

Minimum Wages Act, 1948

Section 13 - Fixing Hours for a Normal Working Day, Etc.

1[(1)] In regard to any scheduled employment minimum rates of wages in respect of which have been fixed under this Act, the appropriate Government may--

- (a) fix the number of hours of work which shall constitute a normal working day, inclusive of one or more specified intervals;
- (b) Provide for a day of rest in every period of seven days which shall be allowed to all employees or to any specified class of employees and for the payment of remuneration in respect of such days of rest;
- (c) provide for payment for work on a day of rest at a rate not less than the overtime rate.

2[(2)] The provisions of sub- section (1) shall, in relation to the following classes of employees, apply only to such extent and subject to such conditions as may be prescribed:--

- (a) employees engaged on urgent work, or in any emergency which could not have been foreseen or prevented;
- (b) employees engaged in work in the nature of preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working in the employment concerned;
- (c) employees whose employment is essentially intermittent.
- (d) employees engaged in any work which for technical reasons has to be completed before the duty is over;
- (e) employees engaged in a work which could not be carried on except at times dependent on the irregular action of natural forces.

(3) For the purposes of clause (c) of sub- section (2), employment of an employee is essentially intermittent when it is declared to be so by the appropriate Government on the ground that the daily hours of duty of the employee, or if there be no daily hours of duty as such for the employee, the hours of duty, normally include periods of inaction during which the employee may be on duty but is not called upon to display either physical activity or sustained attention.]

STATE AMENDMENT

Maharashtra--In section 13, in sub-section (1), after clause (a), insert the following clause:--

"(aa) fix the number of hours of work which shall constitute a normal working week"; and

(2) In section 13, in sub-section (3), after the words "the appropriate Government", insert the words "or by an officer not below the rank of a Deputy Commissioner of Labour especially authorized by the State Government in this behalf." [Vide Maharashtra Act 3 of 1963, sec. 4 (w.e.f. 14-1-1963).]

1. Section 13 re-numbered as sub-section (1) of that by Act 30 of 1957, section 10 w.e.f. 17-9-1957.

2. Added by Act 30 of 1957, section 10 w.e.f. 17-9-1957.
