

The Code on Wages, 2019

Section 42 - Central Advisory Board and State Advisory Boards

- (1) The Central Government shall constitute the Central Advisory Board which shall consist of persons to be nominated by the Central Government--
- (a) representing employers;
 - (b) representing employees which shall be equal in number of the members specified in clause (a);
 - (c) independent persons, not exceeding one-third of the total members of the Board; and
 - (d) five representatives of such State Governments as may be nominated by the Central Government.
- (2) One-third of the members referred to in sub-section (1) shall be women and a member specified in clause (c) of the said sub-section shall be appointed by the Central Government as the Chairperson of the Board.
- (3) The Central Advisory Board constituted under sub-section (1) shall from time to time advise the Central Government on reference of issues relating to--
- (a) fixation or revision of minimum wages and other connected matters;
 - (b) providing increasing employment opportunities for women;
 - (c) the extent to which women may be employed in such establishments or employments as the Central Government may, by notification, specify in this behalf; and
 - (d) any other matter relating to this Code,
- and on such advice, the Central Government may issue directions to the State Government as it deems fit in respect of matters relating to issues referred to the Board.
- (4) Every State Government shall constitute a State Advisory Board for advising the State Government--
- (a) in fixation or revision of minimum wages and other connected matters;
 - (b) for the purpose of providing increasing employment opportunities for women;
 - (c) with regard to the extent to which women may be employed in such establishments or employments as the State Government may, by notification, specify in this behalf; and
 - (d) in any other matter relating to this Code, which the State Government may refer from time to time to the Board.
- (5) The State Advisory Board may constitute one or more committees or sub-committees to look into issues pertaining to matters specified in clauses (a) to (d) of sub-section (4).
- (6) The State Advisory Board and each of the committees and sub-committees thereof shall consist of persons--
- (a) representing employers;
 - (b) representing employees which shall be equal in number of the members specified in clause (a); and
 - (c) independent persons, not exceeding one-third of the total members of the Board or committee or sub-committee, as the case may be.
- (7) One-third of the members referred to in sub-section (6) shall be women and one among the members specified in clause (c) of the said sub-section shall be--
- (a) appointed by the State Government as the Chairperson of the Board;
 - (b) appointed by the State Advisory Board as the Chairperson of the committee or subcommittee, as the case may be.
- (8) In tendering its advice in the matters specified in clause (b) or clause (c) of sub-section (4), the State Advisory Board shall have regard to the number of women employed in the concerned establishment, or employment, the nature of work, hours of work, suitability of women for employment, as the case may be, the need for providing increasing employment opportunities for women, including part time employment, and such other relevant factors as the Board may think fit.
- (9) The State Government may, after considering the advice tendered to it by the State Advisory Board and after inviting and considering the representations from establishment or employees or any other person which that Government thinks fit, issue such direction as may be deemed necessary.

- (10) The Central Advisory Board referred to in sub-section (1) and the State Advisory Board referred to in sub-section (4) shall respectively regulate their own procedure including that of the committees and sub-committees constituted by the State Advisory Board, in such manner as may be prescribed.
- (11) The terms of office of the Central Advisory Board referred to in sub-section (1) and the State Advisory Board referred to in sub-section (4) including that of the committees and sub-committees constituted by the State Advisory Board, shall be such as may be prescribed.