Representatives.

1. Shri A. K. Jobanputra, President, Federation of Bombay Retail Cloth Dealers' Associations, 13, Bhangwadi, Kalbadevi Road, Bombay 2.
2. Shri J. K. Mody, President, Chamber of Commerce, Rajkot.
3. Shri Abbasali Kamal, Murtaza Manzil, Nagpur City.

Employees' Representatives.

1. Shri R. S. Thonsekar, 13, Durga Bhuvan, Dadabhai Road, Bombay 23.
2. Shri I. G. Desai, M.L.A., President, Shramajivi Mahamandal, Nanawat Main Road, Surat.
3. Shri G. M. Khodey, Secretary, Nagpur Pradesh INTUC., Kothi Road, Mahal, Nagpur.

2. Shri N. B. Cama, Assistant Commissioner of Labour, Bombay, should be appointed as Secretary to the above mentioned Committee in addition to his own duties.

3. The Committee should submit its detailed report to Government in the matter within six months from the date of this Resolution.

4. In modification of the orders issued under Government Resolution, Development Department, No. 2457/48, dated the 16th July 1954, Government hereby directs that the Chairman of the above mentioned Committee, Shri A. R. Bhat should not be entitled to any honorarium for his work as Chairman.

5. The Chairman and members of the said Committee should be paid travelling allowance and daily allowance for any journey performed by them in connection with the enquiries in accordance with scale 1 specified in rule 1(1) (b) in Appendix XLII-A, Section I to the Bombay Civil Services Rules as amended from time to time. The expenditure should be debited to the budget head "47-Miscellaneous Departments, L-Labour-B-12-Special Committees for Enquiry" and met from the grants sanctioned thereunder for the current financial year.

6. All Officers and Departments of Government should be requested to give such assistance as may be required by the Committee for the purpose of the enquiry.

7. The Resolution should be published in the *Bombay Government Gazette* for general information.

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

B. B. BRAHMBHATT,

Deputy Secretary to the Government of Bombay,
Labour and Social Welfare Department.

To

- *Shri A. R. Bhat M.Com., M.L.C., 256, Sadashiv Peth, Poona 2.
- *Professor D. T. Lakdawala, Department of Economics, University of Bombay, Bombay 1.
- *Shri B. M. Yagnik, M. L. A., 112, Walkeshwar Road, Bombay 6.
- *Shri A. K. Jobanputra, President Federation of Bombay Retail Cloth Dealers' Associations, 13, Bhangwadi, Kalbadevi Road, Bombay 2.
- *Shri J. K. Mody, President, Chamber of Commerce, Rajkot.
- *Shri Abbasali Kamal, Murtaza Manzil, Nagpur City.
- *Shri R. S. Thonsekar, 13, Durga Bhuvan, Dadabhai Road, Bombay 23.
- *Shri I. G. Desai, M.L.A., President, Shramajivi Mahamandal, Nanawat Main Road, Surat.
- *Shri G. M. Khodey, Secretary, Nagpur Pradesh INTUC., Kothi Road, Mahal, Nagpur.
- *Shri N. B. Cama, Assistant Commissioner of Labour, Bombay.
- The Commissioner of Labour, Bombay.
- The Deputy Commissioner of Labour, Bombay, Ahmedabad and Nagpur.
- All Collectors.
- The Chief Inspector of Factories, Bombay.
- The Director of Publicity, Bombay (with a request to issue a press note).
- The Accountant General, Bombay (through the Finance Department).
- The Senior Deputy Accountant General, Rajkot (through the Finance Department).
- The Deputy Accountant General, Nagpur, (through the Finance Department).
- The Pay and Accounts Officer, Bombay, (through the Finance Department).
- The Resident Audit Officer, Bombay.
- The Finance Department.
- All Other Departments of the Secretariat (except the Separate Department),
- The Manager, Government Central Press, Bombay, with a request to publish the Resolution, in the next issue of the *Bombay Government Gazette*, Part I, and supply 50 printed copies of the Resolution to this Department.

*By letter.

IMMEDIATE

Telephone No. : 38211
Extn. No. : 7

No. MWC/SCE./

OFFICE OF THE MINIMUM WAGES COMMITTEE,
SHOP OR COMMERCIAL ESTABLISHMENT,
Frami Cawasji Institute Building,
Dobi Talao, Bombay-2.

Date : November 1958.

FROM

The Secretary,
Minimum Wages Committee,
Shop or Commercial Establishment,
Bombay ;

TO

All the Organisations of Employers and
Employees, in the industry "Shop or
Commercial Establishment."

Subject.—Fixation of minimum rates of wages in respect of the employment
in any Shop or Commercial Establishment.

Dear Sir,

The Government of Bombay by their resolution, Labour and Social Welfare Department No. M. W. A. 4257-J, dated 12th July 1958, have appointed a committee to hold enquiries and advise Government in the matter of fixation of minimum rates of wages in respect of employment in any Shop or Commercial Establishment. The committee has decided to obtain the general views of organisations of employers and employees on matters relating to employment in the industry viz. "Shop or Commercial Establishment" and accordingly has issued a questionnaire for the purpose, a copy of which is enclosed herewith.

I have, therefore, to request you kindly to give the views of your Association/Union in respect of the attached questionnaire on or before 30th November 1958. It is earnestly requested that your replies to the questionnaire should be sent in a set of twelve copies. It is necessary that you should repeat the question with its number while replying to it.

As the committee has to complete its work within the time prescribed by Government, I have to request you kindly to see that your reply is sent in time. No extension of time can be granted.

Counting on your best co-operation and thanking you in anticipation

Yours faithfully,
N. B. CAMA,
Secretary,
Minimum Wages Committee,
Shop or Commercial Establishment,
Bombay.

तुरन्त
टेलिफोन नं. ३८२११
एक्सटेन्शन नं. ७

तारः केअर " बाँमलेवर "
क्रमांक एम्डब्ल्यूसी/एस.सी.इ./
न्यूनतम वेतन समिति, दुकान या व्यापारी
संस्था का कार्यालय।
परामजी कावसजी इस्टिट्यूट विल्डिंग,
घोवी तलाव, बम्बई-२।
तारीख नवेंबर १९५८।

की ओर से

सचिव, न्यूनतम वेतन समिति,
दुकान या व्यापारी संस्था,
बम्बई।

प्रति

दुकान या व्यापारी संस्था के नौकरों तथा मालिकों के सभी संगठनों।

विषयः—किसी दुकान या व्यापारी संस्था में नौकरी के सम्बन्ध में न्यूनतम वेतन का निश्चयन।

प्रिय महोदय,

बम्बई सरकारने अपने संकल्प, श्रम तथा समाज कल्याण विभाग, क्रमांक एम्-डब्ल्यूए-४२५७-ज तारीख १२ जुलाई १९५८, के द्वारा किसी दुकान या व्यापारी संस्था में नौकरी के सम्बन्ध में न्यूनतम वेतन के निश्चयन के विषय में जांच करने तथा सरकार को सलाह देने के लिये एक समिति नियुक्त की है। समिति ने सदर उद्योग अर्थात् "दुकान या व्यापारी संस्था" में नौकरी से सम्बन्धित मामलों पर नौकरों तथा उनके मालिकों के संगठनों का सामान्य दृष्टिकोण प्राप्त करने का निर्णय किया है और तदनुसार इस उद्देश्यसे एक प्रश्नावली जारी की है जिसकी एक प्रति इसके साथ भेजी जा रही है।

अतः सानुरोध प्रार्थना है कि आप सम्बद्ध प्रश्नावली के सम्बन्ध में आपके संघ/यूनियन का दृष्टिकोण ३० नवेंबर १९५८ तक सूचित करने की कृपा करें। साथही यह भी प्रार्थना है कि प्रश्नावली के आपके उत्तरों की बारह प्रतियाँ भेज दी जायें। यह आवश्यक है कि उत्तर देते समय आप क्रमांक सहित उस प्रश्न को फिर से लिखें।

समिति को अपना कार्य सरकार द्वारा विदित अवधि के भीतर पूरा करना चाहिये इसलिये आपसे प्रार्थना है कि आप अपने उत्तरों को समय के भीतर भेज दें। यह अवधि बढ़ायी नहीं जा सकेगी।

आपके सहयोग का विश्वास रखे तथा प्रत्यशामें धन्यवाद देते हुए,

आपका,
न. व. कामा,
सचिव,
न्यूनतम वेतन समिति,
दुकान या व्यापारी संस्था,
बम्बई।

Fixation of Minimum Rates of Wages in respect of Employment in any Shop or Commercial Establishment.

किसी दूकान या व्यापारी संस्था में नौकरी के लिये न्यूनतम वेतनमान की निश्चितता।
कोणत्याहि दुकानांतोल (शॉप) अगर व्यापारी पडतील (कमर्शियल एस्टाब्लिशमेंट)
नौकरीच्या संवंत्रांत वेतनाचे किमान दर निश्चित करणें.

ओईपलु दुकान अथवा वेपारी पेढींमां नोकरांना लघुतम वेतनना दरो नकी करवा भागत.

QUESTIONNAIRE

for Organisations of Employers and Employees.

प्रश्नावली

नौकरों तथा मालिकों के संघठनों के लिए।

प्रश्नावली

मालक आणि नोकर यांच्या संघटनांकरितां.

प्रश्नावली

भाविओ अने नोकरियातोनी संस्थाओ माटे.

| Question No. | Questions |
|----------------|-----------|
| प्रश्न क्रमांक | प्रश्न |
| प्रश्न क्रमांक | प्रश्न |
| प्रश्न अंक | प्रश्नो |

1. What is the name and postal address of your Association/Organisation ?
१. आपके संघ/संघटन का नाम तथा डाक का पता क्या है ?
 १. तुमच्या संघटनेचें/संस्थेचें नांव काय व पोस्टाचा पत्ता कोणता ?
 १. तमारा भंडण/संस्थानुं नाम तथा टपावनुं सरनामुं शुं छे ?
- (a) If you are a federation or a composite association having among its members both trade associations and individuals, please furnish names and addresses of the member associations for the industry, viz., "Shop or Commercial Establishment".
- (क) यदि आप की संस्था एक महासंघ (फेडरेशन) या मिश्र संघ है, जिसके सदस्य दोनों व्यवसाय—संघ (ट्रेड एसोसिएशन्स) तथा वैयक्तिक सदस्य हैं तो कृपया उद्योग के, अर्थात् 'दुकान या व्यापारी संस्था' के सदस्य—संघों के नाम तथा पते दीजिए।
- (अ) व्यापाऱ्यांच्या संस्थांचा तुमचा संघ असेल किवा व्यापाऱ्यांच्या संस्था आणि व्यक्तिगत व्यापारी असे दोन्ही प्रकारचे सभासद असलेली तुमची संमिश्र संस्था असेल तर तिच्या सभासदांपैकी ज्या व्यापाऱ्यांच्या संस्था सभासद असतील त्यांची नावे व पते द्या.
- (अ) जे तमारी संस्था हेडरेशन अथवा समन्वित भंडण होय अने व्यापारी भंडणो तेमळ व्यक्तिओ तेना सदस्यो होय तो भंडरभानी करी उद्योग ओटवे के "दुकान अथवा वेपारी पेढी" माटे सदस्य भंडणोनां नाम तथा सरनामां आपो.

| Question No. | Questions |
|----------------|-----------|
| प्रश्न क्रमांक | प्रश्न |
| प्रश्न क्रमांक | प्रश्न |
| प्रश्न अंक | प्रश्नो |

(b) If you are a trade association only with individual membership please state so.

(ख) यदि आपकी संस्था एक व्यवसाय-संघ है जिसके सदस्य केवल वैयक्तिक सदस्य हैं तो कृपया वंसा लिखिए।

(ब) तुमच्या संस्थेत जर केवळ व्यक्तिगत सभासद असतील तर तसे लिहा.

(अ) जे तमारा व्यापारी मंडळमां इकत व्यक्तिगत सदस्यो छेय तो ते प्रभावे जग्यावे.

(Please send a copy of your constitution and latest annual report.)

(कृपया आपके संघ के विधान की एक प्रति और वार्षिक निवेदन की एक प्रति भेज दीजिए।)

(तुमच्या संस्थेच्या वा संघाच्या घटनेची एक प्रत व वार्षिक निवेदनाची एक प्रत पाठवावी.)

(मंडळानी करी तमारा बंधारमूनी अेक प्रत अने वार्षिक निवेदननी अेक प्रत भेकवशो.)

2. What is your effective membership ?

२. आपकी संस्था के चालू सदस्य कितने हैं ?

२. तुमच्या संस्थेतील चालू सभासदांची संख्या किती आहे ?

२. तमारी संस्थाना कार्यसाधक सदस्योनी संख्या कडेवी छे ?

(a) Association members

(क) संघ सदस्य

(अ) संस्था सभासद

(अ) मंडळ सदस्यो

(b) Individual members.

(ख) वैयक्तिक सदस्य

(ब) व्यक्तिगत सभासद

(अ) व्यक्तिगत सदस्यो

(Effective membership means number of members who paid subscription for the last official year of the Association/Organisation.)

(चालू सदस्य का मतलब ऐसे सदस्य है जिन्होंने पिछले अधिकृत वर्ष के लिए अपना चन्दा अदा किया हो।)

(चालू सभासदांची संख्या याचा अर्थ तुमच्या संस्थांच्या/संघाच्या गेल्या वर्षाखेर फी भरली असेल असे सर्व चालू सभासद असा होतो.)

(कार्यसाधक सदस्योनी संख्या अेटवे गया सत्तावार वर्षमां जेभावे लवानम लर्थु छेय तेवा सदस्योनी संख्या.)

3. What trades is your association/organisation concerned with ?

३. किन व्यवसायां से आपके संघ/संघठन का सम्बन्ध है ?

३. तुमची संस्था/संघटना कोणकोणत्या व्यापार-उदिमांशीं निगडित आहे ?

३. क्या क्या धंधा साथे तमारा मंडळने/संस्थाने संबंध छे ?

(a) What are the broad categories of employees in each such trade ?

४. (क) ऐसे प्रत्येक व्यवसाय में नौकरों का कौनसा स्थूल श्रेणियां है ?

४. (अ) अशा प्रत्येक व्यापार-उदिमांतील नोकरांचें स्थूलमानानें वर्गीकरण कसें आहे ?

४. (अ) अेवा दरेके धंधामां नोकरियातीना विशाण विभागी क्या क्या छे ?

| Question No. प्रश्न क्रमांक प्रश्न क्रमांक प्रश्न अंक | Questions प्रश्न प्रश्न प्रश्नो |
|--|--|
|--|--|

(b) Are the functions for each category distinct and defined? If so please describe them.

(ख) क्या प्रत्येक श्रेणी के कृत्य-वृत्तक तथा नियत किये हुए हैं? यदि ऐसा हो तो कृपया उनका विवरण दीजिए।

(ब) नोकरांतील प्रत्येक वर्गाची कामे पूर्णतः वेगळीं व निश्चित स्वरूपाची आहेत काय? तसें असल्यास त्याचा तपशील द्या.

(घ) दरेक विभागा माटेनां अर्थो जुटां जुटां अने वर्णविकां छे? जे तेम छोय तो तेमनु वर्णन करो.

5. How would you classify the said categories among the following?

५. आप उक्त श्रणियों को निम्न वर्गों में किस प्रकार विभाजित करेंगे?

५. सदरहू नोकरांचे वर्ग खालील प्रकारांपैकी कोणत्या प्रकारांत मोडतात?

५. सदरहू विभागांनु नीचेनामां डेवी रीते वर्गीकरणु करशो?

(1) Unskilled

(१) अकुशल

(१) बिन कसवी

(१) अकुशल

(2) Semi-clerical/Semi-commercial/Semi-skilled.

(२) अर्ध-क्लर्की/अर्ध-वाणिज्य/अर्ध-कुशल

(२) अर्ध कारकुनी/अर्ध व्यापारव्यावसायिक/अर्ध कसवी

(२) अर्ध कारकुनी/अर्ध व्यापारी/अर्ध कुशल

(3) Clerical/Commercial/Skilled:

(३) क्लर्की/वाणिज्य/कुशल

(३) कारकुनी/व्यापारव्यावसायिक/कसवी

(३) कारकुनी/व्यापारी/कुशल

6. (a) What are the prevailing consolidated (basic wage + Dearness allowance) rates of wages in each category?

६. (क) प्रत्येक श्रेणी म एकत्रित (मूल वेतन + महंगाई भत्ता) मौजूदा वेतनमान क्या है?

६. (ख) वरील प्रत्येक प्रकारच्या नोकर वर्गाचें एकत्रित वेतनाचें (मूळ पगार अधिक महागाई भत्ता मिळून) दर सांप्रत कोणते आहेत?

६. (ग) दरेक विभागांमां अेकत्रित वेतनना (मूळ पगार + मांघवारी लब्धु) प्रखवीत दरो शा छे?

(b) What are the existing lowest consolidated (basic wage + dearness allowance) rates of wages in each category?

(ख) प्रत्येक श्रेणी म एकत्रित (मूल वेतन + महंगाई भत्ता) न्यूनतम वेतनमान क्या है?

(ब) वरील प्रत्येक प्रकारच्या नोकर वर्गाचें सांप्रत एकत्रित वेतनाचें (मूळ पगार अधिक महागाई भत्ता मिळून) सर्वात कमी दर कोणते आहेत?

(घ) दरेक विभागांमां अेकत्रित वेतनना (मूळ पगार + मांघवारी लब्धु) नीचामां नीचा दरो शा छे?

Question No.
प्रश्न क्रमांक
प्रश्न क्रमांक
प्रश्न अंक

Questions
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प्रश्न
प्रश्नो

7. Do the rates of wages differ with the size of a shop or commercial establishment ?
If so, please illustrate.
७. क्या दुकान या व्यापारी संस्था/प्रतिष्ठान के विस्तार के अनुसार वेतनमान में अन्तर रहता है? यदि ऐसा है तो कृपया उदाहरण सहित लिखिये।
७. दुकानाच्या अगर व्यापारी पेढीच्या लहान मोठ्या आकरमानानुसार वेतनाचे दर निरनिराळे असतात काय? तसे असल्यास उदाहरणे देऊन स्पष्ट करा.
७. दुकान अथवा वेपारी पेढीना कडे प्रभासे वेतनना दरो जुदा जुदा होय छे? जे तेम होय तो मउरभानी करीने दापवा आपो.
8. How is a seasonal or peak time work done ?
८. मौसमी या अत्याधिक काम के दिनों में किस प्रकार काम किया जाता है ?
८. हंगामांत अगर व्यापार घंटाचें काम शिगस पांचतें अशा वेळेस काम कशा तऱ्हेनें केलें जातें ?
८. मोसमी अथवा पूज दगाएना समये काम कई रीते थाय छे ?
- (a) By engaging more employees or by working extra hours ?
(क) अधिक नोकर रखते हुए या अतिरिक्त घण्टे काम करते हुए ?
(अ) जास्त नोकर नेमून कीं कामाचे तास वाढवून ?
(अ) वधारे नोकरिथातो रोकने के वधारे क्वाको काम करीने ?
- (b) How is the extra seasonal work paid for ?
(ख) अतिरिक्त मौसमी काम के लिए रकम किस प्रकार अदा की जाती है ?
(ब) जादा हंगामी कामावद्दल नोकरांना कोणत्या तऱ्हेनें मोबदला दिला जातो ?
(अ) वधारांनां मोसमी कामनुं वेतन कई रीते आपवामां आवे छे ?
9. Should the minimum rates of wages be fixed for the Industry 'Shop or Commercial Establishment' as a whole or differently for different trades or differently or different localities or on the trade-cum-locality basis ?
९. क्या सम्पूर्ण उद्योग "दुकान या व्यापारी संस्था" के लिए न्यूनतम वेतनमान निश्चित किया जाय या भिन्न भिन्न व्यवसायों के लिए यह भिन्न भिन्न हो या भिन्न भिन्न स्थानों के लिए भिन्न भिन्न हो या व्यवसाय तथा स्थान के आधार पर हो ?
९. "दुकानें वा व्यापारी पेढ्या" या साठीं वेतनाचे किमान दर सरसकट पर्णे निश्चित केले जावे काय? का वेगवेगळ्या व्यापारव्यवसायानुसार वेगवेगळे अथवा वेगवेगळ्या ठिकाणानुसार, शहरांनुसार वेगवेगळे किमान वेतन दर निश्चित करावे? का व्यापाराचा प्रकार व ठिकाण हीं दोन्ही लक्षांत घऊन ते निश्चित करावे ?
९. "दुकान अथवा वेपारी पेढी" ना उद्योग माटे शुं लघुतम वेतनना दरो समग्र रीते के जुदा जुदा व्यापार माटे जुदी जुदी रीते के जुदा जुदा विस्तार माटे जुदी जुदी राते के व्यापार अने विस्तारना धोरसे नकी करवा जेईअ ?

| Question No. प्रश्न क्रमांक प्रश्न क्रमांक प्रश्न अंक | Questions प्रश्न प्रश्न प्रश्नो |
|--|--|
| 10. | Should the minimum rates of wages be governed also by size ? (Size as represented by the number of employees in a unit ; such as : Class I employing more than five employees. " II " " " one but not more than five employees. " III " " " one employee.) |
| १०. | क्या न्यूनतम वेतनमान विस्तार पर भी आधारित है ? (नौकरों की संख्या के अनुसार विस्तार निर्धारित होगा, जैसे :— पहला वर्ग : जहाँ पांच से अधिक नौकर हो। दूसरा वर्ग : जहाँ एक से अधिक किन्तु पांच से अधिक नौकर न हों। तिसरा वर्ग :—जहाँ एक नौकर हो।) |
| १०. | दुकानाच्या वा पेढीच्या आकारमानानुसार देखिल वेतनाच्या किमान दरांत फरक असावा काय ? (आकारमान नोकराच्या संस्थेवरून ठरविले जाते जसे :— पहिला वर्ग : पांचा पेक्षा अधिक नोकर असलेली पेढी वा दुकान. दुसरा वर्ग : एकापेक्षा अधिक पण पांचापेक्षा जास्त नोकर नसलेली पेढी अगर दुकान. तिसरा वर्ग : एकच नोकर असलेली पेढी अगर दुकान.) |
| १०. | वधुतम वेतनना दरो शुं कडे परथी पल्लु नककी करवा जेठओ ? (कडे ओटवे नोकरियातानी संख्या, जे कवी :— वर्ग १ : ज्यां पांच करता वधारे नोकरियातो लोय. वर्ग २ : ज्यां ओक करता वधारे पल्लु पांच करता ओछा नोकरियातो लोय. वर्ग ३ : ओकज नोकरियात लोय.) |
| 11. | Is the size (the number of employees) an indicator of capacity to pay ? |
| ११. | क्या विस्तार (नौकरों की संख्या) वेतन अदा करने की क्षमता का निदर्शक है ? |
| ११. | दुकानाच्या वा पेढीच्या आकारमानावरून (नोकरांच्या संस्थेवरून) त्यांची वेतन देण्याची ऐपत ठरवितां येईल काय ? |
| ११. | कडे (नोकरियातोनी संख्या) ओ शुं वेतन आपवानी शकितनी निशानी छे ? |
| 12. | Would the capacity differ with the character of the trade ? If so, please illustrate. |
| १२. | क्या व्यवसाय के स्वरूप के अनुसार इस क्षमता में अन्तर होगा ? यदि ऐसा हो तो कृपया उदाहरण सहित लिखिये। |
| १२. | व्यापार धंद्याच्या स्वरूपानुसार वेतन देण्याची ऐपत बदलते काय ? तसें असल्यास उदाहरणें दऊन स्पष्ट करा. |
| १२. | शुं वेतन आपवानी शकित धंधाना प्रकार प्रमाणे बदलाय परी ? जे तेम लोय तो भुडेरबानी करीने दाखवा आपो. |

| Question No. प्रश्न क्रमांक प्रश्न क्रमांक प्रश्न अंक | Questions. प्रश्न प्रश्न प्रश्न |
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| 13. | What consolidated rates of minimum wages (basic wage+dearness allowance) would you suggest ? Please classify in accordance with your replies to questions 4, 9 and 10 above. |
| १३. | एकत्रित न्यूनतम वेतनमान (मूल वेतन+महंगाई भत्ता) के बारे में आपका क्या सुझाव है ? कृपया ऊपर के प्रश्नों ४, ९ तथा १० के उत्तरों के अनुसार वर्गीकरण कीजिए । |
| १३. | एकत्रित वेतनाचे किमान दर (मूल पगार अधिक महागाई भत्ता मिळून) तुम्ही कोणते सुचवाल ? वरील ४, ९, १० या प्रश्नांना तुम्हीं दिलेल्या उत्तरानुसार वेतनांचे वर्गीकरण करा. |
| १३. | तसे अेकत्रित लघुतम वेतनना (मूल पगार+मोंधवारी लक्ष्यु) क्या दरो सूखवो छे ? भदरबानी करीने उपरना प्रश्न नं. ४, ९ अने १० ना तभारा जवाबो अनुसार वर्गीकरलु करो. |
| 14. | A view is held that any unit which cannot pay minimum rates of wages has no right to exist. In this context, what should be the basis, for the fixation of minimum rates of wages in the industry i.e., "Shop or Commercial Establishment" in general and in your trade in particular ? |
| १४. | ऐसा एक विचार रखा जाता है कि जो इकाई न्यूनतम वेतनमान अदा करने की क्षमता नहीं रखता उसे अस्तित्व में रहने का कोई अधिकार नहीं है । इस संदर्भ में सामान्यतः उद्योग अर्थात् "दुकान या व्यापारी संस्था" में तथा विशेषतः आपके व्यवसाय में न्यूनतम वेतनमान का निश्चितिकरण किस आधार पर हो ? |
| १४. | ज्या कोणत्याहि पेढीला अगर दुकानाला वेतनाचे किमान दर देता येत नाहीत त्यांस अस्तित्वांत राहाण्याचा हक्क पोंचत नाही असें एक प्रचलित मत आहे या संदर्भात सर्व साधारणतः पेढी वा दुकानें या व्यापार घंद्यासाठी व विशेषतः तुम्हीं करीत असलेल्या व्यापार घंद्यासाठी किमान वेतनाचे दर कोणत्या मूलभूत तत्वानुसार ठरविण्यांत यावेत ? |
| १४. | ऐजुं मानवामां आवे छे के जे वेतनना ओछामां ओछा दरो न आपी शके तेवा अेकभने टकवानो अधिकार नथा. आ अनुसार उद्योगमां अेटवे के सामान्यतः "दुकान अथवा वेपारी पेढी" मां अने भास कराने तभारा धंधामां लघुतम वेतनना दरो नकी करवा माटे क्युं धोरलु छेजुं जेछे ? |
| 15. | How are the general business conditions in the trade or trades represented by your association/organisation ? |
| १५. | आपका संघ/संगठन जिस व्यवसाय या जिन व्यवसायो का तिनिधि है उसकी या उनकी आम कारोबारी हालत कैसी है ? |
| १५. | तुमच्या संस्थेत वा संघांत ज्या एकाला अनेक प्रकारच्या व्यापार घंद्यांतील सभासद आहेत अशा एका वा अनेक व्यापार घंद्याची व्यावसायिक परिस्थिति सांप्रत कशी आहे ? |
| १५. | तमाडुं मंडण अथवा संस्था जे धंधा अथवा धंधाओनुं प्रतिनिधित्व धरावे छे ते धंधाओमां व्यापारनी सामान्य परिस्थिति था छे ? |

| Question No. प्रश्न क्रमांक प्रश्न क्रमांक प्रश्न अंक | Questions प्रश्न प्रश्न प्रश्नो |
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| 16. | Are there any awards, settlements, agreements governing the wages of employees in your trade or any individual unit therein? If so, please enclose a copy of such award, settlement or agreement. |
| १६. | क्या आपके व्यवसाय के या उसमें के किसी एक इकाई के नौकरों के वेतन पर लागू होनेवाले कोई निर्णय, शर्तनामा, समझौता मौजूद है? |
| १६. | तुमच्या व्यापार घट्यांतील अगर त्यांच्या कोणत्याहि एका घटकाच्या-दुकानाच्या अगर पेट्टीच्या-नौकरांचे वेतनमान नियंत्रित करणारे असे कोणतेहि निवाडे, निकाल, करार इ. झाले आहेत काय? असल्यास त्या संबंधीचा तपशील द्या. |
| १६. | तमारा धंधामां अथवा तेना कोठपसु अेक अेकभमां नोकरीयातेना वेतनने नकडी करता कोठपसु युकादाओ, पतावटो, कबूवातो छे? जे छोय तो मडेरबानी करी तेने वगती विगतो आपो. |
| 17. | Have any general rates of wages comes to prevail by practice in your trade? If so, please give particulars. |
| १७. | क्या आपके व्यवसाय में व्यवहार के फलस्वरूप कोई सामान्य वेतनमान प्रचलित हो चुका है। यदि ऐसा है तो कृपया उसका विवरण दीजिए। |
| १७. | तुमच्या व्यापार घट्यांतील कोणत्याहि वर्गाच्या अगर सर्व वर्गांच्या नौकरांच्या वेतनाचे सर्व सामान्य दर वहिवटीनुसार कायम झाले आहेत काय? असल्यास त्या संबंधीचा तपशील द्या. |
| १७. | तमारा धंधामां वेतनना कोठपसु सामान्य दरो व्यवहारथी प्रयकीत थया छे भय? जे छोय तो मडेरबानी करी तेने वगती विगतो आपो. |
| 18. | Have you any other suggestions to make? |
| १८. | क्या आपके कोई और सुझाव हैं? |
| १८. | तुम्हांला आणखी कांहीं सूचना करावयाच्या आहेत काय? |
| १८. | तमारे बीजं कोठपसु सूचनी करवां छे? |

Place :

Signature of the
President of the Association or
Union.

Date :

स्थान :

संघ या युनियन के अध्यक्ष का हस्ताक्षर.

तारीख :

ठिकाण :

संस्थेच्या अगर संघाच्या अध्यक्षी अगर
कार्यवाहाची सही.

तारीख :

स्थान :

तारीख :

भंडण अथवा संघना प्रमुचनी सही.

APPENDIX "C".

MINIMUM WAGES COMMITTEE FOR SHOPS AND COMMERCIAL ESTABLISHMENTS

Scope and progress of its work.

Poona, October 30,

Shri A. R. BHAT, M.L.C., Chairman of the Minimum Wages Committee for Shops and Commercial Establishments, addressing a Press Conference here this after-noon about the work of his committee said :—

"I am being asked as to what progress my Committee has done in its work. I am, therefore, explaining the position.

2. The Government of Bombay in the Labour and Social Welfare Department by its Notification, dated the 19th April 1958, added to Part I of the Schedule to the Minimum Wages Act, 1948, employment in any Shop or Commercial Establishment other than that covered in any other entry in that schedule. Subsequently, by its Resolution of 12th July 1958, Government appointed a Committee consisting of the Chairman and eight other members, of whom 3 are representatives of employers and 3 are of the employees, to hold enquiries and advise in the matter of fixation of Minimum Rates of Wages in respect of the employment in any Shop or Commercial Establishment. The Expressions 'Shop' and 'Commercial Establishment' have the same meaning as assigned to them in the Bombay Shops and Establishments Act, 1948. Thus, Residential Hotels, Restaurants, Eating Houses, Theatres or other places of Public Amusement or Entertainment are excluded from the purview of the present enquiry.

3. The enquiry covers towns with a population of lakh and above and Aurangabad :— They are: (1) Ahmedabad; (2) Ahmednagar; (3) Aurangabad; (4) Bombay; (5) Baroda; (6) Bhavnagar; (7) Jamnagar; (8) Kolhapur; (9) Nagpur; (10) Poona; (11) Rajkot; (12) Surat and (13) Sholapur.

4. So far as could be ascertained there are in all these towns taken together 2,18,132 Shops and Commercial Establishments, of which 54,804 engage no labour. Already the Office of the Commissioner of Labour is conducting an enquiry on a sample basis into the service conditions of employees in Shops and Commercial Establishments in these 13 towns. The Report of the spot enquiry by the investigators is expected to be made available to my Committee by the middle of November.

5. Since the factual data would be thus available, my Committee has prepared a Questionnaire for ascertaining views of Associations of Employers and Employees on General matters relating to its enquiry. Lists of Organizations of Employers and Employees have been compiled with the co-operation of the Head Office and mofussil Offices of the Commissioner of Labour and Associations of Trade and Commerce. The Questionnaire would be sent to all of them and the fact of dispatch would be duly published through the Director of Publicity. If any Association of Trade and Commerce or a Trade Union of Employees of Shops or Commercial Establishments fails to receive a copy of the Questionnaire, it should immediately write to Shri N. B. Cama, Secretary, Minimum Wages Committee for Shops and Commercial Establishments, Office of the Commissioner of Labour, Framji Cawasji Institute Building, Dhobi Talao, Bombay 2. I appeal to the Organizations of Employers and Employees of Shops and Commercial Establishments interested in my Committee's enquiry to submit their replies as early as possible but not later than the last date that would be prescribed.

6. As per section 3 of the Minimum Wages Act, 1948, Government has to fix the Minimum Rates of Wages payable to employees in the employment added to the Part of the Schedule before the expiry of one year from the date of the Notification. The last date before which Government would, therefore, have to fix and notify the Minimum Rates of Wages in the Industry 'Shop or Commercial Establishment' is 18th April 1959. My Committee therefore, would have to submit a Report at least a month in advance of that date. The urgency, therefore, of completing the work in time would be easily appreciated by those interested in this enquiry. The Committee would visit in due course the places covered by the enquiry principally to meet representatives of Associations of Employers and Employees that would reply to the Questionnaire issued by it. I appeal to all concerned to co-operate fully in the Committee's work."

[Chapter V]

Appendix

Common Form of Register of Wages.

Form _____

Rule _____

Register of Wages _____

Name of the Establishment and place _____

Name of the Employer _____

| Serial No. | Full name of Employee. | Nature of work. | Wage period. | Minimum rates of wages payable piece/time. | Actual rate of wages payable piece/time. | Days present. | Total piece rate production. | Total hours of overtime work done. | Normal wages. | Overtime wages. | Total gross wages payable. |
|------------|------------------------|-----------------|--------------|--|--|---------------|------------------------------|------------------------------------|---------------|-----------------|----------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| | | | | | | | | | | | |

Common Form of Register of Wages—contd.

| Deductions, if any, on account of | | | Net wages. | Date or payment of wages. | Signature or thumb impression of the employee. | Signature of the employer or the person authorised by him to authenticate the entries. | Remarks. |
|-----------------------------------|--|---------|------------|---------------------------------|--|--|----------|
| Advances. | Other deductions permissible under Rule 21. | | | | | | |
| | | Nature. | Amount. | | | | |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| | | | | | | | |

Appendix

[Chapter V.]

Common Form of Muster Roll.

Form No. _____ Rule _____

Muster roll for the period _____ Month _____ Year.

| Serial No. | Full name of the employæ. | Nature of work and designation of the employæ. | Hour of Commencement of work. | Hours of rest. | Hour of cessation of work. | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
|------------|---------------------------|--|-------------------------------|----------------|----------------------------|----|----|----|----|----|----|----|----|----|----|----|
| | | | | | | *A | *B | *A | *B | *A | *B | *A | *B | *A | *B | *A |
| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |

Common Form of Muster Roll—contd.

| Serial No. | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 |
|------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| *A | | | | | | | | | | | | | | | | | | | | |
| *B | | | | | | | | | | | | | | | | | | | | |
| *A | | | | | | | | | | | | | | | | | | | | |
| *B | | | | | | | | | | | | | | | | | | | | |
| *A | | | | | | | | | | | | | | | | | | | | |
| *B | | | | | | | | | | | | | | | | | | | | |
| *A | | | | | | | | | | | | | | | | | | | | |
| *B | | | | | | | | | | | | | | | | | | | | |
| *A | | | | | | | | | | | | | | | | | | | | |
| *B | | | | | | | | | | | | | | | | | | | | |

*A In this column mark "P", "A", "H", "L" shall be made as the employee is present, absent or if the day is a weekly holiday or the employee is on leave as the case may be.

*B The actual hours of overtime work done (i.e. from _____ to _____), if any, shall be shown here.

APPENDIX " D ".

TELE { Gram. Care " BOMLABOUR "
 { Phone No. 38211 (Extn. 7).

No. MWC/SCE/
 OFFICE OF THE MINIMUM WAGES COMMITTEE,
 SHOP OR COMMERCIAL ESTABLISHMENT :
 Framji Cawasji Institute Building, Dhobi
 Talao, Bombay 2, dated 196 .

From THE SECRETARY,
 Minimum Wages Committee,
 Shop or Commercial Establishment, Bombay.

To

Subject.—Fixation of Minimum rates of wages in respect of the employment in any
 Shop or Commercial Establishment.

Request for additional information.

Gentlemen,

I shall feel much obliged if you will be kind enough to collect the following information and
 send the same to me not later than 5th January 1959 :—

TOTAL NUMBER OF MEMBERS OF THE ASSOCIATION

..... Break-up

| | | |
|--|--|---|
| (1) | (2) | (3) |
| Number of Members employing one employee. | Number of Members employing more than one, but not more than five. | Number of Members employing more than five. |

Number of your Members paying income-tax

..... Break-up

| | | |
|--|--|--|
| (1) | (2) | (3) |
| Number of Members employing one employee. | Number of Members employing more than one, but not more than five. | Number of Members employing more than five. |

This information will be very helpful to the Committee in formulating their views.

Yours faithfully,
 (Signed) N. B. CAMA,
 Secretary,
 Minimum Wages Committee, Shop or
 Commercial Establishment.

QUESTIONNAIRE.

| No. | Question. |
|-----|---|
| 1 | What is the name and postal address of your local authority ? |
| 2 | What are the broad categories of employees in Shops and Commercial Establishments in your area ? |
| 3 | What classification would you advise of the said categories among the following :— (1) Unskilled, (2) Semi-Clerical/Semi-Commercial/Semi-Skilled, (3) Clerical/Commercial/Skilled. |
| 4 | (a) What, according to your information, are the prevailing consolidated (Basic Wage plus dearness allowance) rates of wages in each category ? (b) What, according to your information, are the existing lowest consolidated (basic wage plus dearness allowance) rates of wages in each category ? |
| 5 | Do the rates of wages differ with the size (as indicated by the number of employees) of a shop or commercial establishment ? If so, please amplify your reply. |
| 6 | (a) How is a seasonal or peak time work done in shops or commercial establishments in your area ? (b) By engaging more employees or by working extra hours, (c) How is the extra seasonal work paid for ? |
| 7 | Do you think that the size of a shop and commercial establishment is an indicator of capacity to pay ? |
| 8 | Do you think that the capacity differs with the Character of a trade ? If so, please state your reasons. |
| 9 | Could you give us any additional information which you think would help us in recommending minimum wages for employees in shops and commercial establishments in your area ? |

Place :

(Signature)

Date :

Obtainable from the Government Publications Sales Depot, Institute of Science Building, Fort, Bombay (for purchasers in Bombay City); from the Government Book Depot, Charni Road Gardens, Bombay 4 (for orders from the mofussil) or through the High Commissioner for India, India House, Aldwych, London, W.C.2 or through any recognized Bookseller.