

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO. 2463
TO BE ANSWERED ON 01.08.2022**

MINIMUM WAGES ACT

**2463. SHRIMATI PRATIMA MONDAL:
SHRIMATI KESHARI DEVI PATEL:
SHRI RODMAL NAGAR:
SHRI KHAGEN MURMU:**

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

- (a) whether the Government has classified/proposes to classify domestic work as scheduled employment under the Minimum Wages Act, if so, the details thereof along with the per hour, per day and per month minimum wages fixed for domestic workers in the country, if not, the reasons for excluding domestic workers out of the purview of the Minimum Wages Act;**
- (b) the number of persons working as domestic workers in the country and the average wages earned, State-wise;**
- (c) whether the Government proposes to conduct any action plan to survey the domestic workers of the country and if so, the steps being taken for social, economic and educational upliftment of the domestic workers along with the State-wise number of people surveyed so far by the All India Domestic Workers Survey;**
- (d) whether the Government is aware of the fact that the wages of labourers are withheld for 10 days in private institutions, if so, the details thereof along with the number of institutions found to be negligence in paying wages to workers as per rule in Uttar Pradesh and action taken against them;**
- (e) the steps taken/monitoring mechanism adopted to ensure minimum wages to the workers of private institutions and contract labourers, State-wise; and**
- (f) whether the Government proposes to increase the wages of labourers throughout the country at par with increase in the dearness allowance of Government employees at regular interval, if so, the details thereof?**

ANSWER

**MINISTER OF STATE FOR LABOUR AND EMPLOYMENT
(SHRI RAMESWAR TELI)**

(a): Domestic work does not form part of the scheduled employments in relation to the establishments in respect of which the Central Government is the appropriate Government under the provisions of

the Minimum Wages Act, 1948. As domestic work is performed in households, adding domestic work to the schedule of employments is under the purview of the State Governments.

The Code on Wages, 2019, which subsumes the provisions of the Minimum Wages Act, 1948, provides for universal minimum wage across employments in organized and unorganized sector. The said provisions of the Code on Wages, 2019, have not come into force.

(b): As per Census 2011, the number of domestic workers in the country were 47, 81,355. State-wise details are given at the Annexure I. State-wise data on the average wages earned by domestic workers is not maintained centrally.

(c): Labour Bureau under the Ministry of Labour and Employment has launched the fieldwork for the All India Survey on Domestic Workers (DW) in the month of January, 2022 with the objective to estimate the State wise number of Domestic Workers and their socio-economic conditions. The number of First stage Units (FSU) to be covered in 36 States/UTs is 12766 (6190 Rural + 6576 Urban).

Further, the Ministry of Labour & Employment has developed e-SHRAM portal which is a National Database of the Unorganised Workers seeded with Aadhaar. It has been launched on 26.08.2021 and made available to the States/UTs for the registration of unorganised workers including domestic workers on e-SHRAM portal. As on 29.07.2022, more than 28.03 crore unorganized workers have been registered on e-SHRAM portal.

The Unorganized Workers' Social Security Act, 2008, provides for social security to all unorganized workers including domestic workers. Government has launched Central Sector Schemes like Pradhan Mantri Jeevan Jyoti Beema Yojana (PMJJBY) and Pradhan Mantri Suraksha Beema Yojana (PMSBY) for life and disability cover and Pradhan Mantri Shram Yogi Man Dhan Yojana (PM-SYM) for pension to the unorganized workers including domestic workers. Ayushman Bharat Pradhan Mantri Jan Arogya Yojana (PMJAY) provides secondary and tertiary health benefits to all unorganized workers including domestic workers who are covered as eligible beneficiaries as per Socio Economic Caste census Data, 2011.

Government has launched various schemes for unorganized sector workers including domestic workers. Domestic Workers Sector Skill Council (DWSSC), under the Ministry of Skill Development and Entrepreneurship (MSDE), is imparting various skill development training programmes to domestic workers. Under Skill India Mission, the Ministry of Skill Development and Entrepreneurship (MSDE) is implementing Pradhan Mantri Kaushal Vikas Yojana (PMKVY) under which training/orientation is

being imparted to candidates in various National Skill Qualification Framework (NSQF) aligned job roles across 37 sectors, including Domestic Workers Sector. In the Domestic Workers Sector, training/orientation is given to candidates in four job roles namely, child caretaker (non-clinical), elderly caretaker (non-clinical), general housekeeper and housekeeper-cum-cook aligned to the Domestic Workers Sector Skill Council. Under PMKVY, as on 30.06.2022, around 1.92 lakh candidates have been trained / oriented in the Domestic Worker Sector.

(d) & (e): Under the provisions of the Minimum Wages Act, 1948, both the Central and the State Governments are appropriate Governments to enforce the provisions of the Minimum Wages Act, 1948, including the provisions relating to non-payment of wages/minimum wages, in their respective jurisdictions. In the Central sphere the enforcement is done through the Inspecting Officers of the Chief Labour Commissioner (Central) commonly designated as Central Industrial Relations Machinery (CIRM) and the compliance in the State Sphere is ensured through the State Enforcement Machinery. The designated inspecting officers conduct regular inspections and in the event of detection of any case of non-payment or underpayment of wages/minimum wages, they direct the employers to make payment of the shortfall of wages. In case of non-compliance, penal provisions prescribed under section 22 of the Minimum Wages Act, 1948 are taken recourse to. The details in regard to enforcement of the provisions of the Minimum Wages Act, 1948, in scheduled employments in the Central Sphere are Annexure II. Details of enforcement of the provisions of the Minimum Wages Act, 1948, in the State sphere are not centrally maintained.

(f): Under the provisions of the Minimum Wages Act, 1948, both the Central Government and the State Governments are appropriate Governments to fix, review and revise the minimum wages of the employees employed in the scheduled employments under their respective jurisdictions. In order to take care of the rising prices, the Central Government revises the Variable Dearness Allowance (V.D.A) on basic rates of minimum wages every six months effective from 1st April and 1st October of every year on the basis of Consumer Price Index for Industrial workers. V.D.A. was last revised w.e.f. 01.04.2022. A statement showing increase in the rates of wages on account of increasing V.D.A payable to the employees engaged in the scheduled employments in the Central Sphere is at Annexure III. The details of periodic revision of minimum rates of wages in scheduled employments in the State sphere are not centrally maintained.

ANNEXURE REFERRED TO IN REPLY TO PART (b) OF LOK SABHA UN-STARRED QUESTION No. 2463 FOR 01.08.2022 REGARDING MINIMUM WAGES ACT.

Sr. No.	States/UTs	Number of Domestic Workers
1.	Andaman & Nicobar Islands UT	2,085
2.	Andhra Pradesh	4,66,209
3.	Arunachal Pradesh	2,855
4.	Assam	38,397
5.	Bihar	39,685
6.	Chandigarh UT	23,110
7.	Chhattisgarh	1,08,422
8.	Dadra & Nagar Haveli UT	1,403
9.	Daman & Diu UT	1,503
10.	NCT of Delhi	2,11,767
11.	Goa	20,810
12.	Gujarat	2,39,517
13.	Haryana	1,02,476
14.	Himachal Pradesh	23,128
15.	Jammu & Kashmir	18,937
16.	Jharkhand	39,371
17.	Karnataka	3,26,585
18.	Kerala	1,65,012
19.	Lakshadweep UT	39
20.	Madhya Pradesh	1,89,170
21.	Maharashtra	9,92,040
22.	Manipur	1,248
23.	Meghalaya	11,461
24.	Mizoram	1,718
25.	Nagaland	2,470
26.	Odisha	92,714
27.	Puducherry UT	22,815
28.	Punjab	1,41,861
29.	Rajasthan	99,288
30.	Sikkim	3,157
31.	Tamilnadu	6,05,169
32.	Tripura	8,770
33.	Uttar Pradesh	2,01,316
34.	Uttarakhand	27,512
35.	West Bengal	5,49,335
	Total	47,81,355

Data as per Census 2011

ANNEXURE REFERRED TO IN REPLY TO PART (d) & (e) OF LOK SABHA UN-STARRED QUESTION No. 2463 FOR 01.08.2022 REGARDING MINIMUM WAGES ACT.

Details of Inspections, Prosecutions and Convictions done under the Minimum Wages Act, 1948

Particulars	No. of Inspections Conducted	No. of Irregularities detected	No. Irregularities Rectified	No. of Prosecutions Launched	No. of Convictions
1	2	3	4	5	6
2019-20	7690	59950	23397	1609	412
2020-21	2114	13949	7566	501	174
2021-22	5022	35983	8726	492	167

Claim cases under Minimum Wages Act, 1948

Year	CLAIMS FILED UNDER MINIMUM WAGES ACT, 1948			
	FILED	DECIDED	AWARDED	No. of WORKERS BENEFITED
1	2	3	4	5
2019-20	3470	754	Rs. 217981002/-	5297
2020-21	3763	1334	Rs. 270202177/-	7631
2021-22	5297	2102	Rs. 177722490/-	7487

Annexure III

ANNEXURE REFERRED TO IN REPLY TO PART (f) OF LOK SABHA UN-STARRED QUESTION No. 2463 FOR 01.08.2022 REGARDING MINIMUM WAGES ACT.

STATEMENT SHOWING INCREASED RATES OF MINIMUM WAGES ON ACCOUNT OF REVISION OF VDA FROM 19.01.2017 TO 01.04.2022.

Scheduled Employment	Category of Workers	Rates of Wages including V.D.A per day (in Rs.)					
		Area A		Area B		Area C	
		19.01.2017	01.04.2022	19.01.2017	01.04.2022	19.01.2017	01.04.2022
Agriculture	Unskilled	333	423	303	385	300	382
	Semi-skilled/Unskilled Supervisory	364	461	335	425	307	389
	Skilled/Clerical	395	502	364	461	334	424
	Highly-skilled	438	554	407	516	364	461
Sweeping and Cleaning+	Unskilled	523	663	437	553	350	443
Watch and Ward	Without Arms (Upgraded to skilled with training)	637	806	579	734	494	625
	With Arms(Upgraded to highly skilled for supervision)	693	876	637	806	579	734
Loading & Unloading#	Unskilled	523	663	437	553	350	443
Construction^	Unskilled	523	663	437	553	350	443
	Semi-skilled/Unskilled Supervisory	579	734	494	625	410	519
	Skilled/Clerical	637	806	579	734	494	625
	Highly-skilled	693	876	637	806	579	734
		19.01.2017			01.04.2022		
Workers engaged in Stone Mines for Stone Breaking and Stone Crushing	1.Excavation & removal of over burden with 50 meters lead/1.5 meters lift:*						
	(a) Soft Soil		351			447	
	(b) Soft Soil with Rock		531			672	
	(c) Rock		703			890	
	2. Removal and Staking of rejected stones with 50 metres lead/1.5metres lift*						
			283			359	
	3. Stone breaking or Stone Crushing for the stone size of**						
	(a) 1.0 inch to 1.5 inches		2171			2736	
	(b) Above 1.5 Inches to 3.0 Inches		1857			2340	
	(c) Above 3.0 Inches to 5 Inches		1088			1374	
(d) Above 5.0 Inches		893			1129		
Non - Coal Mines \$		Above Ground {Rates of Wages including V.D.A per day (in Rs.)}			Below Ground {Rates of Wages including V.D.A per day (in Rs.)}		
		19.01.2017	01.04.2022	19.01.2017	01.04.2022		
	Unskilled	350	443	437	553		
	Semi-skilled/Unskilled Supervisory	437	553	523	663		
	Skilled/Clerical	523	663	610	772		
Highly-skilled	610	772	683	862			

*Per 2.831 cubic meters or 100 cubic feet

** Per truck load of 5.662 cubic meters or 200 cubic feet

+Employees engaged in the employment of Sweeping and Cleaning excluding Activities prohibited under the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993.

#Employees engaged in the employment of Loading and Unloading in (i) Goods Sheds, Parcel Offices of Railways; (ii) Other Goods Sheds, Godowns, Warehouses and other similar employments; (iii) Docks and Ports; and (iv) Passengers Goods and Cargo Carried out at Airports (Both International and Domestic).

^Employees engaged in the employment of construction or maintenance of Roads or Runways or in Building Operations including laying down Underground Electric, Wireless, Radio, Television, Telephone, Telegraph and Overseas Communication Cables and similar other Underground Cabling Work, Electric Lines, Water Supply Lines and Sewerage Pipe Lines.

\$Employees engaged in the employment of Gypsum Mines, Barytes Mines, Bauxite Mines, Manganese Mines, China Clay Mines, Kyanite Mines, Copper Mines, Clay Mines, Magnesite Mines, White Clay Mines, Stone Mines, Steatite Mines (including the mines producing Soap Stones and Talc), Ochre Mines, Asbestos Mines, Fire Clay Mines, Chromite Mines, Quartzite Mines, Quartz Mines, Silica Mines, Graphite Mines, Felspar Mines, Laterite Mines, Dolomite Mines, Red Oxide Mines, Wolfram Mines, Iron Ore Mines, Granite Mines, Rock Phosphate Mines, Hematite Mines, Marble and Calcite Mines, Uranium Mines, Mica Mines, Lignite Mines, Gravel Mines, Slate and Magnetite Mines.

Classification of Area

AREA – “A”					
Ahmedabad	(UA)	Hyderabad	(UA)	Faridabad complex	
Bangaluru	(UA)	Kanpur	(UA)	Ghaziabad	
Kolkata	(UA)	Lucknow	(UA)	Gurgaon	
Delhi	(UA)	Chennai	(UA)	Noida	
Greater Mumbai	(UA)	Nagpur	(UA)	Secunderabad	
Navi Mumbai		Pune	(UA)		
AREA – “B”					
Agra	(UA)	Gwalior	(UA)	Port Blair	(UA)
Ajmer	(UA)	Hubli-Dharwad	(M. Corpn)	Puducherry	(UA)
Aligarh	(UA)	Indore	(UA)	Raipur	(UA)
Allahabad	(UA)	Jabalpur	(UA)	Raurkela	(UA)
Amravati	(M. Corpn)	Jaipur	(M. Corpn)	Rajkot	(UA)
Amritsar	(UA)	Jalandhar	(UA)	Ranchi	(UA)
Asansol	(UA)	Jalandhar-Cantt.	(UA)	Saharanpur	(M. Corpn)
Aurangabad	(UA)	Jammu	(UA)	Salem	(UA)
Bareilly	(UA)	Jamnagar	(UA)	Sangli	(UA)
Belgaum	(UA)	Jamshedpur	(UA)	Shillong	
Bhavnagar	(UA)	Jhansi	(UA)	Siliguri	(UA)
Bhiwandi	(UA)	Jodhpur	(UA)	Solapur	(M. Corpn)
Bhopal	(UA)	Kannur	(UA)	Srinagar	(UA)
Bhubaneshwar	(UA)	Kochi	(UA)	Surat	(UA)
Bikaner	(M. Corpn)	Kolhapur	(UA)	Thiruvananthapuram	(UA)
Bokaro Steel City	(UA)	Kollam	(UA)	Thrissur	(UA)
Chandigarh	(UA)	Kota	(M. Corpn)	Tiruchirappalli	(UA)
Coimbatore	(UA)	Kozhikode	(UA)	Tiruppur	(UA)
Cuttack	(UA)	Ludhiana	(M. Corpn)	Ujjain	(M. Corpn)
Dehradun	(UA)	Madurai	(UA)	Vadodara	(UA)
Dhanbad	(UA)	Malappuram	(UA)	Varanasi	(UA)
Durgapur	(UA)	Malegaon	(UA)	Vasai- Virar City	(M. Corpn)
Durg-Bhilai Nagar	(UA)	Mangalore	(UA)	Vijayawada	(UA)
Erode	(UA)	Meerut	(UA)	Vishakhapatnam	(M. Corpn)
Firozabad		Moradabad	(M. Corpn)	Warangal	(UA)
Goa		Mysore	(UA)	Gorakhpur	(UA)
NandedWaghala	(M. Corpn)	Greater Visakhapatnam	(M. Corpn)	Nasik	(UA)
Gulbarga	(UA)	Nellore	(UA)	Guntur	(UA)
Panchkula	(UA)	Guwahati	(UA)	Patna	(UA)
<p>Area ‘C’ will comprise all areas not mentioned in this list. NB: U.A. stands for Urban Agglomeration.</p>					
