

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8359 of 2017

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1. Pragatisheel Vidyut Karmi Sanyukta Sangharash Morrcha, Bihar, Pramila Niwas, West Lohanipur, Near Kathpul, Kadam Kuan, Patna- 800003 through its Chairman Mahesh Prasad Sinha
 2. Pragatisheel Vidyut Karmi Sanyukta Sangharash Morrcha, Bihar, Pramila Niwas, West Lohanipur, Near Kathpul, Kadam Kuan, Patna- 800003 through its Treasurer cum Speaker, Manish Kumar Sharma
 3. Bihar Power Worker's Union, Pramila Niwas, West Lohanipur Near Kathpul, Kadam Kuan, Patna- 800003 through its General Secretary, Sanjay Kumar Pandey.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Main Secretariat, Patna
2. The Principal Secretary, Department of Energy, Government of Bihar, Patna.
3. The Principal Secretary, Labour Resources Department, Govt. of Bihar, Patna.
4. The Chairman-cum-Managing Director, Bihar State Power (Hold) Company Ltd. Vidyut Bhawan, Bailey Road,
5. The Managing Director South Bihar Power Distribution Company Ltd. Vidyut Bhawan, Bailey Road, Patna
6. The Managing Director, North Bihar Power Distribution Company Ltd., Vidyut Bhawan, Bailey Road, Pat
7. Labour Commissioner, Government of Bihar, Niwazan Bhawan, Bailey Road, Patna.
8. The Regional Commissioner, Employee Provident Fund Organization, 6 R.Block, Patna.
9. Regional Director, Employee Insurance Corporation, Bailey Road, Patna.
10. The Director General of Police (Vigilance), Circular Road, Patna- 800 001.
11. The Inspector General, Economic Offence Unit, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	: M/s Ramnandan Kr. Sinha and Nilesh Kr.Nirala, Advs.
For the Respondent/s	Mr.Vinay Kirti Singh, Sr. Adv.
	Mr. Vijay Kr. Verma, Adv.
	Mr. Akhileshwar Singh, Adv.
	Mr. Dwivedy Surendra, Adv.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER



4 05-03-2019 Heard learned counsel for the petitioners and the learned counsel for the State.

In this case, grievance has been raised by the Union that the persons who have been engaged by different agencies are said to be Contractor of the different Power Distribution Companies are not making payment as per the Minimum Wages Act.

The grievance has been made of not making payment wages as per the Minimum Wages Act, of course, the law is very much settled that no one can be deprived of minimum wages as per the Notification issued by the Government from time to time for fixing the minimum rates of wages, but as per section 20 of the Minimum Wages Act, a forum is already available to the petitioners for raising grievance about less payment of wages than the minimum rates of wages fixed by State Government.

Let the petitioner file a proper application before the appropriate authority notified by the State Government under the Minimum Wages Act where the petitioners would claim about the less payment of wages than the rates of wages fixed by State Government from time to time. If such application is filed, the authority while considering the issue of limitation would consider the case of the petitioners and take into



consideration the pendency of this case before this Court.

With the above observation and direction, this application is disposed of.

(Shivaji Pandey, J)

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