

Bill No. 74 of 2020

**THE PAYMENT OF MINIMUM WAGES (FOR PRIVATE SCHOOL
TEACHERS) BILL, 2020**

By

SHRI RAHUL KASWAN, M.P.

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BILL

*to provide for payment of minimum wages to private school teachers by school
management and for matters connected therewith.*

BE it enacted by Parliament in the Seventy-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Payment of Minimum Wages (For Private School Teachers) Act, 2020.

(2) It extends to the whole of India.

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

Short title,
extent and
commence-
ment.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "appropriate Government" means, in the case of a State, the Government of that State and in all other cases, the Central Government;

(b) "prescribed" means prescribed by rules made under this Act; and

(c) "private school" means an unaided recognized school, which is not run by the appropriate Government or its local authority or any other authority designated or sponsored by appropriate Government, and includes a pre-primary, primary, middle, higher secondary and senior secondary school and also other institutions which impart education or training below the degree level but does not include an institute which imparts technical education. 5
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Payment of minimum wages to private school teachers.

3. Notwithstanding anything contained in any other law for the time being in force or any judgement, decree or order of any court to the contrary, the minimum wages for private school teachers shall be rupees ten thousand nine hundred and twenty per month.

Revision of minimum wages for private teachers by the appropriate Government.

4. The minimum wages referred to in section 3 shall be revised by the appropriate Government, from time to time, according to increase in cost of living index in such manner as may be notified by the Central Government: 15

Provided that the appropriate Government shall, while reviewing the minimum wages, take into consideration the minimum wages of highly skilled employees under the Minimum Wages Act, 1948.

Power to make rules.

5. (1) The Central Government may make rules for carrying out the purposes of this Act. 20

(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall, thereafter, have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under the rule. 25
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STATEMENT OF OBJECTS AND REASONS

The Minimum Wages Act, 1948 is an Act of Parliament concerning Indian law that sets the minimum wages that must be paid to skilled and unskilled labours. Low salary, no maternity leave, no allowances, gender bias, irregularities in provident fund are some of the problems that many private school teachers face in their career. At present, the Government has limitations in involving in the administrative matters of unaided schools. A proper legislation can save teachers from this exploitation.

Underlining the priority of the Government to strengthen the education system, this Bill stresses on the need to attract the best minds to the teaching profession. Minimum wages will ensure them basic pay and job security and will not make them prone to harassment in workplace by their supervisors.

Ensuring minimum wages to teachers and head masters will increase their productivity in the work place and will encourage them to go out of their way to improve teaching methods. This will also eradicate higher wages to known or few of the teachers because of personal bias by the senior officials and will contribute to quality education in private, unaided schools.

It is definitely in the best interest of everyone that teachers are not paid fees that minimum wages by school management in private, unaided, aided schools to ensure quality education.

The Bill, therefore, seeks to ensure that the teachers of private and unaided schools are paid not less than minimum wages by the school management which is prescribed under the Minimum Wages Act, 1948 for skilled, semi-skilled and unskilled employees.

Hence this Bill.

NEW DELHI;
January 20, 2020.

RAHUL KASWAN

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

LOK SABHA

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(Shri Rahul Kaswan, M.P.)