

SUPREME COURT OF INDIA

Municipal Employees Union (Regd.) Sirhind

Vs.

State of Punjab

(S. B. Majmudar and U. C. Banerjee JJ.)

15.03.2000

ORDER

The Text below is only a summarized version of the order pronounced

The issue for consideration in this appeal was as to whether the clerks and peons working at octroi check posts and barriers run by the respondent Municipal Committees constituted and functioning under the Punjab Municipal Act, 1911 are entitled to be paid for each of the Saturdays on which they worked at the octroi check posts and barriers while their colleagues in the offices of the Municipal Committees concerned were permitted to enjoy those Saturdays as holidays. It was observed that unless there was express provision in the municipal bye laws requiring all staff members to have six days' working per week, it would not be open to the respondent Municipal Committees to deny the benefit of non-working Saturdays only to those staff members who have because of the exigencies of service, to discharge their duties at octroi check posts or barriers rather than in the offices. Hence they would be entitled to be given monetary compensation for the working Saturdays by grant of extra wages for each of the working Saturdays on which they are shown to have discharged their duties.