

THE COAL MINES (FIXATION OF RATES OF WAGES)
ORDINANCE, 1960

(XXXIX of 1960)

CONTENTS

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Short title, extent and commencement

Definitions

Minimum rate of Wages

Coal mine workers entitled to minimum wages

Ordinance not to affect certain agreements, etc

Provisions of this Ordinance to be in addition to and not in derogation of
certain laws

TEXT

'THE COAL MINES (FIXATION OF RATES OF WAGES) ORDINANCE, 1960

(XXXIX of 1960)

[30 September, 1960]

An

Ordinance

to provide for the fixation of rates of wages in respect of labour employed in coal mines and for matters connected therewith.

WHEREAS it is expedient to provide for the fixation of rates of wages in respect of labour employed in coal mines and for matters connected therewith.

NOW, THEREFORE, in pursuance of the proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:—

1. Short title, extent and commencement.— (1) This Ordinance may be called the Coal Mines (Fixation of Rates of Wages) Ordinance, 1960.

(2) It extends to the whole of [Pakistan].

(3) It shall come into force at once.

2. Definitions.— In this Ordinance, unless there is anything repugnant in the subject or context,—

(a) “coal mine” means any excavation where any operation for the purpose of searching for, or obtaining, coal or coke has been or is being carried on, and includes all works, machinery, tramways and sidings, whether above or below ground, in, or adjacent to, or belonging to, a coal mine:

Provided that it shall not include any part of such premises on which a manufacturing process is being carried on unless such process is for the making of coke or the dressing of coal;

(b) | “owner” means owner of a coal mine and includes a lessee or mortgagee in possession of such coal mine and any partner, managing director, director, agent, manager or any other person authorized to represent the coal mine in its transaction;

(c) “wages” shall have the same meaning as are assigned to it in clause (vi) of section 2 of the Payment of Wages Act 1936 (IV of 1936).

3. Minimum rate of Wages.— (1) The [Provincial Government] may, from time to time, by notification in the official Gazette, fix minimum rates of wages payable to persons employed in a coal mine.

(2) In fixing or revising the minimum rates of wages fixed under this Ordinance, the “[Provincial Government] may, if it so considers necessary, consult the ‘[Miners Welfare Board] constituted under the ‘[Excise Duty on Minerals (Labour Welfare) Act, 1967 (VIII of 1967)].

‘Published in the Gazette of Pakistan (Extraordinary), dated 30th September 1960, p. 1947.

Substituted for the words “West Pakistan” by the Federal Adaptation of Laws Order, 1975 (P.O. 4 of 1975); and published in Gazette of Pakistan, (Extraordinary), Part-I, dated 1.8.1975, pages 435-467, see Article 2(1) and Schedule.

SSubstituted for words “Central Government” by the Central Adaptation of Law order, 1964 (P.O. 1 of 1964); and published in Gazette of West Pakistan (Extraordinary), dated 28.5.1964, pages 251c to 251 aao, Article 2 and Schedule.

‘Substituted for words “Central Government” by the Central Adaptation of Law order, 1964 (P.O. 1 of 1964); and published in t Gazette of West Pakistan (Extraordinary), dated 28.5.1964, pages 251c to 251 aao, Article 2 and Schedule.

5Substituted for the words “Advisory Committee”, by the Federal Law (Revision and Declaration), 1981 (Ord. XXVII of 1981); a published in the Gazette of Pakistan (Extraordinary), dated 8.7.1981, pages 345-475, s. 3 and Second Schedule.

4. Coal mine workers entitled to minimum wages.— On the issue of notification under section 3, every person employed in a coal mine shall be entitled to be paid by the owner wages at a rate which shall in no case be less than the rate of wages specified in the notification.

5. Ordinance not to affect certain agreements, etc. The provisions of the Ordinance shall have effect notwithstanding anything inconsistent therewith in any award, agreement or contract of service, whether made before or after the commencement of this Ordinance:

Provided that where under any such award, agreement, or contract of service a person employed in a coal mine is entitled to higher rates of wages, he shall continue to be entitled to such higher rates.

6. Provisions of this Ordinance to be in addition to and not in derogation of certain laws.— The provisions of this Ordinance shall be in addition to, and not in derogation of, the provisions of the Payment of Wages Act, 1936 (IV of 1936), [West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968 (WP Ordinance No.VI of 1968), and the Industrial Relations Ordinance, 1969 (XXIII of 1969)].

°Substituted for the words “Coal Mines Labour Welfare Fund Act, 1947 (XXXII of 1947)” by the Federal Law (Revision and Declaration), 1981 (Ordinance XXVII of 1981); and published in the Gazette of Pakistan (Extraordinary), dated 8.7.1981, page 345-475, s. 3 and Second Schedule.

Substituted for original words, *ibid*.