

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12645 of 2015

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Narayan Purbey, Son of Late Raj Kumar Purvey, General Secretary, Nirman Kamgaar Federation (Affiliated to AITUC), Kedar Bhawan, Amarnath Road, P.S.- Kotwali, Town & District-Patna.

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Labour Resource Department, Patna.
2. Labour Commissioner-cum-Chairman, Bihar Building and other Construction Worker Welfare Board, Patna.
3. Additional-cum-Joint Secretary, Bihar Building and Other Construction Worker Welfare Board, Patna.
4. Advisor-cum-Joint Secretary, Bihar Building and other Construction Worker Welfare Board, Patna.
5. Secretary-cum-Ex- Officio Chairman, Labour Employment and Training, Bihar, Patna.

.... Respondents

With

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Civil Writ Jurisdiction Case No. 12066 of 2015

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Ajay Kumar Singh, Son of Harishankar Singh, resident of Village- Hasanpur, Anchal Chakiya, P.S.- Pipra, District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Health Department, New Secretariat, Patna.
2. The District Core Committee, through District Magistrate, East Champaran.
3. The Executive Director, Rashtriya Swastha Bima Yojna, Department of Labour Resources, Bihar, Patna.
4. The Labour Superintendent, East Champaran.
5. The D.M., East Champaran.

.... Respondent/s

With

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Civil Writ Jurisdiction Case No. 11666 of 2015

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1. Rajendra Prasad @ Painter Son of Sri Dudh Nath Prasad, resident of village + P.O.- Thakurai Parasian, P.S.- Nasriganj, District- Rohtas
2. Prabhu Dayal Pandey, son of Late Jagannath Pandey, General Secretary, Rohtas Zila Bhawan Evam Anaya San-Nirman, Majdoor Sangh, Dalmia Nagar, P.S.- Dalmia Nagar, District- Rohtas

.... Petitioners

Versus

1. The State of Bihar



2. The Secretary, Labour Resources Department, Government of Bihar, Patna
3. The Labour Commissioner, Government of Bihar, Patna
4. The Bihar Building and other Construction worker, Welfare Board through Labour Commissioner, Labour Resources Department, Viaksh Bhawan, Patna
5. The Deputy Labour Commissioner, Swaraj Puri Road, Gaya.
6. The Labour Superintendent, Rohtas, Dehri On-sone.
7. The Labour Superintendent, Madhubani
8. Deepak Kumar, Labour Extension Officer, Raj Nagar, Madhubani, presently working on deputation as Labour Extension Officer, Nasriganj, Karakat block in Rohtas district through the Labour Commissioner, Government of Bihar, Patna

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Sagar Suman, Advocate.
For the Respondent/s : Md. Naseem Mukhtar, AC to AAG-12.
Mr. Dharendra Kumar, AC to AAG-6.

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 04-02-2017

In the present public interest litigation, petitioners have sought implementation of the Building and other Construction Workers (Regulation of Employment and Conditions of Services) Act, 1996 and the Building and other Construction Workers' Welfare Cess Act, 1996.

Mr. Deepak Kumar, Principal Secretary, Labour Resources Department, has explained that registration of workers has been simplified i.e. at the rate of Rs. 30/- for five years with one time registration fee of Rs. 20/-. It is also pointed out that registration of the workers has been linked with Aadhar Card.

It is also pointed out that a public interest litigation is



pending before Hon’ble Supreme Court in Writ Petition (Civil) No. 318 of 2006 (National Campaign Committee for Central Legislation on Construction Labour v. the Union of India & Ors.), wherein National Legal Services Authority has been directed to file status report in respect of the aforesaid two Acts.

Since Hon’ble Supreme Court is seized of the issue raised in the present writ application as well, we find that to continue with the present writ application would be meaningless.

In view of the fact the issue raised in the present writ application is being examined by the Hon’ble Supreme Court, the preset writ application is disposed of.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

Mishra

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	08.02.2017
Transmission Date	

