

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 12539/2009

LICENCE JOB PORTERS ASSOCIATION Petitioner
Through Mr. A.K. Mishra, Advocate.

versus

MUNICIPAL CORP. OF DELHI Respondent
Through Nemo.

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA

% **ORDER**
21.10.2009

1. Learned counsel for the petitioner has drawn my attention to letter/circular dated 27th September, 2000. The relevant portion of the said letter/circular reads as under:-

" In terms of this office letter of even no. dated 26.6.2000, it had been intimated that the municipal licence job porters were not to be allowed entry in to the railway premises. A delegation of the municipal licence job porters has met DRM/DLI on 26.9.2000 and has represented that in terms of the joint meeting held between the Northern Railway and MCD on 5.3.80, the following permission had been granted to them.

"The municipal licence job porters were allowed to operate outside the railway station buildings i.e. they can come in to the circulating area where Taxis, Scooters, Cycle Rickshaw & Buses, etc. operate. However, they are strictly prohibited from entering in to the station building including the unpaid area

of the station building.”

The railway-licensed porter shall however, continue to have full authority to operate in the paid as well as unpaid area of the complete station premises which shall also include circulating area. The municipal licence job porters are however, completely prohibited from entering in the station building including the FOB on the pretext that they were going from Paharganj to Ajmeri Gate side or vice versa. If any municipal licence job porter was found operating in the prohibited areas, his licence should immediately be seized and MCD informed about the seizure so that the licence can be cancelled.”

2. As per the aforesaid letter/circular, municipal licence job porters are allowed to operate outside the railway station buildings and they can go into the circulating area where taxis, scooters, cycle rickshaw & buses, etc. operate. However, they are prohibited from entering the station building including the unpaid area of the station building. Railway licence porters have full authority to operate in the paid as well as unpaid area of the station premises including the circulating area.

3. Allowing municipal licence job porters entry into the railway station will obviously create problems and protest from the railway licence porters. It may create problems for travellers, who take assistance of the railway licence porters with separate and distinct token numbers. The details of MCD porters are not available with the railway authorities. The licences issued to the petitioner porters are for specific area and does not permit and allow them to do porter's

job work in the railway station. In these circumstances, I do not think any relief can be granted to the petitioners.

The writ petition is dismissed.

SANJIV KHANNA, J.

OCTOBER 21, 2009
VKR