

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No.57 of 2017

1. Kundeshwar Prasad S/o Ramjeet Ram Aged About 31 Years Government Middle School Sukhri, Block Ambikaur, District-Surguja, Chhattisgarh
2. Shivkumar Chakradhari S/o Hirasai Aged About 43 Years Government Primary School Bakipur, Block Ambikapur, District Surguja, Chhattisgarh
3. Smt. Panmeshwari W/o Late Anil Rajwade Aged About 31 Years Government Primary School Dhangava, Block Ambikapur, District-Surguja, Chhattisgarh
4. Anand Kujur S/o Late Jai Lal Aged About 26 Years Government Primary School Labji, Block Ambikapur, District Surguja, Chhattisgarh
5. Pinkumar Rajwade S/o Chainsai Aged About 40 Years Government Primary School Sonpur, Block- Ambikapur, District- Surguja, Chhattisgarh
6. Smt. Parwati W/o Jhanduram Aged About 21 Years Government Middle School Parsa, Block Ambikapur, District- Surguja, Chhattisgarh
7. Sumitra W/o Karamsai Aged About 32 Years Government Middle School Parsa, Block Ambikapur, District- Surguja, Chhattisgarh
8. Suresh Ram S/o Genduram Aged About 31 Years Government Primary School Bhittikala, Block Ambikapur, District- Surguja, Chhattisgarh
9. Jitendra Kumar Rajwade S/o Baijnath Rajwade Aged About 30 Years Government Primary School Uparpara (Bhittikala), Block Ambikapur, District- Surguja, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Schools Education Development, Mantralaya, 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/-