

MINIMUM WAGES LAW: A HISTORICAL RETROSPECT

Miss Sidra Mehboob * and Romana Asmat **

Abstract

The purpose of seeking employment is to sell labour to earn wages so as to attain a 'decent' or 'dignified' standard of living. The wage or income that a worker obtains from his /her work is, what enables him /her to achieve a fair standard of living. Society and the appropriate Government has a duty to ensure a fair wage to every worker, to ward off starvation and poverty, to promote the growth of human resources, and to ensure social justice without which likely threats to law and order may undermine economic progress. The International Labour Conference of International Labour Organization, at Geneva, adopted a draft convention on minimum wages requiring the member countries to create and maintain a machinery whereby minimum wages can be fixed for workers employed in industries in which no arrangement exist for the effective regulation of wages and where wages are exceptionally low. Since wages paid to workers is a matter of great concern at national as well as at international level, this paper aims to give a glimpse as when, where and how the struggle for minimum wages started and progressed in India and in some other countries. This paper further aims to highlight the measures that have been taken at international level through International Organizations and Conventions to combat the economic problems of workers.

Keywords: Collective bargaining, International Labor Organization, Industrialization, Fair Wage, Minimum Wage, Living Wage.

Introduction

A **minimum wage**¹ is the lowest hourly, daily or monthly remuneration that employers may legally pay to workers. Equivalently, it is the lowest wage at which workers may sell their labour. Although minimum wage laws are in effect in many jurisdictions, differences

* LLB (University of Kashmir, J&K, India); M.A (Indira Gandhi National Open University, New Delhi, India); LLM (University of Kashmir, J&K, India); Post-Graduate Diploma In Criminal Justice System (Indira Gandhi National Open University, New Delhi, India).

Advocate, J&K High court, India.

Associate Legal Advisor (for Yamina Almas And Associates, Company Secretaries).

E-mail: sidramehboob.llm@gmail.com

** LLB (University of Kashmir, J&K, India); M.A (Indira Gandhi National Open University, New Delhi, India); LLM (University of Kashmir, J&K, India)

Lecturer Kashmir Law College, Srinagar, J&K, India.

Email: romanaasmat504@gmail.com

¹ The 1967 report of the ILO Committee of Experts defined the minimum wage as follows: "[the minimum wage] represents the lowest level of remuneration permitted, in law or fact, whatever the method of remuneration or the qualification of the worker; (...) [it] is the wage which in each country has the force of law and which is enforceable under threat of penal or other appropriate sanctions. Minimum wages fixed by collective agreements made binding by public authorities are included in this definition" (ILO, 1992, para. 31).

of opinion exist about the benefits and drawbacks of a minimum wage. Supporters of the minimum wage say it increases the standard of living of workers, reduces poverty, reduces inequality, boosts morale and forces businesses to be more efficient. In contrast, opponents of the minimum wage say it increases poverty, increases unemployment (particularly among low productivity workers) and is damaging to businesses.²

History of Minimum Wages In India and Abroad

The history of minimum wage is about the attempts and measures governments have made to introduce a standard amount of periodic pay below which employers could not compensate their workers. In 1896 in Victoria, Australia, an amendment to the Factories Act provided for the creation of a wages board³. The wages board did not set a universal minimum wage; rather it set basic wages for six industries that were considered to pay low wages⁴. First enacted as a four year experiment, the wages board was renewed in 1900 and made permanent in 1904; by that time it covered 150 different industries⁵. In 1894, New Zealand enacted the first national minimum wage laws that, unlike the wages board of Victoria, were enforced by compulsory arbitration. In 1907 Ernest Aves was sent by the British Secretary of State for the Home Department to investigate the results of the minimum wage laws in Australia and New Zealand. In part as a result of his report, Winston Churchill, then president of the Board of Trade, introduced the Trade Boards Act on March 24, 1909. It became law in October of that year, and went into effect in January 1910⁶. In the United States, statutory minimum wages were first introduced nationally in 1938; some states enacted them as protective laws starting in 1912 until they were ruled illegal, but they applied only to women and children.⁷

The first moves to legislate wages did not set minimum wages, rather the laws created arbitration boards and councils to resolve labour conflicts before the recourse to strikes. There used to be more heavy reliance on collective bargaining, with specific sectors. In 1896, New Zealand established such arbitration boards with the Industrial Conciliation and Arbitration Act. In 1899, the state of Victoria, Australia established similar boards. In 1907, the *Harvester decision*⁸ was handed down in Australia. It established a 'living wage' for a man, his wife and two children to "live in frugal comfort"⁹.

² "The Young and the Jobless". *The Wall Street Journal*. 2009-10-03. Retrieved 2014-01-11.

³ Charles Henry Verrill, Charles Henry Verrill (1915). *Minimum-wage Legislation in the United States and Foreign Countries Bulletin of the United States Bureau of Labor Statistics: Miscellaneous series*. U.S. Government Printing Office. p. 105.

⁴ Starr, Gerald (1993). *Minimum wage fixing : an international review of practices and problems* (2nd impression (with corrections) ed.). Geneva: International Labour Office. p. 1. ISBN 9789221025115

⁵ Waltman, Jerold. "The Politics of the Minimum Wage." University of Illinois Press. 2000

⁶ Tritch, Teresa (March 7, 2014).FDR makes the case for minimum wages. *New York Times*. Retrieved March 7, 2014

⁷ "History of the National Minimum Wage". *Employment Matters*. United Kingdom Department of Trade and Industry. 17 June 2006. Retrieved 2006-06-22. *Note: Date enacted was 1 April 1999*

⁸ *Ex parte H. V. McKay* (1907) 2 CAR 1, well known as the *Harvester case*, is a landmark Australian labour law decision on a fair living wage for workers. The case had national ramifications and was of international

Early experiments with minimum wages were also carried on in a number of developing countries. As elsewhere, the laws were for the most part limited to certain categories of workers judged particularly vulnerable. In Sri Lanka (then Ceylon), the Minimum Wages (Indian Labour) Ordinance 1927 was passed in order to regulate the wages of workers employed on Plantations. In Africa, a number of colonies introduced minimum wages soon after the First World War in order to prevent abuses in the hiring of indigenous workers under forced labour arrangements¹⁰. Thus in the Belgian Congo decrees issued in 1922 permitted provincial governors to fix minimum wages in their territories. The British Colonial Office commended the Minimum Wage Fixing Machinery Convention, 1928 to the Governments of overseas territories and urged the adoption of simple legislation in every colony empowering the government to intervene in any case where illiterate workers were receiving unduly low wages. During 1930s a number of minimum wage ordinances, along with other forms of protective legislation, were issued in British colonies in Africa as well as in the Caribbean¹¹.

In 1909, the Trade Boards Act was enacted in the United Kingdom, establishing four such boards. In United Kingdom, although the relevant legislation has undergone a number of modifications, the emphasis has continued to be on providing minimum wage regulation in those industries where effective trade union organization is lacking and wages are considered to be inadequate or unreasonably low. In 1978, the wage council system of United Kingdom covered almost three million workers in 41 different trades. Wage boards with similar function covered about 400,000 workers in agriculture. Although the composition of industries affected has changed somewhat there has not been any marked increase in the total number of workers affected since the end of Second World War. In the total about one-sixth of all employees in the country are covered by minimum wages. In Ireland, minimum wage regulation has followed same pattern but is not as extensive. Joint Labour Committees, under the Industrial Relations Act 1946, have been established for 15 trades covering about 32,000 workers, or only 3% of the economically active population¹². Early interest in Minimum wage regulation was particularly evident in Latin America. In some cases, it led to establishment of special machinery for particularly vulnerable categories of workers as in Argentina, where the Home Work Act adopted in 1918 was in line with similar legislation then being introduced in Europe. More often in this earlier period minimum wages were fixed by *ad hoc* legislative measures. A particularly significant development was the inclusion of a reference to minimum wages in Federal Constitution of Mexico adopted in 1917. Article 123, VI, of that instrument states that,

significance. Higgins J in the held that an employer was required by law to pay a decent, fair wage to his workers.(1907) 2 CAR 1

⁹ Sanjiv Sachdev (2003). *Raising the rate: An evaluation of the uprating mechanism for the minimum wage*. Employee Relations

¹⁰ Minimum wage: An international survey, studies and reports, series D, No. 22, Geneva (1939)

¹¹ ILO: African Labour Survey (Geneva 1958) pp. 259-272

¹² Gerald Starr, "*Minimum wage fixing: An international review of practices and problems*", International Labour Office, Geneva, (1993)

“The minimum wage to be received by a worker shall be that which is considered sufficient, according to the conditions of each region, to satisfy the normal needs of his living, education and honest pleasures, considering him as head of the family”¹³.

This constitutional provision, the first of its kind anywhere to recognize explicitly the responsibility of State for ensuring minimum standards of living, eventually led to the creation in 1933 of National minimum Wage Board for the fixing of general minimum wages applicable to all workers throughout the country¹⁴. Legislation introducing similar minimum wage regulation systems with a broad purpose and scope was introduced in a few Latin American countries around the same time (Costa Rica and Cuba-1934 and Brazil-1938). In the United States, statutory minimum wages were first introduced nationally in 1938 by President Franklin D. Roosevelt¹⁵. In a quiet different institutional context, in the United States, the Fair Labour Standards Act of 1938 established a nationally uniform minimum wage for workers engaged in inter-state or foreign commerce. Section 2 of the Act states its purpose in the following terms¹⁶:

- a. *The Congress here finds that the existenceof labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well being of workers.....; burdens commerce and the free flow of the goods in commerce;.... Constitutes an unfair method of competition in commerce.... Leads to labour disputes burdening and obstructing commerce.....; and..... Interferes with the orderly and fair marketing of goods in the commerce.*
- b. *It is hereby declared to be the policy of this Act.....to correct and as rapidly as practicable to eliminate the conditions above referred to in such industries without substantially curtailing employment or earning power.*

Since then the national minimum wage rate has been adjusted from time to time and the scope of the protection gradually enlarged through the elimination of the various exclusions. Coverage expanded from 43% in 1938 to 84% in 1978 of all non-supervisory employees in private, non agricultural employment. Minimum wage regulation through generally applicable rates has also been developing at the state level. Now, 40 states have such laws, protection been afforded to both male and female workers.¹⁷ A similar process of gradual extension of general minimum wages has also occurred in Canada. By the early 1960s both male and female workers were covered by minimum wage orders of general application in all the provincial and federal jurisdictions of the country¹⁸.

¹³ Ibid

¹⁴ ILO: Minimum Wages in Latin America, Studies and reports. New series no. 34 (Geneva 1954)

¹⁵ Sanjiv Sachdev (2003). *Raising the rate: An evaluation of the uprating mechanism for the minimum wage*. Employee Relations.

¹⁶ US Labour department, History of Fair Labour Standards Act, 1938, retrieved on 2003- 08-12

¹⁷ Finis Welch: *Minimum Wages: issues and evidence* (Washington, American Enterprise Institute of Public policy Research, 1978), p 3.

¹⁸ Canada labour Code, Department of Justice, Canada

In contrast with the American pattern minimum wage regulation was not introduced in Japan until quite late¹⁹, the first major legislation being the Minimum Wage law of 1959. The original focus of the Act was on fixing minimum wages for particular industries or occupations in a given area. However, by early 1970s this system has evolved in the direction of also providing general minimum wage protection for all workers in all prefectures throughout the country²⁰.

In the period following Second World War minimum wage regulation of general application spread to a number of continental European countries. In Luxembourg general minimum wages were fixed for the first time by legislation in 1945. In subsequent years the rates were modified by special laws on a number of occasions, and in 1957 a system for the regular adjustment of minimum wages was put into effect. France also adopted this approach at a comparatively early date. When war time wage controls were lifted in 1950 a minimum wage (*le salaire minimum interprofessionnel garanti* or SMIG²¹) of broad application was introduced. This system, although altered in form and name, has continued to provide protection for virtually all workers. The concept of minimum wage was an important element of wage control programme that was applied in the Netherlands from the end of world war until 1959. After the gradual lifting of controls during the 1960s statutory minimum wages of general application were again introduced in 1969 with the adoption of a special law providing for the machinery for fixing and regular adjustment of minimum wages for almost all workers in the country. Other western European countries which have introduced general minimum wages include Spain²² (1963), Portugal²³ (1974), and Belgium(1975)²⁴.

The general minimum wage system introduced by industrialized countries, while similar in respect of their broad coverage, are in most other respects quite distinctive. For example in some countries it is clear that a major objective of general Minimum wage regulation has been to provide at least a certain degree of protection for a large number of workers falling outside the scope of collective bargaining. Yet some countries where the vast majority of workers are covered by collective agreements (e.g. Belgium and Netherlands) have also introduced general minimum wage protection, apparently with a view to altering wage structures. The manner in which minimum wages are fixed also shows little uniformity. It varies from acts of legislature (e.g. the United States), through the Belgian procedure of a rate established by national collective bargaining being given force of law by Royal Order, to the case of Japan, where decisions are taken based on the recommendation of minimum wage councils in individual prefectures. In some countries (e.g. France and the United

¹⁹ Realization of Meaningful, Secure Employment for Workers". Ministry of Health, Labour and Welfare of Japan. Retrieved 2013-12-19.

²⁰ The minimum wage: An international survey, Studies and Reports, Series D, No. 22 (Geneva, 1939).

²¹ English version of the maxim is Guaranteed minimum wage

²² European labour law network

²³ ILO global wage Database 2012. Retrieved march 2012

²⁴ Supra note 12

States) there is a single minimum wage for the entire country, while elsewhere there are important regional variations and industry rates supplementing the general rates.

Although the general minimum wage systems of industrialized countries show a considerable diversity, they do have two important elements in common. The first is their continued application. Once established these systems have generally been maintained and actively administered²⁵. The rates fixed are adjusted on a more or less regular basis. The other important common element is that in these countries minimum wage fixing is viewed as a significant but basically supplementary method of wage regulation, the main method being collective bargaining²⁶.

In the European Union, 18 out of 27 member states currently have national minimum wages²⁷. Many countries, such as Norway, Sweden, Finland, Denmark, Switzerland, Germany, Austria, Italy, and Cyprus have no minimum wage laws, but rely on employer groups and trade unions to set minimum earnings through collective bargaining²⁸. In addition to the federal minimum wage, nearly all states within the United States have their own minimum wage laws with the exception of South Carolina, Tennessee, Alabama, Mississippi and Louisiana²⁹. Sixteen states have a minimum wage that is higher than the federal minimum wage³⁰.

The evolution of minimum wage regulation in **Asia** has differed in a number of ways from other developing regions. To begin with minimum wages regulation has not been as extensive as elsewhere. In several Asian countries it still does not exist and in others it is confined to a very limited number of workers. There are only a few countries where there is minimum wage regulation with broad coverage, primarily those of western Asia³¹. The first major experiences with the minimum wage regulation in Asia occurred during and shortly after the Second World War among the countries influenced by British practices. Legislation closely following the wages council system of the United Kingdom was adopted in Burma and Malaysia soon after the war and in Fiji in 1957³². In Sri Lanka, the Wage Boards Ordinance of 1941 established a system of minimum wage regulation for "sweated trades" that resembles in many ways with the British system of wage councils. In India the Minimum Wages Act (1948), adopted just after independence, also followed the British pattern of fixing minimum wages by industry. However there are important differences with respect to implementing machinery and the procedures for deciding on

²⁵ Global Wage Report, 2008-2009

²⁶ IMF world economic outlook, 2008

²⁷ Eurostat (2006): *Minimum Wages 2006 - Variations from 82 to 1503 euro gross per month* (PDF)

²⁸ Ehrenberg, Ronald G. *Labor Markets and Integrating National Economies*, Brookings Institution Press (1994), p. 41

²⁹ DOL WHD: Minimum Wage Laws in the States ,available at www.dol.gov/esa/minwage/America.htm, visited on 22.06.14

³⁰ Minimum Wage Rates in the United States available at: www.minimum-wages.us/ visited on 26.06.14

³¹ Subesh K. Das, Fixation and Enforcement of Minimum Wages, *The Indian Journal of Labour Economics*,

³² Supra note 12

coverage and for adjusting rates. In Pakistan the system of industry minimum wage regulation introduced in 1957 differs substantially from British Practice, with responsibility for decisions being assigned to centralized boards³³.

The coverage of Asian system of industry minimum wages varies greatly. In the case of Burma wages councils have been established for only two industries. Similar limited coverage is the characteristic of Malaysia. In Bangladesh, Fiji, India and Pakistan the number of sectors subject to minimum wage regulation is significantly larger but, even so, just a small proportion of non-agricultural labour force is covered in each country. Only in Sri Lanka has the wages board system been extended to the point where protection is provided for a majority of workforce³⁴.

The only country with a comparatively long history of application of general minimum wages is the Philippines. General minimum wages for both agricultural and non-agricultural workers were established by legislation in 1951 and have been adjusted on an irregular basis since then. More recently general minimum wages have been fixed in Nepal, Pakistan and Thailand, but the scope of general minimum wage orders has sometimes been limited (e.g. in Pakistan to industrial establishments employing 50 or more workers) and regular adjustments have not in every case been made³⁵.

The countries of Western Asia that have introduced minimum wages with broad coverage include Afghanistan, Iraq, Iran, the Lebanon, Syria and Turkey. In Iran and Turkey the general minimum wages are legally required to be, and have in fact been, adjusted on a regular basis. While the minimum wage regulation systems of the countries mentioned have in common broad coverage, they differ in other important respects such as frequency of adjustments, the recognition of regional, occupational and industry differentials, and the form of decision making³⁶.

Although minimum wage regulation has gradually become more widespread in the Asian region, there are still a number of countries that have not introduced it at all (Hong Kong, the Republic of South Korea and Singapore³⁷) or only on a very limited scale (e.g. in Indonesia, where minimum wage fixing is just starting, with industry rates established by boards in individual regions). Neither are there minimum wages in Israel, but most workers receive protection through collective bargaining³⁸.

Most recently, Qatar has released a new set of labour welfare standards, which include guidelines to protect the rights of workers across the country. The new standards, which

³³ Minimum wage comparison, Asian countries: official representation of minimum wages, June 2012.

³⁴ Ibid 33

³⁵ Supra 4

³⁶ Labour Code: a systematically arranged collection or compendium of laws, rules, or regulations, retrieved June 11, 2012,

³⁷ Available at: <http://www.andyxianwong.wordpress.com> . March 29, 2013 retrieved on June 2014.

³⁸ Aliyah, Israel lifestyle, Business and classified Directory, available at: <http://www.anglolist.com>. Retrieved on July 11 2014.

govern the entire chain of contracting – from recruitment to repatriation, also cover issues such as payment of wages, proper accommodation and enforcement of labour welfare policies. According to the new rules, contractors are required to set up bank accounts for their workers, creating an auditable transaction system that will help the committee in verifying that workers are paid on time. Minimum standards of cleanliness and hygiene and the number of beds allowed per room are also clearly specified in the new charter. The Supreme Committee also has the right to penalize contractors who do not comply with the welfare standards. There are also legal mechanisms that would enable the committee to step in and make improvements to workers' living standards at the expense of contractors if they fail to make satisfactory improvement³⁹.

Criticized over unsafe conditions and low pay in its garment industry, Bangladesh took a first step to raise wages...with a special government-appointed board voting to nearly double the minimum wage. Factory owners complained that the increase was too high, labor leaders that it was too low. The current minimum is about \$38, a month. The wage board recommended on that it be raised to about \$68 it must be approved by Bangladesh's Labor Ministry before taking effect⁴⁰.

In India, with the advent of world-war I greater opportunities were provided to manufacturers to increase the production and their profits. Labour, however, inarticulate as it was, did not reap the fruits of war, as did the industries. Wages did not keep pace with the rising prices. The culmination of the World War I brought many a world problem that the democratic countries were called upon to tackle and solve. It would be opportune here to digress a little to study the effects of the conditions of labour in foreign countries on India. It can be studied without any fear of contradiction that the Britishers were in no mood to industrialize India. It was a developing market for the import of the finished products from the United Kingdom and for the export of raw material to it. The initiative started with the resolution placed by one Shri. K. G. R. Choudhary in 1920 for setting up Boards for determination of minimum wages in each industry⁴¹. As regards wages, the impact of western theories and thoughts were in no way advantageous to Indian labourers. Up to the end of the year 1922, the only important law relating to labour in India was that regulating the conditions of employment in factories. The influence of the International Labour Organization was, however, soon felt and industrial strife was, moreover, on the increase. Little attempt had so far been made for the peaceful and amicable settlement of trade disputes and all efforts made were hampered by the absence of reliable and accurate data regarding wages and conditions of employment⁴². The Bombay Labour Office conducted an enquiry into wages in cotton textile mills in the Bombay Province in 1921 and another enquiry into family budgets of industrial workers in Bombay city in the same year. It also set itself to compile a cost of living index for working classes in Bombay city.

³⁹ Gulf Business, 11 Feb 2014.

⁴⁰ Jim Yardley, New York Times (USA) Dated: 04 Nov. 2013

⁴¹ Mulloorkaaran, *Minimum Wages Act 1948*, e-content retrieved on 7 November 2012.

⁴² Aruna Roy and Nikhil Dey, *The Wages Of Discontent*, the Hindu 7 November 2012.

Acting on a private resolution adopted in the Provincial Legislative Council, the Government of Bombay appointed an Industrial Disputes Committee in 1922 under the chairmanship of Sir Stanley Reed, M.P., then Editor-in-chief of the Times of India, to consider and report on the practicability or otherwise of creating machinery for the prevention and early settlement of trade disputes. The committee made various recommendations on the prevention of disputes and their peaceful settlement when they arose. Among its main recommendations was one for the setting up of an Industrial Court. Much headway had, however been made in the meanwhile in the framing of new labour laws⁴³. Among the more important of these were the Workmen's Compensation Act and the Indian Mines Act which were passed in 1923 and the Indian Trade Unions Act which was passed in 1926. The cost of living index compiled by the Bombay Labour Office showed that the prices had risen steadily for two years after the end of the War⁴⁴. Cotton textile mill owners in Bombay had met demands for higher wages between 1917 and 1920 partly by the grant of dearness of food allowance and partly by the payment of an annual bonus of one month's pay dependant on profits. In 1924, the Mill Owners' Association, Bombay decided that the profits for 1923 would not justify the payment of the bonus⁴⁵. The workers of all mills in the city struck work. The Government of Bombay appointed a Committee of Enquiry under the chairmanship of Sir N. Macleod, Chief Justice of the Bombay High Court. The Committee's report was entirely against the workers. In the year 1925, however, the Government of India came to the rescue of the cotton textile industry and the workers employed in it by abolishing the excise duty of three and a half percent, which had been levied on cotton manufacture in India for many years past. In that year, the mill-owners in Bombay announced a cut of twelve and a half percent in wages. This announcement was followed by a general strike which lasted for over two months and which resulted in a time loss of nearly eleven million working days. Both sides were adamant but the mill owners had given an undertaking to government to drop the proposal for wage cut if the excise duty was abolished. The strike, therefore, ended as soon as the Viceroy's Special Ordinance announcing the suspension of the excise duty was published at the end of November, 1925. This strike "was a great victory for the workers and showed that in spite of their illiteracy and inadequate organization, they were able to take concerted action and to offer a stubborn resistance against any attack on their wages⁴⁶". Continued labour unrest, however, made it inevitable that complete survey be made of the various labour problems by an impartial body. The Government of India announced the appointment of a Royal Commission⁴⁷ on Indian Labour to enquire into and report in the existing conditions of labour in industrial undertakings and plantations in British India on the health, efficiency and standard of living of workers. It expressed itself thus:

⁴³ Biju Varkkey and Khushi Mehta, *Minimum wages in India , Issues and Concerns* Submitted at Indian Institute of Management, Ahmadabad.

⁴⁴ Roy, Biren, *Apathy Over Minimum Wages*, Economic and Political weekly, 29 November 1927.

⁴⁵ M. Singh, *The Struggle of Indian Textile Workers*, the Labour Monthly, vol. 16, June 1934.

⁴⁶ Some facts about Bombay strike, Evelyn Roy, the Labour Monthly, vol. 6, May 1924.

⁴⁷ The Royal Commission on Indian Labour, the spectator Archive, May 1929.

...reference has already been made to the striking disparity in the wage rates operating in an industry situated in the locality as indicated by Bombay wage census. In India, in some industries there are already varying degrees of organization among the workers and this may be expected to increase. So far as the workers employed in some of the leading industries are concerned, the main need would appear to be the adoption of common standards of payment for similar classes of work. We are satisfied that a larger measure of uniformity can be achieved in certain industries without prejudice to their economic position and, at the same time, a higher wage-level can be secured to some of the lowest paid classes". It is obviously possible to raise the standard of living of sections of industrial workers by methods which would involve the diminution of the national income that is available for other sections of community. On the other hand, the prosperity of industrial workers can be advanced in such a manner as to enrich rather than to impoverish the rest of the community. The majority of witness appeared to desire the arbitrary fixing of wages for industrial workers at a level sufficient to provide what appeared to them a reasonable standard of living apparently without regard to the comparative prosperity of industry or the ultimate effect on the economic structure of India as a whole. The International Labour Conference in 1928 contemplated the creation of such machinery only in the case of "trades or parts of trades in which no arrangements exist for the effective regulation of wages by collective agreement or otherwise and wages are exceptionally low"⁴⁸...

The question as to the nature and form of machinery and the trades to which it is to be applied are left entirely to the discretion of the states concerned.

The Constitution of India accepts the responsibility of the State to create an economic order in which every citizen finds employment and receives a 'fair wage'.⁴⁹ On the recommendation of the Standing Labour Committee and Indian Labour Conference, a Labour Investigation Committee was appointed in 1943 to investigate into the question of wages and other matters like housing, social conditions and employment.

Therefore, a Central Advisory Council in its first session (November, 1948) appointed a Tripartite Committee on Fair Wages. The Committee consisted of representatives of employers, employees and the Government. Their task was to enquire into and report on the subject of fair wages to labour⁵⁰. THE COMMITTEE ON FAIR WAGES defined three different levels of wages viz;

- (i) Living wage
- (ii) Fair wage
- (iii) Minimum Wage

⁴⁸ Srivastava KD. *The Minimum Wages Act, 1948*. Eastern Book Company; (2003)

⁴⁹ Article 43 of the Constitution.

⁵⁰ Rising Labour Concern for Indian Government, Business Standard, March 11, 2008.

Living Wage

The living wage, according to the Committee, represented the highest level of the wage which should enable the worker to provide for himself and his family not merely the basic essentials of food, clothing and shelter but a measure of comfort including education for children, protection against ill health, requirements of essential social needs and a measure of insurance against more important misfortunes including old age. But the Committee felt that when such a wage is to be determined, the considerations of national income and the capacity to pay of the industry concerned has to be taken into account and the Committee was of the opinion that living wage had to be the ultimate goal or the target⁵¹.

Fair Wage

The Fair Wages Committee in this connection observed:⁵² “the objective is not merely to determine wages which are fair in the abstract, but to see that employment at existing levels is not only maintained, but if possible increased. From this point of view, it will be clear that the levels of the wages should enable the industry to maintain production with efficiency. The capacity of industry to pay should, therefore, be assessed by the Wage Boards in the light of this very important consideration.”

The Fair Wages Committee also recommended that the fair wage should be related with the productivity of labour. In this connection, it may be said that in India since the existing level of wages is unable to maintain the workers on subsistence plus standard, it is essential that the workers must be first assured a living wage and only after this minimum has been done; the wages should be related to the productivity. The Committee further recommended that the fair wage should be related with the prevailing rates of the wages, though in view of unduly low wages prevailing even in organized industries in the country, it laid down that the wage fixing machinery should, therefore, make due allowance for any depression of wages caused by unequal bargaining.

With regard to the machinery to be adopted for the fixation of fair wages, the Committee favored the setting up of Wage Boards. It recommended that there should be a State Board for each State, composed of independent members and representatives of employers and employees in equal numbers. In addition to the State Board, there should be a Regional Board for each of the industry taken up for wage regulation. Finally, there should be a Central Appellate Board to which appeals may be preferred on the decision of the Wage Boards. On the recommendations of the Committee on Fair Wages, a bill was introduced in the Parliament in August 1950, known as Fair Wages Bill. It aimed at fixing fair wages for workers employed in the first instance, in factories and mines. It contained various other useful provisions also⁵³. The Fair Wages Committee appointed by the Government

⁵¹ Report on the working on minimum wages Act, 1948 for the year 2011, Ministry of Labour and employment, labour Bureau

⁵² Ibid.

⁵³ But the Bill now stands lapsed.

of India, as stated earlier, drew a distinction between a minimum and a living wage and observed that the minimum wage is less than the living wage. With regard to the fair wage, the Committee recommended that it should be above the minimum wage and below the living wage⁵⁴.

Minimum Wage

The Committee was of the view that a minimum wage must provide for not merely the bare sustenance of life, but for the preservation of the efficiency of the worker. For this purpose, the minimum wage must also provide for some measure of education, medical requirements and amenities. The statutory Minimum Wage is the wage determined according to the procedure prescribed by the relevant provisions of the Minimum Wages Act 1948⁵⁵.

The question of establishing statutory wage fixing machinery in India was, therefore, discussed at the third and fourth meetings of the *Standing Labour Committee* held in 1943 and 1944 respectively and at successive sessions of the *Tripartite Labour Conference* in 1943, 1944 and 1945. The last of these approved the enactment of minimum wages legislation in principle. On April 11, 1946, a Minimum Wages Bill was introduced in Parliament but the passage of the Bill was considerably delayed by the constitutional changes in India. It was, however, passed into an Act in March, 1948. The Act applies to the employments that are included in Parts I and II of the Schedule Appended to the Act. The authority to include an employment in the schedule and to take steps for getting the minimum rates of wages fixed or revised vests with the Government – Central or State, according to the nature of employment. Once the minimum rates of wages are fixed according to the procedure prescribed by law, it is the obligation of the employer to pay the said wages irrespective of the capacity to pay.

International Labour Organization: Establishment and Object behind Establishment

The ILO⁵⁶ was created in 1919, as part of the Treaty of Versailles that ended World War I, to reflect the belief that universal and lasting peace can be accomplished only if it is based on social justice.

The Constitution was drafted between January and April, 1919, by the Labour Commission set up by the Peace Conference, which first met in Paris and then in Versailles⁵⁷. The Commission, chaired by Samuel Gompers, head of the American Federation of Labour (AFL) in the United States, was composed of representatives from nine countries: Belgium,

⁵⁴ Supra note 50

⁵⁵ Ibid

⁵⁶ International Labour Organization is a specialized agency of United Nations, to take policy decisions at the international level and provide international standards for labour welfare, for details see: <http://www.ilo.org>.

⁵⁷ Ibid

Cuba, Czechoslovakia, France, Italy, Japan, Poland, the United Kingdom and the United States. It resulted in a tripartite organization, the only one of its kind bringing together representatives of governments, employers and workers in its executive bodies. This tripartite structure makes the ILO a unique forum in which the governments and the social partners of the economy of its 185 Member States can freely and openly debate and elaborate labour standards and policies. The Constitution contained ideas tested within the International Association for Labour Legislation, founded in Basel in 1901. Advocacy for an international organization dealing with labour issues began in the nineteenth century, led by two industrialists, Robert Owen (1771-1853) of Wales and Daniel Legrand (1783-1859) of France. The driving forces for ILO's creation arose from security, humanitarian, political and economic considerations. Summarizing them, the ILO Constitution's Preamble says the High Contracting Parties were moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world.

There was keen appreciation of the importance of social justice in securing peace, against a background of exploitation of workers in the industrializing nations of that time. There was also increasing understanding of the world's economic interdependence and the need for cooperation to obtain similarity of working conditions in countries competing for markets. Reflecting these ideas, the Preamble states⁵⁸:

- Whereas universal and lasting peace can be established only if it is based upon social justice;
- And whereas conditions of labour exist involving such injustice hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperiled; and an improvement of those conditions is urgently required;
- Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries.

The areas of improvement listed in the Preamble remain relevant today, for example:

- Regulation of the hours of work including the establishment of a maximum working day and week;
- Regulation of labour supply, prevention of unemployment and provision of an adequate living wage;
- Protection of the worker against sickness, disease and injury arising out of his employment;

⁵⁸ Ibid

- Protection of children, young persons and women;
- Provision for old age and injury, protection of the interests of workers when employed in countries other than their own;
- Recognition of the principle of equal remuneration for work of equal value;
- Recognition of the principle of freedom of association;
- Organization of vocational and technical education, and other measures.

The ILO has made significant contributions to the world of work from its early days. The first International Labour Conference held in Washington in October 1919 adopted six International Labour Conventions, which dealt with hours of work in industry, unemployment, and maternity protection, night work for women, minimum age and night work for young persons in industry⁵⁹.

Concept of Minimum Wages as defined in the various International Labour Organization (ILO) Conferences

A brief history of the concept of Minimum Wages as taken up by the various International Labour Organization Conferences from time to time is traced in the following paragraphs⁶⁰.

Convention No. 26 (The Eleventh Session, 1928)

Eleventh Session held on 30th May, 1928, was convened at Geneva. Adoption of proposals with regard to Minimum Wage Fixing Machinery was the first item on the agenda of the Session⁶¹.

Convention No. 100 (The Thirty Fourth Session, 1951)

The Thirty Fourth Session was held on 6th June, 1951 and the Convention concerning the Minimum Wage Fixing Machinery in Agriculture was the eighth item on the agenda of the Session. The guidelines for creation / maintenance of adequate machinery whereby Minimum Wages can be fixed for agricultural workers were similar to those stated for Minimum Wage Fixing Machinery in the 11th Session of the ILO⁶².

Convention No. 131 (The Fifty Fourth Session, 1970)

The General Conference of the ILO met in its 54th Session on 3rd June, 1970 in Geneva and passed the Convention concerning Minimum Wage Fixing, with special reference to

⁵⁹ For details about the labour conventions adopted by UNO see, <http://www.ilo.org>.

⁶⁰ The Report on Working of Minimum Wages Act, 1948 for year 2011. Ministry of Labour and Employment Bureau, Government of India. Available at: <http://www.labourbureau.gov.in>

⁶¹ Available at: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312171

⁶² Available at: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_ILO_CODE:C100

developing countries on 22nd June, 1970. It was thought that the earlier Conventions with regard to the Minimum Wages had played a valuable part in protecting disadvantaged groups of wage earners and that another Convention was needed to complement the earlier ones, which, while of general application, will pay special regard to the needs of developing countries⁶³.

Minimum Wages defined in various Sessions of Indian Labour Conferences

Fifteenth Session, (1957)

At the 15th Session of the Indian Labour Conference held at New Delhi in July 1957, an important resolution was passed, which laid down that the minimum wage should be need-based and should ensure the minimum human needs of the industrial worker. The following norms were accepted as a guide for all wage-fixing authorities including Minimum Wage Committees, Wage Boards, Adjudicators,⁶⁴ etc.:

- (i) In calculating the minimum wage, the standard working class family should be taken to comprise three consumption units for one earner, the earnings of women, children and adolescents being disregarded.
- (ii) Minimum food requirements should be calculated on the basis of a net intake of 2700 calories as recommended by Dr. Akroyd for an average Indian adult of moderate activity.
- (iii) Clothing requirements should be estimated on the basis of a per capita consumption of 18 yards per annum, which would give for the average worker's family of four a total of 72 yards.
- (iv) In respect of housing, the norm should be the minimum rent charged by Government in any area for houses provided under the Subsidized Industrial Housing Scheme for low – income groups ; and
- (v) Fuel, lighting and other miscellaneous items of expenditure should constitute 20 per cent of the total minimum wage⁶⁵.
- (vi) children education, medical requirement, minimum recreation including festivals/ceremonies and provision for old age, marriage etc. should further constitute 25% of the total minimum wage

The Resolution further laid down that wherever the minimum wage fixed was below the norms recommended above, it would be incumbent on the authorities concerned to justify

⁶³ Available at: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0:NO:12100:P12100_ILO_CODE:C131

⁶⁴ Patrick Balse and Uma Rani , *Extending the coverage of minimum wages in India: stimulations from household data*, A Project Report submitted to International Labour Office, Geneva

⁶⁵ Available at: <http://labour.nic.in/wagecell/welcome.html>

the circumstances which prevented them from adherence to the aforesaid norms. The Resolution, thus, tried to give concreteness to the whole concept of minimum wage.

Further, the Supreme Court in the historic *Raptakos Brett*⁶⁶ judgement in 1992 held that in calculating the minimum wage, the need based norms laid out in the 15th Session of the Indian Labour Conference in 1957 should be considered and specified additional components.

In September 2007, the national minimum floor level⁶⁷ wage was increased to Rs 80 per day for all scheduled employments from Rs 66 in 2004 to Rs. 45 in 1999, Rs. 40 in 1998 and Rs. 35 in 1996.

The Thirtieth Session (1992)

The Indian Labour Conference in its Thirtieth Session in September, 1992 expressed the view that while the tendency to fix minimum wages at unrealistically high levels must be checked, implementation of wages once fixed must be ensured. It felt that the implementation machinery, consisting of labour administration in the States had been far from effective. It was desirable that workers' organizations and non-governmental voluntary organizations etc., played a greater role instead of engaging an army of inspectors for this purpose.

International Covenant on Economic Social and Cultural Rights 1966 Rights of Labour.

The International Covenant on Economic, Social and Cultural Rights (ICESCR) is a multilateral treaty adopted by the United Nations General Assembly on 16 December 1966, and in force from 3 January 1976. It commits its parties to work towards the granting of economic, social and cultural rights to the Non-self-Governing and Trust Territories and individuals, including labour rights and the right to health, the right to education and the right to an adequate standard of living. Article 6 of the Covenant recognizes the right to work, defined as the opportunity to everyone to gain their living by freely chosen or accepted to work.⁶⁸ The parties are required to take appropriate steps to safeguard this right, including technical and vocational training and economic policies aimed at steady economic development and ultimately full employment. The right implies that parties must guarantee equal access to employment and protect workers from being unfairly deprived of employment. They must prevent discrimination in the workplace and ensure access for the

⁶⁶ *Workmen v. Raptakos Brett & Co. Ltd.* 1992 1 LLJ 340, AIR 1992 SC 504.

⁶⁷ The national minimum floor level wage represents the lowest level of wage for any employment in the country. The wage rate is applicable to all employments which are currently not covered under the Minimum Wage Act. The State Government has to ensure that the minimum wage fixed under MWA is not lower than the national minimum wage rate.

⁶⁸ ICESCR, Article 6.1

disadvantages.⁶⁹ The fact that work must be freely chosen or accepted means parties must prohibit forced or child labour.⁷⁰

The work referred to in Article 6 must be decent work.⁷¹ This is effectively defined by Article 7 of the covenant which recognizes the right of everyone to “just and favorable” working conditions. These are in turn defined as fair wages with equal pay for equal work, sufficient to provide a decent living for workers and their dependents, safe working conditions, equal opportunity in the workplace and sufficient rest and leisure, including limited working hours and regular, paid holidays. Under Article 7 ICESCR, the State Parties to the Present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work, which ensure, in particular-

- a. Remuneration which provides all workers, as a minimum, with;
 - i. Fair wages and equal remuneration for work of equal nature without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;
 - ii. A decent living for themselves and their families in accordance with the provisions of the present Covenant;
- b. Safe and healthy working conditions
- c. Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no consideration other than those of seniority and competence;
- d. Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays.

Thus ICESCR has also laid down stress on those objectives which Minimum Wages Act 1948 in India seeks to fulfill.

Statutory Development of Wage Concepts in India

The first attempt to define wages has been done under The payment of Wages Act 1936⁷² under which ‘Wages’ all remuneration, whether by way of salaries, allowances or otherwise, expressed in terms of money or capable of being so expressed which would, if the terms of employment, express or implied were fulfilled, be payable to such person employed in respect of his employment or of work done in such employment. Here the wages include:-

- a. Any remuneration payable under any award or settlement between the parties or order of a court;

⁶⁹ ICESCR General Comment 18: the right to work. UN Economic and Social Council, 6 February 2006. Pp paragraph 31. Retrieved 2 June 2008.

⁷⁰ ICESCR General Comment 18, Paragraph 23

⁷¹ ICESCR General Comment 18, Paragraph 7

⁷² Section 2(vi) of the Payment of wages Act 1936

- b. Any remuneration to which the person employed is entitled in respect of overtime work or holidays or any leave period;
- c. Any additional remuneration payable under the terms of employment, whether called a bonus or by any other name.

Wages does not include:-

- a. Any bonus (whether under a scheme of profit sharing or otherwise) which does not form part of the remuneration payable under the terms of employment or which is not payable under any award or settlement between the parties or order of a court;

The bonus payable under the payment of Bonus Act 1965 amounts to wages within the definition of this sub-section.

- b. The value of any house accommodation or of the supply of light, water, medical attendance or other amenity or of any service excluded from the computation of wages by a general or a special order of the State Government.
- c. Any contribution paid by the employer to any pension or provident fund, and the interest which may have accrued thereon;
- d. Any travelling allowance or the value of any travelling concession.
- e. Any sum paid to the employed person to defray special expenses entailed on him by the nature of his employment; or
- f. Any gratuity payable on the termination of employment in cases other than those specified in clause (d) of the sub-section 2 (vi).

After coming into force of the Payment of Bonus Act, bonus has become an implied term of employment not dependent upon the profits and therefore comes under the category of remuneration. Viewed in this light, the wages as a general term would include bonus.⁷³

Thereafter, the Industrial Disputes Act 1947⁷⁴ also attempts to define wages whereby the definition of wages consists of three parts. The first part defines wages to mean 'all remuneration capable of being expressed in terms of money, which would, if the terms of employment, expressed or implied, were fulfilled, be payable to workman than respect of his employment or work done in such an employment'. This is the denotation of the term "wages". The second part is designed to include something more than what the term primarily denotes. This part gives extended connotation by including certain payments, allowances and amenities in the ambit of the definition. The third part of the definition excludes three types of payments made by the employer viz. i. bonuses; ii. Contribution towards pension or provident funds or for any other benefit of a workman under the law

⁷³ *D. A. Divakar v A. K. Shah*, (1955) 11 LLJ. 501.

⁷⁴ Section 2(rr) of The Industrial Disputes Act 1947

for the time being in force and; iii. Gratuity payable on the termination of the service of a workman.

Definition of wages is also defined under the Minimum Wages Act 1948⁷⁵. Here the definition of wages is given as:

Wages means all remuneration, capable of being expressed in terms of money, which would if the terms of the contract of employment, express or implied, were fulfilled, be payable to a person employed in respect of his employment or of work done in such employment and includes house rent allowance.

Wages do not include

- a. The value of ---
 - i. Any house accommodation, supply of light, water, medical attendance;
 - ii. Any other amenity or any service excluded by general or special order of the appropriate government.
- b. Any contribution paid by the employer to any Pension Fund or Provident Fund or under any scheme of social insurance;
- c. Any travelling allowance or the value of any travelling concession.
- d. Any sum paid to the person employed to defray special expences entailed on him by the nature of his employment; or
- e. Any gratuity payable on discharge.

Conclusion

The sketch provided above of the evolution of minimum wage fixing in various regions reveals a number of patterns that might usefully be summarized at this point. Undoubtedly the most apparent is the prevalence of minimum wage laws in developing countries. The number that have not undertaken minimum wage regulation in some form or another is now quite limited. The rapid extension in the number and scope of minimum wage laws since the Second World War is characteristic of both industrialized and developing countries, but it appears that, despite the apparent obstacles, acceptance of the need for the government to become directly involved in wage determination has been more widespread and in many cases has taken place earlier among developing countries. The reasons for this are multiple and complex. Clearly one important influencing fact or has been the historical ties of many developing countries with industrialized countries that accepted the principle of minimum wage regulation at a relatively early date. However, as the experience of other developing countries in Latin America and elsewhere shows, this constitutes only a partial

⁷⁵ Section 2(h) of the Minimum Wages Act 1948

explanation. Another noteworthy influence has been the desire in a number of developing countries to bring about an alignment between their labour legislation and the ILO's standards on minimum wages. More fundamental causes reside in labour market conditions and the general orientation of government policies in developing countries. The desperately low living standards of many wage earners and their vulnerability owing to illiteracy and the scarcity of jobs have undoubtedly intensified the pressure on governments in developing countries to take direct remedial action. As a policy instrument for such direct action minimum wage regulation has had considerable appeal.

While not involving any significant government expenditure it constitutes a simple and visible means of providing the required protection and achieving the frequently declared development objectives of social justice and an improved distribution of income. Moreover, given an apparent need, the governments of many developing countries have not been reluctant to intervene directly in the labour market via legislation. In part this reflects legal traditions and political pressures. It also reflects the comparatively narrow coverage of collective bargaining or other forms of wage regulation (e.g. arbitration, collective agreement extension, etc.) in most developing countries. Unlike the situation in industrialized countries, in developing countries minimum wage fixing has represented one of the few practical alternatives for establishing minimum standards of protection against the vagaries of the labour market.

Another significant pattern is the diversity in the basic purposes and role of minimum wage fixing. Existing systems range from those whose scope is limited to just a few workers in selected industries to those covering virtually all workers. The rates fixed may be limited to a single basic minimum or consist of complex combinations of industry and occupational minima. Important differences among minimum wage systems are also to be found in the levels of the rates fixed and the frequency of their adjustment. In developed market economies these are such that the wages of only a comparatively small number of workers are affected, even where coverage is broad. Although meaningful, minimum wage regulation is clearly of secondary importance compared with collective bargaining or other methods of wage determination. In contrast, in at least some developing countries minimum wage adjustments at certain times have affected virtually all workers and have been the predominant influence on the wages actually paid. There is also considerable diversity in the ways in which minimum wage systems are administered in developing countries. In many of them, in line with normal practice in industrialized countries, minimum wage regulation is carried out on a more or less regular basis in pursuit of well defined objectives. But in some this is clearly not so. The attention paid to minimum wage fixing is intermittent at best, the initial objectives apparently having been lost sight of. Where minimum wage rates have actually been fixed, coverage does not always extend to the target groups of workers or the rates have been allowed to become so out of date that they have ceased to provide meaningful protection. In some instances minimum wage regulation is the result of ad hoc government action rather than being carried out by

machinery established for the purpose. Elsewhere certain approaches to minimum wage regulation, after being followed for a time, have been abandoned or radically altered. These patterns of irregular implementation appear to reflect in large measure the intense controversy and uncertainty surrounding minimum wage fixing in many developing countries. Frequent doubts about the extent to which this type of government intervention is effective in achieving various objectives have made it difficult to reach broad agreement on the appropriate role for minimum wage fixing within the national system of wage determination.

References

- [1] Charles Henry Verrill, Charles Henry Verrill (1915). *Minimum-wage Legislation in the United States and Foreign Countries Bulletin of the United States Bureau of Labor Statistics: Miscellaneous series*. U.S. Government Printing Office. p. 105.
- [2] Srivastava KD. *The Minimum Wages Act, 1948*. Eastern Book Company; (2003)
- [3] Starr, Gerald (1993). *Minimum wage fixing : an international review of practices and problems* (2nd impression (with corrections) ed.). Geneva: International Labour Office.
- [4] Waltman, Jerold. "The Politics of the Minimum Wage." University of Illinois Press. 2000

Newspapers, Articles and Reports

- [1] Aliyah, Israel lifestyle, Business and classified Directory, available at: <http://www.anglolist.com>. Retrieved on July 11 2014.
- [2] Aruna Roy and Nikhil Dey, *The Wages Of Discontent*, the Hindu 7 November 2012
- [3] Biju Varkkey and Khushi Mehta, *Minimum wages in India , Issues and Concerns* Submitted at Indian Institute of Management, Ahmadabad
- [4] Eurostat (2006): *Minimum Wages 2006 - Variations from 82 to 1503 euro gross per month*
- [5] Ehrenberg, Ronald G. *Labor Markets and Integrating National Economies*, Brookings Institution Press (1994),
- [6] Finis Welch: *Minimum Wages: issues and evidence* (Washington, American Enterprise Institute of Public policy Research, 1978),
- [7] Global Wage Report, 2008-2009
- [8] Gulf Business, 11 Feb 2014
- [9] "History of the National Minimum Wage". *Employment Matters*. United Kingdom Department of Trade and Industry.
- [10] ILO: *Minimum Wages in Latin America, Studies and reports*. New series no. 34 (Geneva 1954)
- [11] IMF world economic outlook, 2008
- [12] Jim Yardley, New York Times (USA) Dated: 04 Nov. 2013
- [13] *Minimum wage: An international survey, studies and reports, series D, No. 22, Geneva (1939)*
- [14] Mullookkaaran, *Minimum Wages Act 1948*, e-content retrieved on 7 November 2012
- [15] M. Singh, *The Struggle of Indian Textile Workers*, the Labour Monthly, vol. 16, June 1934
- [16] Patrick Balser and Uma Rani , *Extending the coverage of minimum wages in India: stimulations from household data*, A Project Report submitted to International Labour Office, Geneva

- [17] Report on working of Minimum Wages Act 1948 for the year 2011, government of India, Ministry of Labour and employment, labour Bureau, Chandigarh/ shimla.
- [18] Rising Labour Concern for Indian Government, Business Standard, March 11, 2008
- [19] Realization of Meaningful, Secure Employment for Workers". Ministry of Health, Labour and Welfare of Japan. Retrieved 2013-12-19.
- [20] Roy, Biren, *Apathy Over Minimum Wages*, Economic and Political weekly, 29 November 1997
- [21] Subesh K. Das, Fixation and Enforcement of Minimum Wages, The Indian Journal of Labour Economics
- [22] Sanjiv Sachdev (2003). *Raising the rate: An evaluation of the uprating mechanism for the minimum wage*. Employee Relations
- [23] US Labour department, History of Fair Labour Standards Act, 1938
- [24] "The Young and the Jobless". *The Wall Street Journal*. 2009