

File No.3374/10

Applicant Jaylal Mahto is a seasonal employee (Canal Mate) in the Water Resources Department in Canal Sub Division, Piro. He has approached this Commission complaining of irregular payment of wages. It is also his grievance that work is taken from seasonal employees only during seasons and they are retrenched after period of three months.

The matter was heard in presence of the applicant and Chief Engineer, Water Resources Department Dehri Sri Om Prakash Ambarkar.

Sri Ambarkar explained the system of hiring seasonal employees and the method of payment. He stated that seasonal employees are employed for the kharif and rabi seasons covering the period between 20th May and 25th October and 25th December and 10th April respectively. Estimate of the required staff is made and after the same is approved at the level of the Chief Engineer, request for fund is made and on the fund being made available payment is made to the employees. It was stated that all seasonal employees including the applicant have been paid for the last kharif season ending October 2012.

Applicant made a request for regularisation of his services. Apart from the fact that the plea is in the teeth of government circulars with respect to seasonal employees, the Commission does not intervene in employment matters because employment under the state etc. cannot be claimed as a part of human right so as to justify intervention by the Human Rights Commission. The Commission would decline to pass any positive order on the point.

Payment having been made up to last kharif season there is no occasion to pass any positive order.

File is thus closed.

Copy of this order may be sent to Chief Engineer, Water Resources Department, Dehri and the applicant.

Date: 23.1.2013

Justice S.N. Jha
Chairperson