

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

THE HON'BLE SRI JUSTICE S.V. BHATT

P.I.L.No.136 OF 2015

ORDER: *(Per the Hon'ble Sri Justice S.V.Bhatt)*

The petitioner, through the instant public interest litigation, prays for writ of Mandamus declaring non-payment of salaries in accordance with the applicable laws and/or not regularizing the services of 50,000 employees working in 8,000 Gram Panchayats in the State of Telangana, as illegal, unjust and arbitrary, unlawful and against the Minimum Ages Act, 1948 and the , the Payment of Wages Act, 1936, the Equal Remuneration Act, 1976, the Payment of Gratuity Act, 1972, the Panchayat Raj Act, 1994 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Articles 14 and 21 of the Constitution of India.

This Court, on 15.06.2015, issued notice to respondents 1 and 2 herein. The respondents have filed counter affidavit along with enclosures. On 07.09.2015, we have heard learned counsel for the petitioner and the learned Additional Advocate General for the State of Telangana. After taking note of the submissions of learned Additional Advocate General, the following order was passed:

“Learned Additional Advocate General submits that in view of the prayers made in this P.I.L and whatever we expressed on last occasion in the Court, the Government has decided to constitute a Committee headed by the Principal Secretary to Government, PR & RD; Director, PR & RD as Member Convener; Secretary to the Government in Finance Department as Member to discuss the demands of the Gram Panchayat workers and suggest the measures for taking a decision.

Learned Additional Advocate General submits that the formalities to constitute the Committee will be completed within a period of ten days from today and the Committee shall go into all issues, including the one raised in the instant

P.I.L. He undertakes to place copies of instant P.I.L before the Committee for appropriate decision. His undertaking is accepted.”

Today, the respondents placed on record G.O.Rt.No.613 Panchayat Raj and Rural Development (PTS.V) Department dated 24.09.2015. Learned counsel appearing for the parties submit that the PIL can be disposed of by placing on record G.O.Rt.No.613 dated 24.09.2015 by stipulating a reasonable time frame for examination and submission of report by the Committee constituted through G.O.Rt.No.613 dated 24.09.2015 to the Government. Thereafter, the Government shall take appropriate decision on the report submitted by the Committee constituted through instant G.O.Rt.No.613 dated 24.09.2015. We deem it appropriate to make relevant portion of G.O.Rt.No.613 dated 24.09.2015 as part of this order and the same reads thus:

“Aggrieved by the above, Government have filed the counter against the above PIL No.136/2015. Subsequently, the Director, Panchayat Raj & Rural Employment Hyderabad vide reference 4th read above have informed that the Government have called for a discussion with the Gram Panchayat employees and workers unions on the demands of Gram Panchayat employees and workers and further informed that the Hon’ble High Court Hyderabad has stated that in PIL.No.136/2015 filed for implementation of minimum wages to the non provincialised employees working in the Gram Panchayats, the Hon’ble Court has observed that the concerned officers shall place the affidavit and the material filed in support of the above Public Interest Litigation before the above said Committee proposed to be constituted and the Committee shall also taken into consideration the grievances that have been espoused in the affidavit and take a comprehensive view and submit its recommendations on the subject matter and to constitute a Committee within a period of 10 days.

After careful examination of the entire matter with reference to the report of the Director, Panchayat Raj & Rural Employment, Hyderabad, Government hereby constitute a Committee with the following members:

1. Principal Secretary to Govt., PR&RD” - Member
2. Director, PR & RE -Member-Convenor

3. Secretary to Government, Finance Dept., - Member

The Committee shall discuss the demands, grievances and issues presented by the Associations related to the Gram Panchayat employee & workers and submit the report to the Government to settle the matter.”

Having regard to the above circumstances, we are satisfied that the PIL can be disposed of in the following terms:

- a. the Committee constituted through G.O.Rt.No.613 Panchayat Raj and Rural Development (PTS.V) Department dated 24.09.2015 is directed to examine all aspects of employees working in Gram Panchayat, the implementation of statutory obligations, within a period of three months from the date of receipt of a copy of this order and submit a report to the Government of Telangana;
- b. the petitioner is given four weeks time from today to place before the Committee the representation and/or a copy of the affidavit in PIL.No.136 of 2015 together with enclosures to enable the Committee to understand the grievance of different cadres of employees working in Gram Panchayat the iniquitous service conditions, non-payment of minimum wage etc. and the Committee is further directed to consider the representation of petitioner while examining the issues covered by G.O.Rt.No.613 dated 24.09.2015; and submit the report.
- c. the Government of Telangana is further directed to take decision on the report submitted by the Committee within a period of two months from the date of receipt of the report.

It is made clear that as Committee is constituted by the Government of Telangana to go into the grievance of employees in Gram Panchayats, we are not expressing any view on the merits of the case canvassed in this PIL. If the report/decision of the Government is not answering the expectations of parties/ employees they, if so advised, are free to work out the remedies available under law against such report/decision.

PIL is disposed of as indicated above.

Consequently, miscellaneous petitions, if any pending, also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V.BHATT, J

Date: 28.09.2015

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