THE THUIMUM WAGES ACT, 1948 AND BEFORE THE AUTHORITY LABOUR, KANGAREDDY ZONE, HYDERABAD. JOINT COMMISSIONER OF

Between:

Asst. Commissioner of Labou Rangareddy District

And

Sri. T. Soham Modi, Managing Dire M/s Modi Properties & Investments(P) Pvt,

Bloomdate, Sy.No 1139, Shameerpet,

Rangareddy District.

Reg.Office D.No. 5-4-187/3&4, II Floor,

Sohan Mansion, M.G. Road,

Secunderabad- 003.

.....Respondents

.... Applicant

ORDER:

This is an application filed under Section 20(2) of Minimum Wages Act 1948 by the Inspector and Asst. Commissioner of Labour, Rangareddy claiming the difference of wages to (29) workers employed by the Respondent. The applicant submits that he inspected the Respondent Establishment and found that 29 workers were not paid wages fixed by the Government vide G.O.Ms.No. 85 LET&F Lab-II Department. Therefore he prayed a direction to the Respondent for payment of difference of wages.

The Respondent filed an memo and admitted the claim partially he further submits that the Applicant did not verify the registers showing the actual periods of the works carried on by the workmen of this claim and present claim is filed based on the oral information given by the workers the actual work carried on by the workers.

The respondent also submitted that due to vatriations in the calculations recently raised VDA points certain amount of the Minimum Wages has become due to the workmen. The respondent also submited the Annexure showing the actual claim of the workmen based on the actual working days as per the statutary registers.

The Respondent submitted a cheque No. 577426 Dt 02.05.2012 of HDFC Bank, S.D.Road, Secunderabad branch for the amount of Rs. 1,28,993/: (Rupess One Lakh Twenty Eight Thousand Nine Hundred and Ninety Three Only) deposited with this authority payable to 29 workmen shall be disbursed to them by the Asst. Commissioner of Labour, Rangareddy, by obtaining individual account payee Cheques issued from this Authority. In view of the above this application is disposed off. No order for Costs.

Given under my hand and seal of this Authority, this the 31st day of May, 2012.

AUTHORITY UNDER MINIMUM WAGES ACT, 1948& AGENTIX VIÑIVISSÍ M. ACT. 1942. RANGAR FUNIVAÇÃNE AUSBERABAD. RANGA KOULVAÇÃNE AUSBERABAD.

.

1 : 1 : 2 : 2

a Chilife deposits al calculos d the Assault (1900)

armina a linguage section atte

entrestration de la Cont.

As above

IN THE COURT OF THE AUTHORITY UNDER MINIMUM WAGES ACT, & JONT COMMISSIONER OF LABOUR, RANGAREDDY ZONE, HYDERABAD

M. W. No. 73/2011

Between: Asst. Commissioner of Labour, Ranga Reddy District.

-- Applicant

And

Sri. Soham Modi, Managing Partner, Kadakia & Modi Housing 5-4-187/3 &4, II Floor, Soham Mansion, M. G. Road, Secunderabad – 500 003.

Respondent

MEMO FILED BY THE RESPONDENT

It is submitted that the Respondent organization carries on construction work and engaged the workmen at the work site "Bloomdale" Sy. No.1139, Shamirpet Village and Mandal, Ranga Reddy District as and when the work is taken up. Most of the workmen works for shorter periods and will not turn up for the new works taken up by the organization. In view of the above most of the workmen engaged by the Respondent are casual workers who worked for few months / shorter periods.

It is also submitted that all the workmen shown in the present claim are also casual workmen and they did not work for the periods shown against them in this claim. These workers come for the work intermittently on daily wage basis and they are not employed regularly.

It is submitted that the Asst. Commissioner of Labour, Ranga Reddy District did not verify the registers showing the actual periods of the works carried on by the workmen of this claim and he filed this claim based on the oral information given by the workers. Therefore it is submitted that the calculation made by the Asst. Commissioner of Labour is not correct and it is not based on the actual work carried on by the workers.

I also submit that due to variations in the calculations of recently raised VDA points certain amount of the Minimum wages has become a due to the workmen. I hereby submit the Annexure showing the actual claim of the workmen based on the actual working days as per the statuary registers. I also submit that the claim made by the Asst. Commissioner of Labour is calculated on the whole period without taking into consideration of actual days of work.

I hereby admit the difference of Minimum wages arised due to the variations on the VDA calculations for the actual days of work by the workmen as shown in the annexure appended to this memo. By admitting the said amount I herewith submit the Cheque No. 577426 for Rs.1,28,993/-(Rupees One Lakh Twenty Eight Thousand Nine Hundred and Ninty Three only) dated 02.05.2012 drawn on HDFC Bank, S. D. Road Branch, Secunderabad Branch infavour of "Authority Under Minimum Wages Act & Joint Commissioner of Labour, R. R. Zone, Hyderabad". I request the authority kindly disburse the amount to the workers of the claim.

Yarth

Since the actual amount due to the workers is admitted and deposited in this court, I humbly pray this authority kindly dismiss the application.

For KADAKIA & MOD! HOUSING

Place: Hyderabad.

Date: 14.05.2012

Respondepartner

ANNEXURE

Statement Showing the Difference of wages

Payable to Employee in respect of Kadakia & Modi Housing Project "Bloomdale"

Situated at Sy.No.1139 Shamirpet Village, Shamirpet Mandal, R.R.Dist.

 				 	—т	$\overline{}$			—т	$\overline{}$	-r	$\overline{}$		\neg	 \neg	—Т	Тī		1				
	∞		7		9			5			4			ω		2			_				S.No
	Raju		Vinod Kumar		K. Eswaramma			K. Venkatesh			K.Ramesh	Like Time and the second secon		Ganesh		Smt. Nagamani			Smt. Mallamma			,	Name of the Employee
	Plumber		Plumber		Helper			Helper		district of the second	Helper			Helper		House Keeping			House Keeping				Designation
266.00	257.00	,	266.00	206.00	197.30		206.00	197.30		206.00	197.30		206.00	197.30	206.00	197.30		206.00	197.30		Ċ	Wages Rs. VDA	Payable
150.00	150.00		150.00	150.00	150.00		150.00	150.00	,	150.00	150.00		150.00	150.00	130.00	130.00		130.00	130.00			VDA Rs.	able
-			•	•	A.		-	¥		ŧ	\$		•		1	•		1	-	1	Rs.	Already paid	Wages
116.00	107.00		116.00	56.00	47.30		56.00	47.30		56.00	47.30		56.00	47.30	76.00	67.30		76.00	67.30		month Rs.	amount per	Difference of
15	60		6	15	30		15	30		15	30		15	74	15	74		15	74			/months	Period in days
1,740.00	6,420.00		696.00	840.00	1,419.00		840.00	1,419.00		840.00	1,419.00		840.00	3,500.20	1,140.00	4,980.20		1,140.00	4,980.20		Rs.	Difference	Total

THE RADARIA & MODI HOUSING

<u>-</u>1 10 14 12 15 17 20 18 13 <u>)</u> 19 Srinu Ram B. Madhu G. Prasad Shanker, S Madaswamy Shivanna.B Smt. Laxmi Devi Smt.Lingamma Smt. Mahalakshmi Hathiram Smt. Rangamma Plumber Plumber Plumber Coolie Coolie Coolie Coolie Coolie Coolie Coolie Coolie Coolie 266.00 266.00 206.00 197.30 206.00 206.00 206.00 206.00 197.30 206.00 206.00 206.00 197.30 206.00 206.00 197.30 197.30 197.30 197.30 197.30 197.30 197.30 150.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 150.00 130.00 130.00 130.00 130.00 130.00 130.00 130.00 150.00 150.00 150.00 150.00 TO KADAKIA & MODITHOUSING 116.00 47.30 47.30 56.00 116.00 47.30 67.30 67.30 67.30 76.00 67.30 47.30 47.30 47.30 56.00 76.00 56.00 56.00 56.00 56.00 76.00 76.00 5 2 15 74 15 7 5 2 74 15 15 2 15 74 15 7 15 15 2 ∞ ∞ 1,140.00 4,980.20 4,980.20 4,980.20 4,980.20 3,500.20 3,500.20 3,500.20 3,500.20 3,500.20 3,500.20 1,140.00 1,140.00 840.00 840.00 ,140.00 840.00 840.00 840.00 840.00 928.00 928.00

) Hartner

Coolie Coolie Coolie Coolie Coolie 206.00 206.00 206.00 197.30 206.00 197.30 206.00 206.00 197.30 197.30 197.30 130.00 150.00 150.00 150.00 150.00 150.00 130.00 150.00 150.00 130.00 130.00 150.00 ı 76.00 67.30 47.30 56.00 56.00 47.30 67.30 76.00 47.30 56.00 56.00 15 15 74 15 | 2 74 74 15 15 74 15 2 4,980.20 3,500.20 4,980.20 1,140.00 3,500.20

28

Haria

29

Smt. Vijaya

25

Panthu

26

Smt.Badri

27

A. Mohan

24

G.Balu

Coolie

197.30

47.30

3,500.20

840.00

3,500.20

840.00

56.00 47.30

15

74

3,500.20

840.00

23

B. Shanker

Coolie

206.00

150.00

197.30

150.00

22

Yadgiri

Coolie

206.00

150.00 150.00

56.00 47.30

15 2

3,500.20

840.00

197.30

21

Smt. Laxmi

Coolie

206.00 197.30

130.00 130.00

76.00 67.30

15

4,980.20

1,140.00

128,993.40

1,140.00

840.00

840.00

For KADAKIA & MODI HOUSING Partner

By Regd.Post with Ack. Due BEFORE THE AUTHORITY UNDER MINIMUM WAGES ACT, 1948 AND JOINT COMMISSIONER OF LABOUR, RANGAREDDY ZONE, TAKS BHAVAN, RTC'X' ROADS, HYDERABAD -20.

M.W. NO.73/2011

Between:

Asst.Commissioner of Labour Rangareddy And

And
Sri. Sohan Modi, Managing Director,
M/s Modi Properties& Investments (P) Ltd,
Regd. Office 5-4-187/3&4, 2nd Floor,
Sohan Manshion
M.G.Road, Secundrebad.

... Respondents

... Applicant

Whereas a claim has been instituted against you for non-payment of minimum wages to the under Section -20(2) of the Minimum Wages Act, 1948 to the workers engaged at your work site Bloomdate, Sy.no. 1139, Shameerpet, Rangareddy District (A copy of the application is enclosed).

Take notice that if you wish to disclaim any interest in the subject matter of the application or consider that the applicants particulars are in any respect inaccurate or desire to bring any fact or document to the notice of the Authority or intend to rely on any fact or deny (wholly or partially) your liability to pay the wages under Minimum Wages Act you must file with the Authority such answer.

Take notice that the above case is posted on 16.07.2011 at 3-00PM you are therefore directed to appear before this court on the above said date either in person or through advocate duly authorized by you.

No further date of hearing will be intimated. You should find the dates of hearing from the office of this court from time to time and attend accordingly.

If you fail to attend the hearing case will be proceeded with and decided in your absence.

Given under my hand and seal of this Court on the day of 8th July of 2011.

Authority under Minimum Wages Act, 1948 & Authority Gramissionewordtal Str. & Authority Gramissionewordtal Str. & Authority Grand Strate of Hydrographad.

Ranga Reddy Zone, Hyderabad.

To As above

1/20

FORM-VII

E/1472/2011 13/6/2011

\$0x

(Form of Application by the Inspector or person acting with the permission of the Authority
under Section 20.)
In the Court of the Authority appointed under the Minimum Wages Act. 1948, for area
Application No. 201
Ma. Marpin
Inspector under Minimum Wages Act. 1948 Omnice and Applicant
Commichian and Applicant Asst. Inspector of Labour, Girolo No. Fanga Reichy
Hyderabad.
VERSUS
Er Soham Nochi, M.D.
MJ. Modifroperties 2 In Det ments (BH).
Bloom date, Egro 1193 Shaminper
The applicant above-named begs respectfully to submit as fellows;
1. That above named apponent is Employer of Mildeli Property 2 have smarly which is a schedule employment specified in
which is a schedule employment specified in the schedule under Part 1 under Section 2 (g)
2. That the above apponent is person responsible for payment of wages to the persons
omeleved in the persons
employed in the said establishment as per G.O. Ms. No. St. 22 03 200)
The apponent is bound to pay wages at the Minimum rate of wages fixed by Govt. but he has paid less wages to the following employees (as per statement enclosed)
The applicant estimates the volumes at all and a
2 24 Cen Milion land of
Rs 2 24 SBD in words labely the sum of The applicant prays that a direction may be issued under Sub-Section (3) of Section 20 for :-
The applicant prays that a direction may be issued under Sub-Section (3) of Section 30
(a) Payment of the difference between the payment of the payment of the difference between the payment of the pa
(a) Payment of the difference between the wages due according to the minimum rate of wages fixed by Government and the wages actually paid and
(b) Compensation amounting to Rs. As sleves fit
The applicant here leave to assert
The applicant begs leave to amend or add to or make alteration in the application if and when
necessary and afteration in the application if and when
Dated: 9-6.2011 Asst. Commissionaries Labour
and the state of the process of the control of the control of the Rangal Raddor
The applicant does solemnly declare that what is stated about
Section 1 State of the State of

bour Officer

STATEMENT SHOWING THE DIFFERENCE OF WAGES

Date.....

Published in A.P. Gazette No...... Date

Koemesh KV Vandesley Jansh Surphilamons In varamoni Name of the Employee Harrie (cashy) wardt Designation Wages 08-982 as-102 02402 08-90 DO 300 as-cb Payable Y. D. A. Spag 0000 9000x 00-02 Color O Wages Already Paid a-25 2000 20100 Per Month 92-Ch 26 20 45,00 06000 42.20 1050. 2000 29 20 76000 Difference of Amount Per month roge those of Log das Laga, Szdory trop & Moras 22-124-20 21-40 2625 Copos Period 145450 18,749-00 3915-60 18748-00 3912-40 100x601 0045th] 00-1419 0,725-00 1976DO 1,976-00 08-25 h Total Difference a0-509 marks ထ

Whether provided urinals under Sec.

160

Labour Officer

STATEMENT SHOWING THE DIFFERENCE OF WAGES

as per G. O. Ms. No..... Payable to Employees in Respect of M/s

Published in A.P. Gazette No...... Date

Date.....

		Payable					
	Congress of the Congress of th	Wages V.D.A.	Already Paid Per Month	of Amount Per month	Period	Difference	Re- marks
2	3 ′	4	ڻ.	6	7	9	,
to be waraning	- HERRY	45.00	4CQ/	こうのう	300		4
		206,00	06.67	26.30	Legal	1777	
· · · · · · · · · · · · · · · · · · ·	. <u>.</u> .					3 - 1	
	2					20 × 16 ×	4
O Jais levenon	Phonoles	7000	arasi	116-00	(Judos)	1276-00	
			•				
	Plumber	042,520	0 Cas	0000	Dy day	104 day 9672-00	
		96 20	26.20	11600	28 day	301620	
	10/10-11			1. 18.		(2684-00)	
	J. Co	26670	00-00	[1620	Aroge SI	15day 1740-00	
S many		9 k 7 1, 1	3	-	2		
	7	200	12000	0 0 2	1000	0000	,
R March)	5	To Our	5/48-60	
•	Saga	2600	1500		Hodowy	2695h	
-		(1605-00	,

Alaea mact sec. 22 0.

7605-00

STATEMENT SHOWING THE DIFFERENCE OF WAGES

The state of the s

Sporter . 15. Wommen. 15. Name of the Employee Payable to Employees in Respect of M/s Published in A.P. Gazette No.... as per G. O. Ms. No Designation ယ Wages 20100 00 90 pp (27-27) 97-30 00000 ar-cb 00 908 05-66 Date Payable V. D. A Q-051 0000 SI 00001 Wages
Already Paid
Per Month 000 150-D Sec C. 00.95 05-6h 47-30 ca 92 02-95 05-67 5600 Difference of Amount Per month Spaland 1455-00 and there SOCIO achila Proposi Bodan Solar [3024] Period Date..... 9-5419 00-6419 7,605-0D 614800 142600 760500 70-206 1902541 7 60500 Total Difference marks

ether provided sufficien _____ latrines &

1 970 1

MLabour Officer STATEMENT SHOWING THE DIFFERENCE OF WAGES

Payable to Employees in Respect of M/s

as per G. O. Ms. No

Published in A.P. Gazette No...... Date

		•					
Name of the Employee	Designation	≏ayable	Wages Aircady Paid	Difference	Period	Total	P
		Wages V. D. A.	Per Month	Per month		Difference	marks
2	ω,	4	5	0	7	8	9
an Boursamus	CARL	(9)-30	e000/	JE-C9	130 Day	OPHRO	
		20000	000)6 J 0:		20966	
-	• • • • • • • • • • • • • • • • • • •	ā) a }				00-9890	
of to come Demi	4	20000	13000	09.90 09.09	130 dey	00000 00000	
						00260	the same of the same of the same of
m, relaborario	la	(q)-37	OCO 2	67-50	Mod all	ac 5 h C & Smop a E.	
		206 00	13030	2600	26der	02966	
					0	08-34(9)	A Commission of the Commission
Chi Day Jamma	1	(9)-30	(2000)	67-20	propas!	20163 propas	
		000 gar	0.05	7670	Log 98	089661 Japas	
				÷		1072500	-
				:			
			-			(110	•

Whether provided s

STATEMENT SHOWING THE DIFFERENCE OF WAGES

Payable to Employees in Respect of M/s

as per G. O. Ms. No.....

Name of the Employee	Publishe
Designation	Published in A.P. Gazette No
Payable	lo Date
Wages Already Paid	
Difference of Amount	
Period	
Total	Date
_	:

Date.....

		Shanken		Land					Muram	2		Name of the Employee
		10-		3		1	2		Cooli	သ		Designation
		02-902		226 20		00,900		20600	35-(61	4	Wages V. D. A.	Payable
		120-00		20-05	1000	120,00		\$20S	वका का उ	7.	Per Month	Wages Already Paid
:		020 95 056 LM			C) \$8	40.00	,	26-95	200)		Permonth	Difference
		18 82 ES		128 gal		120 cons		Stagary	100 Dan		Penod	
(P70	760500	00-95h1	760-200	00-9541	0725-00	197630	7605-00	0695h1	8		Difference	Total
									9		Re- marks	

Whether provided

STATEMENT SHOWING THE DIFFERENCE OF WAGES

Payable to Employees in Respect of M/s

as per G. O. Ms. No

Published in A.P. Gazette No...... Date

Name of the Employee	Designation	Payable	Wanes			
		Wages V. D. A.	Per Month	of Amount Per month	Period	Total Difference
) 1 2	The formation of the second	A Second Control of the Control of t				
Sisaly	1286-	90000	5	6	7	8
	3	177/50	2 - C	as=(4)	Roday	29-6417
		200,00	1000 C	02.95		00095h1
3						
der they	cooli	(9)30		·		7605-00
		206.30	20, 20	47.30	Jage !	120
			0000 Na 100	56-00		09424
					\	
1 Sals		197,20	60-02		 	760800
The day	1	77.50	Separate Sep	7-35		
		600,00	The state of the s	Y	(So Day	19474 000 47491
				7000	76dy	14580 1976×
Morton	-				1	7,95
1	185	197-30				Mi Olegand
	•	20000		17-20 P	2000	0
			11000		•	8-22-6
				1000V	Sor	145400
-	·				1	7605-04
The second secon		4.11		- }		
With met in same comments the contract of the						100

1.8/6/2011

Mahour Office STATEMENT SHOWING THE DIFFERENCE OF WAGES

Payable to Employees in Respect of M/s

as per G. O. Ms. No Published in A.P. Gazette No....

	•		J. J. J.	Hasia		Name	
		• .	Jong		2	Name of the Employee	as per Publish
					(A)	Designation	Published in A.P. Gazette No
			197-30	197-30	4	Payable Wages V. D. A.	Date
			12000 CO	120-00	5	Wages Already Paid Per Month	***
	6.75		5750	9 9 9 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5	6	Difference of Amount Per month	
Asst. Comm	Salux.		120 gc	Magge	7	Period	
Asst. Commissioner of Labour Ranga Reddy	sass Hil	07×101	15000x 197500	02509L 02-1571	8	Total Difference	Date
Entermination of the part of t	Harry Marine				9	marks Te	NIVA PAGENTA

ided under Sec. 32 of the Act, 1996.