

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4370 of 2016

1. Dhaneshwar Ram S/o Bhojraj Ram, Aged About 42 Years R/o. Village Pasena P. S. & Tahsil Lundra, District Surguja (Chhattisgarh)
2. Rajendra Lakda S/o Chaitaram, Aged About 42 Years Government Primary School Kharakona P. S. & Tahsil Lundra, District Surguja Chhattisgarh
3. Kunvar Sai S/o Sukhu, Aged About 43 Years Government Primary School Chhermunda P. S. & Tahsil Lundra, District Surguja Chhattisgarh
4. Dhan Sai S/o Agar Sai, Aged About 34 Years Government Middle School Dundu P. S. & Tahsil Lundra, District Surguja Chhattisgarh
5. Smt. Sundariya Kujur W/o Til Sai, Aged About 32 Years Government Primary School Sikilama P. S. & Tahsil Lundra, District Surguja Chhattisgarh
6. Kahru Kujur S/o Devcharan, Aged About 33 Years Government Primary School Gagoli P. S. & Tahsil Lundra, District Surguja Chhattisgarh
7. Shivchand S/o Akl, Aged About 31 Years Government Primary School Kirkima P. S. & Tahsil Lundra, District Surguja Chhattisgarh
8. Arwind Lakda S/o Ignesh Lakda, Aged About 24 Years Government Primary School Bijapara P. S. & Tahsil Lundra, District Surguja Chhattisgarh
9. Pritam Tirkey S/o Siyaram Tirkey, Aged About 23 Years Government Primary School Gajarmuda P. S. & Tahsil Lundra, District Surguja Chhattisgarh
10. Sagar Kispotta S/o Chhanduram, Aged About 26 Years Government Primary School Rata P. S. & Tahsil Lundra, District Surguja Chhattisgarh
11. Munnu Ram Paikra S/o Jangbahadur, Aged About 30 Years Government Primary School Jheradih P. S. & Tahsil Lundra, District Surguja Chhattisgarh
12. Iskulesh Kumar S/o Lohar Sai, Aged About 24 Years Government Primary School Harishadand P. S. & Tahsil Lundra, District Surguja Chhattisgarh
13. Radhe Singh S/o Amrit Ram, Aged About 23 Years Government Primary School Jaampara, P. S. & Tahsil Lundra, District Surguja Chhattisgarh
14. Amarnath S/o Late Madan Ram, Aged About 33 Years Government Middle School Dhawarpur P. S. & Tahsil Lundra, District Surguja Chhattisgarh
15. Dharam Ram S/o Late Shivnath, Aged About 26 Years Government Primary School Dundu, P. S. & Tahsil Lundra, District Surguja Chhattisgarh
16. Manmohan Pradhan S/o Harihar Pradhan, Aged About 55 Years Government Primary School Chitarpur, P. S. & Tahsil Lundra, District Surguja Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Department Of School Education Development, Mantralay, Mahanadi Bhawan, Police Station Mandir Hasaud, New Raipur, Chhattisgarh.
2. Director, Lok Sikshan Sanchanalaya, Indrawati Bhawan, New Raipur, Distt. Raipur (Chhattisgarh)
3. Collector, Surguja (Ambikapur), District- Surguja (Ambikapur) (Chhattisgarh)
4. District Education Officer, Surguja (Ambikapur), District- Surguja (Ambikapur) (Chhattisgarh)

---- Respondents

Shri Ajeet Kumar Yadav, counsel for the petitioner/s.
Shri Sangharsh Pandey, Dy.G.A. for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

02/09/2016

Heard.

1. Petitioners are Part Time Swakshak (Sweeper), working in various schools of the Government under common jurisdiction of respondent No.4. The grievance of the petitioners is that they are being paid Rs.1,400/- per month, whereas the rate of wages has been revised vide order dated 19.11.2014 in view of the statutory requirement of Minimum Wages Act.
2. It is submitted that despite the effect of statutory order issued by the Collector that the petitioners are entitled to revised rate of wages, petitioners are not allowed to get revised wages.
3. Learned counsel for the State points out that as per Clause – 4 of the order dated 19/11/2014, the wages are revised depending upon working hours.
4. Prima facie, it appears that statutory order has been passed by the Collector in view of the statutory requirement of Minimum Wages Act on 19/11/2014. Therefore, claim of the petitioners is required to be considered by respondent No.4 because the petitioners are low paid employee and they are governed by the statutory terms and conditions of service in public employment.

5. Respondent No.4 shall examine the claim in the light of existing rate of wages to the category of petitioners and pass necessary orders within a period of 60 days.
6. The petition is accordingly finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Deepti