

The Code on Wages, 2019

Section 41 - Non-applicability of this Chapter

(1) Nothing in this Chapter shall apply to--

- (a) employees employed by the Life Insurance Corporation of India;
 - (b) seamen as defined in clause (42) of section 3 of the Merchant Shipping Act, 1958 (44 of 1958);
 - (c) employees registered or listed under any scheme made under the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), and employed by registered or listed employers;
 - (d) employees employed by an establishment under the authority of any department of the Central Government or a State Government or a local authority;
 - (e) employees employed by--
 - (i) the Indian Red Cross Society or any other institution of a like nature including its branches;
 - (ii) universities and other educational institutions;
 - (iii) institutions including hospitals, chamber of commerce and social welfare institutions established not for purposes of profit;
 - (f) employees employed by the Reserve Bank of India;
 - (g) employees employed by public sector financial institution other than a banking company, which the Central Government may, by notification, specify, having regard to--
 - (i) its capital structure;
 - (ii) its objectives and the nature of its activities;
 - (iii) the nature and extent of financial assistance or any concession given to it by the Government; and
 - (iv) any other relevant factor;
 - (h) employees employed by inland water transport establishments operating on routes passing through any other country; and
 - (i) employees of any other establishment which the appropriate Government may, by notification, exempt having regard to the overall benefits under any other scheme of profit sharing available in such establishments to the employees.
- (2) Subject to the provisions of sub-section (1) and notwithstanding anything contained in any other provisions of this Chapter, the provisions of this Chapter shall apply to such establishment in which twenty or more persons are employed or were employed on any day during an accounting year.