



**Central Administrative Tribunal  
Jammu Bench, Jammu**  
Hearing through video conferencing

**O.A. No.62/1143/2020**

This the 1<sup>st</sup> day, Tuesday of December, 2020

**Hon'ble Mr. Rakesh Sagar Jain, Member (J)  
Hon'ble Mr. Anand Mathur, Member (A)**

1. Abdul Hamid Wani, age 48 years,  
S/o. Habibullah Wani,  
R/o. Mughama Kunzer Baramulla;
2. Mohammad Amin Sofi, age 29 years,  
S/o. Mohammad Assadullah Sofi,  
R/o. Khaipora Tangmarg Baramulla.

.....Applicant  
(Mr. Bhat Fayaz Ahmad, Advocate)

**Versus**

1. Union Territory of Jammu and Kashmir through  
Commissioner/Secretary to  
Govt., Department of Food, Civil Supplies  
And Consumer Affairs, Civil Sectt.,  
Srinagar/Jammu-190 001;
2. Director, Food, Civil Supplies and  
Consumer Affairs Department, Srinagar,  
Pin Code-190 001;
3. Assistant Director, Food, Civil Supplies and  
Consumer Affairs Department, Baramulla,  
Pin Code-193 101..

..... Respondents  
(Mr. Amit Gupta , AAG)

**O R D E R (ORAL)**

**Hon'ble Mr. Rakesh Sagar Jain, Member (J)**

1. Applicants in the present O.A. seek direction to the respondents to release their wages in terms of Minimum Wages Act as per the Government Order No.13-CAPD of 2016 dated 04.02.2016.

2. We have heard Mr. Bhat Fayaz Ahmad, learned counsel for the applicants and Mr. Amit Gupta, learned counsel for the respondents and perused the record.

3. The case of the applicants is that they are working as Hamal (Labourers) in the department of respondents, however, they were never brought under the purview of Minimum Wages Act. It is stated that the respondents after extracting the work from the applicants are duty bound in law to pay them the wages in terms of Minimum Wages Act. Though the applicants made representations for release their wages in terms of the Minimum Wages Act, there was no response. Hence, the applicants approached the Tribunal.

4. We, therefore, dispose of the OA directing the respondents to consider and dispose of the case of the applicants for release of unpaid wages, if due and permissible under rules, within a period of three weeks from the date of receipt

of a certified copy of this order. While considering the case of the applicants, respondents would take into consideration the applicability of Minimum Wages as per as per the Government Order No.13-CAPD of 2016 dated 04.02.2016 .It is made clear that we have not expressed any opinion on the merits of the case. There shall be no order as to costs.

**(Anand Mathur)**  
**Member (A)**

**(Rakesh Sagar Jain)**  
**Member (J)**

asvs