



*Vinuja Menon*  
*Associate*

## **ENFORCEMENT OF SPECIFIC PROVISIONS OF THE CODE ON WAGES**

The Ministry of Labour and Employment through a notification dated 18<sup>th</sup> December 2020<sup>1</sup> has enforced the sections on the Code on Wages, 2019 (“CoW”) that relate to the Central Advisory Board (“CAB”).

The CAB is responsible for advising the Central Government on fixation or revision of minimum wages; enhancing employment opportunities for women; and their extent of employment in establishments.<sup>2</sup>

The following sections have been brought into effect:

1. Sub-sections (1), (2), (3), (10) and (11) of Section 42:<sup>3</sup>

Section 42 allows the Central Government to constitute a CAB. The CAB shall have representatives of employers, employees, independent persons, and state governments.<sup>4</sup> One-third of the members of the CAB shall be women. The CAB advises the Central Government on issues relating to fixation or revision of minimum wages, providing employment opportunities for women, the extent to which women may be employed in certain employment or establishments and any other matter relating to the CoW. The section further provides for a state advisory board for advising the state governments that have not yet been brought into force.

2. Sub-section (2)(s) and (t) of Section 67:

This section empowers the appropriate government to make rules relating to regulating the procedure by CAB and terms of office of its members.

3. Section 69:

This section on repeal and savings enables the replacement of the sections relating to the CAB under the Minimum Wages Act, 1948.

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<sup>1</sup> <https://www.sconline.com/blog/wp-content/uploads/2020/12/223800.pdf>.

<sup>2</sup> Section 42 (3) of the CoW.

<sup>3</sup> To the extent they relate to the CAB.

<sup>4</sup> As nominated by the Central Government.

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## CONCLUSION

By bringing the above section and sub-sections into effect, the Central Government appears to effecting the transition of the law on wages. The government is clearly working towards bringing the new Labour Codes into effect. It has enabled the specific provisions in order to constitute the CAB before the rest the CoW is brought into force along with the Rules. Reportedly, the draft Rules relating to the four Labour Codes are under review by the Labour Standing Committee of the Parliament.<sup>5</sup>

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<sup>5</sup> <https://www.thehindubusinessline.com/economy/panel-to-examine-rules-of-four-labour-codes/article33522598.ece>  
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