

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.42726 OF 2016

Dated:27.03.2017

Between:

Indian Airlines Contract Labour Union,
Rep., by its Secretary, J. Ravinder Rao,
Plot No.275, House No.32-127, Satya Sai
Enclave, Secunderabad

.. Petitioner

And

Union of India, rep., by its Secretary
to Government of India, Ministry of
Labour and Employment, Shrama Shakti
Bhavan, Rafi Marg, New Delhi and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.42726 OF 2016

ORDER:

Petitioner is the Indian Airlines Contract Labour Union. On the grievance espoused by the Union, the Central Advisory Contract Labour Board (for short, 'the Board') constituted a Committee under the Contract Labour (Regulation and Abolition) Act, 1970 and referred the issue to be considered by the proposed Committee by its resolution, dated 22.06.2012. The reference reads as under:

“To study the working of contract labour system in the jobs/works of Operations and maintenance of water supply, sanitation, plumbing and drainage installations, carpentry works, maintenance of gardens, maintenance of electrical installations and operation and maintenance of Air Conditioning Plants in the establishments of Air India, at Hyderabad and to make suitable recommendations whether or not the employment of contract labour in the above jobs/works in the said establishments be provided keeping in view the provisions of Section 10 of the Contract Labour (Regulations and Abolition) Act, 1970.”

2. Alleging total inaction on the reference and inordinate delay, this Writ Petition is filed.
3. When the matter is taken up for consideration, learned counsel representing learned Assistant Solicitor General informs the Court that the Committee constituted by the Board has submitted its recommendations to the Board. He submits that the Board would consider the same in its next meeting and would forward the recommendations to the Union of India for further consideration thereof and to take appropriate action. He further submits that the entire exercise shall be completed within a period of three months.

4. Learned counsel for the petitioner opposed the request of learned counsel for the respondents 1 to 3 on the ground that sufficient time has lapsed and submits that within a reasonable time of four weeks, the Board be directed to take a decision and four weeks thereafter, the Government of India would take a decision.

5. Since the issue is now at the stage of submissions by the Committee appointed by the Board, without entering into the merits of the controversy, the Writ Petition is disposed of directing the Board to examine the report submitted by the Committee appointed by it on the issue referred to by it as expeditiously as possible preferably within a period of four weeks from the date of receipt of a copy of this order and shall make due recommendations as warranted by law to the Government of India. On forwarding all recommendations by the Board, the Government of India shall consider and take appropriate further decision as required by law. Such decision shall be taken and communicated to the petitioner by a reasoned order within a further period of six weeks from the date of receipt of recommendations from the Board. It is needless to observe that if the petitioner is aggrieved of any such decision of the Government of India, he is at liberty to work out his remedies as available in law. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:27.03.2017

KH