

THE MINIMUM WAGES (KERALA AMENDMENT) BILL, 2016

(As passed by the Assembly)

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BILL

further to amend the Minimum Wages Act, 1948

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

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

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

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

(3) It shall come into force at once.

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

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

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

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

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

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

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

“22A. *General Provision for punishment of other offences.*—(1) Whoever contravenes the provisions of this Act or the rules made thereunder shall be punishable with fine which may extend to two lakh rupees and in the case of a continuing contravention, with an additional fine which may extend to two thousand rupees for every day during which such contravention continues:

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

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

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