

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

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WRIT PETITION No.24417 OF 2015

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Between:

Ch.N.Malleswara Rao.

.. Petitioner

And

The Singareni Collieries Company Limited and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 05-08-2015

SUBMITTED FOR APPROVAL:

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

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|---|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.24417 of 2015

ORDER:

Heard.

The issue involved in this writ petition is squarely covered by the judgment of this Court in W.P.No.11107 of 2009 and batch, dated 30-03-2011.

In view of the same, in terms and in accordance with the aforesaid judgment, this writ petition is disposed of, directing that,

a) the Regional Commissioner or any Officer authorized by him shall first issue a notice to the petitioners to decide whether the activity undertaken by the petitioners comes within the definition of Coal Mine. It shall be open to the petitioners to submit explanation;

b) in the event of the activity being declared as the one in coal mine, the employees shall be enrolled as members, subject to their fulfillment of the prescribed conditions, the respondents shall assign account numbers and issue cards; and the deductions shall be made with reference to the account numbers and cards so issued, periodically;

c) till such time, no deductions shall be made, but if it is held that the petitioners are liable, at a later point of time, they shall be under obligation to pay the arrears also;

d) the amount deducted from the petitioners, so far, shall be kept in FDRs and the manner in which it shall be utilized shall be decided, depending upon the outcome of the exercise undertaken above; and

e) the authority of the coal mines provident fund shall ensure that it does not deduct any amount, without reference to a particular employee, who is admitted to the provident fund.”

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 05-08-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.24417 of 2015

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05-08-2015