

## **Garment and Allied Workers Union**

Sector-06 IMT, Village Naharpur, Post Nakhrola, Near DC Complex, Opposite Sabji Mandi,  
Gurgaon, Haryana-122050.  
7042390530

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To,

Date:-

Sh. Vijay Singh Dahiya (IAS)  
Labour Commissioner -cum- Chief Inspector of Factories  
-cum- Director Industrial Safety Health & Secretary Govt. of Haryana,  
Labour Department, 30-Bays-Building, 1st floor, Sector-17, Chandigarh, Haryana.

**Subject:- Follow-Up Letter in relation to the Letter dated 22.02.2018 & 11.01.2018 given to Additional Labour Commissioner for compliance of the Minimum Wages Act and Minimum Wages Rules.**

Respected Sir/Madam,

This letter is with reference to a Reminder Letter dated 22.02.2018 & 11.01.2018 which was given to the Additional Labour Commissioner, Gurgaon for the compliance of the Minimum Wages Act and Minimum Wages Rules. The Additional Labour Commissioner has given directions to the Assistant Labour Commissioner(s), Labour Department Haryana dated 31.10.2017.

**The directions were issued on 31.10.2017 by the Additional Labour Commissioner, Gurgaon to all the Assistant Labour Commissioner, Gurgaon to check the violation and if found guilty the companies should be punished as per the law. So you are required to take action on the companies falling under their circle(s) in Gurgaon and Manesar.**

The Labour Department, Government of Haryana has been notifying the rate of minimum wages of the different class of employees in the scheduled employment in the exercise of a power conferred by sub section (2) of section 5 of the Minimum Wages Act, 1948 from time to time. The Haryana Government, Labour Department revised the minimum wages vide their Notification No- I.R.-2/7083-7193 dated the 2<sup>nd</sup> March 2017 in respect of different scheduled employments is available on the website of the department i.e. <https://hrylabour.gov.in>.

The notification/orders are issued to ensure that all the employees are paid at least the minimum wages as notified by the Government. However, the Labour Department has been receiving frequent complaints from the employees as well as from trade unions regarding the non-payment of minimum wages. The non-compliance of the Minimum Wages Notification is violative to the provisions of the said Act and makes the employer liable under the Act for punitive action including prosecution. The workers working in the Garment Companies are not getting the minimum wages as decided by the State Government and this is direct wage theft done by the companies. The companies are involved in this

kind of practice for a long time and worker's exploitation level is increasing day by day.

The rates announced by the Government of Haryana since 02.03.2017 as follows:-

**(The Minimum Wages between the different categories will as under)**

S.N	Categories of Worker	Basic Wages	Dearness Allowance 01.01.2016 to 31.12.2017	Dearness Allowance From 01.01.2017	Wages Per month	Wages per Day
1.	Unskilled	7600	470.44	209.76	8280.20	318.46
2.	Semi-Skilled (A)	7980	493.36	220.24	8694.20	334.39
3.	Semi-Skilled (B)	8379.95	518.65	231.26	9128.91	351.11
4.	Skilled (A)	8797.95	544.58	242.82	9585.35	368.66
5.	Skilled (B)	9237.85	571.81	254.96	10064.62	387.10
6.	Highly Skilled	9699.74	600.40	267.71	10567.85	406.45

To implement the above said notification the Additional Labour Commissioner, Gurgaon through a letter dated 31.10.2017 directed all the Assistant Labour Commissioner (ALC), Gurgaon and Manesar to conduct an investigation into the matter and punish the companies found guilty. And the same (directions of the Additional Labour Commissioner) was also informed to all the ALC(s) through reminder letters. But no action was taken till now and we have not received any reply from the ALC(s) and still waiting for the action on the companies in violation of Minimum Wages Notification in the District.

The requisite action on the minimum wage violator is still awaited. The Garment and Allied Workers Union is pressing hard for the same and has already issued two reminders to the ALC(s) of different circles of Gurgaon dated 22.02.2018 & 11.01.2018. You are, therefore requested to take immediate action on companies found non-compliant of the minimum wages notification without any further delay.

Following Companies are the biggest violator of the minimum wages notification in the Garment Sector and it is our humble request to conduct an investigation and provide as copies of the registers maintained by the companies:-

1. Richa & Company, Plot No-239, Phase-1, Udyog Vihar, Gurgaon, Haryana.
2. Richa & Company, Plot No-192, Phase-1, Udyog Vihar, Gurgaon, Haryana.

3. Richa & Company, Plot No-193, Phase-1, Udyog Vihar, Gurgaon, Haryana.
4. Richa Global, Plot No-294, Phase-2, Udyog Vihar, Gurgaon, Haryana.
5. Richa Global, Plot No-389, Phase-3, Udyog Vihar, Gurgaon, Haryana.
6. Gaurav International, Plot No-198, Phase-1, Udyog Vihar, Gurgaon, Haryana.
7. Gaurav International, Plot No-208, Phase-1, Udyog Vihar, Gurgaon, Haryana.
8. Gaurav International, Plot No-236, Phase-1, Udyog Vihar, Gurgaon, Haryana.
9. Gaurav International, Plot No-225, Phase-1, Udyog Vihar, Gurgaon, Haryana.
- 10 Gaurav International, Plot No-506, Phase-2, Udyog Vihar, Gurgaon, Haryana.
- 11 Gaurav International, Plot No-411, Phase-3, Udyog Vihar, Gurgaon, Haryana.
- 12 Modelama, Plot No-105, 106, 200 and 201, Phase-1, Udyog Vihar, Gurgaon, Haryana.
- 13 Jyoti Apparels, Plot No-159, Phase-1, Udyog Vihar, Gurgaon, Haryana.
- 14 Pearl Global, Plot No-274, Phase-2, Udyog Vihar, Gurgaon, Haryana.

The Compliance of the minimum wages order and proper investigation will not only ensure the payment of minimum wages but will also

facilitate the compliance of various other Labour Laws. It will redress the legitimate grievance of the employees and will lead to better industrial relation between the employers and employees.

The copy of the Memorandum dates 04.09.2017, 13.10.2017 and Reminder Letter(s) Dated 11.01.2018, 22.02.2018 are attached to this letter along with the copy of directions issued by the Additional Labour Commissioner, Gurgaon, Haryana.

**It is, therefore, our request that:-**

1. This Authority or appropriate authority conducts a thorough investigation of these violations and conduct thorough inspections of all the companies engaged in garment manufacture and also of other industries in Gurgaon and Manesar. The Companies which are found non-compliant, the owner and erring personnel of these companies must be prosecuted.
2. That the minimum wages notification(s) of the Haryana Government be directed to be enforced with immediate effect in industries across Gurgaon and Manesar.
3. The companies/employers are directed to provide proper proof of employment to workers and to avoid employing works through contractor as far as possible. Investigation of misappropriation of service records of workers by companies must be carried out by this authority across its Jurisdiction.

4. This Authority should conduct a proper inspection of the registers maintained by the garment companies and the actual amount paid to the workers should be verified. The authority needs to document the investigation and all the evidence collected at the time of inspection. It also needs to be checked whether the industries followed the previous notifications issued by the state government. A copy of the investigation conducted by the authorities and copy of all the evidence should be provided to Garment and Allied Workers' Union.
5. This is our request to provide us copies of the registers maintained by the companies and the copies of the action taken report by the appropriate authority. Kindly ensure timely and speedy action on the companies.

अमरनाथ शर्मा

**Amarnath Sharma**  
(General Secretary)

Garment and Allied Workers' Union

Sector-06 IMT, Village Naharpur, Post Nakhrola,

Near DC Complex, Opposite Sabji Mandi, Gurgaon, Haryana-122050.