

**BEFORE THE AUTHORITY UNDER MINIMUM WAGES ACT AND THE ASST.
COMMISSIONER OF LABOUR, RAJAHMUDRY**

PRESENT: SRI Y. SURYA PRASAD? M. COM., B.L.
VIDWAN, CAID. PGDPM, (NIPM)

STATION: RAJAHMUDRY

W. BO. 4/90

Dt. 26-4-91

Sri kanaal narasamm & 21 others,
Rampachodavaram Applicant.

And:

The Executive Engineer,
Girijana samsheam,
Rampachodavaram.

This is an application filed by the applicant claiming Minimum Wages as fixed in G.O. Ms. No. 101. dt. 7-10-88. the respondent who is the executing body of the Governments informed in his letter dt. 22-8-90 that the matter is informed to the concerned contractors. But no contractor appeared before me. As such the application was heard from time to time and finally on 16-10-90.

Having considered all the material put forth before me, the evidence adduced and the arguments heard I deliver the following:

ORDER:

SMT. K. Nrasamma, one of the applicant was examined as AW-I. She deposed that she worked as the daily Labourer at pandirimamidi, in digging of canal for day in May 1990 ie, summer of the year 1990. Along with her 21 others who are applicants in the claim work for all the 10 days. Sri Seetapati who was supervisor used to pay them at Rs. 16/- PD. The Executive Engineer, Girijana Samsheam was the principal employer. As the are entitled for daily wage of 18-70. PS. Per day as per G.O. Ms. No. 101 dt. 7-10-88, they filed this claim for difference of Wages as they are all uneducated. Sri Sivarama Krishna of "SAKTI" Voluntaree Organisation was approached by them and with his help they filed this claim application. They pray this authority to award difference of Wages with compensation as deemed fit.

Sri. P. Babu Rao, another worker was examined as AW- 2. He deposed that he along with other 21 applicants worked at Pandirimamidi, during the May 1990 for 10 days and they were paid Rs. 16/- P. D. He also deposed the facts stated by the AW -1.

It is evident from the evidence adduced on behalf of the applicants that they were paid Rs. 16/- P.d. against the minimum Wage of Rs. 18-70 ps. As the applicant could not identify the contractor they preferred this claim against the principal employer. The respondent who is a principal employer also did not prove that the contractor is a contract Licensed under Contract Labour (Regulation and Abolition) Act. 1970. as such the responsibility of payment of statutory. Wage falls on him. However he may recover the said amounts in turn from the Contractors if any. As such I hereby held that the applicants are entitled for the Minimum Wage of Rs. 18-70 ps. As fixed G.O. Ms. No. 101, dt. 7-10-88. further as the poor and illiterate tribes are deprived at the Minimum wage and even the name of the Contractor which could have been exhibited at the place of execution of work was not made known to them I deem it just to award a compensation amounting to 2 times of the difference of wages.

Accordingly I hereby directed the respondent to deposit within 30 days from the date of this order Rs. 594/- towards difference of wages to give with compensation of Rs. 1, 188/-. He may recover the said amounts from the concerned contractors if any.

No order as to costs.

Dictated by me this 26th April, 1991 and transcribe by the Steno-grapher and corrected by me.

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AND
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