

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.75 of 2017

1. Rajendra Prasad S/o Shivpal Das Aged About 25 Years Government Primary School Sapna, Block Ambikapur, District-Surguja, Chhattisgarh
2. Kamlesh Kumar Nayak S/o Ghursai Nayak Aged About 26 Years Government Higher Secondary School Dhaurpur, Block Ambikapur, District- Surguja, Chhattisgarh
3. Bodhanram S/o Baigin Aged About 28 Years Government Primary School Chalgali Block Ambikapur, District- Surguja, Chhattisgarh
4. Smt. Mina W/o Bhuneshwar Aged About 30 Years Government Primary School Parsa, Block Ambikapur, District Surguja, Chhattisgarh
5. Smt. Manmati W/o Nakul Aged About 30 Years Government Primary School Hasuli Block Ambikapur, District Surguja, Chhattisgarh
6. Smt. Sushila W/o Santosh Vishwakarma Aged About 45 Years Government Primary School Sonpurkala, Block Ambikapur, District-Surguja, Chhattisgarh
7. Dhanna Paikra S/o Jangsai Aged About 36 Years Government Primary School Asola, Block Ambikapur, District Surguja, Chhattisgarh
8. Kanhaiyalal Rajwade S/o Shri Jageshwar Prasad Aged About 40 Years Government Primary School Ranpurhurd, Block Ambikapur, District- Surguja, Chhattisgarh
9. Tiwari Narayan Rajwade S/o Hiradhan Rajwade Aged About 26 Years Government Primary School Kalapara, Block Ambikapur, District Surguja, Chhattisgarh
10. Ravidas Amardas Aged About 25 Years Government Primary School Ranpurkala, Block- Ambikapur, District- Surguja, Chhattisgarh

---- Petitioners

Versus

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

---- Respondents

For Petitioners : Mr. Ajeet Kumar Yadav, Advocate

For State : Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

06/01/2017

Heard.

1. Petitioners are Part Time Swakshak (Sweeper), working in various schools of the Government under common jurisdiction of respondent No.5. 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.5 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.5 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/-
(Sanjay K. Agrawal)
Judge

L/-