**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No. 45835 OF 2018**

**O R D E R** :

Heard Mr.Venkateshwar Varanasi for petitioner and J.Srinivasa Rao for respondents 1 to 3.

Learned counsel representing the respective parties submit that the prayer in the instant Writ Petition is squarely covered by the common order dated 30.03.2011 in Writ Petition No.11107 of 2009 and batch and further, by following the said order, a few writ petitions are also disposed of.

This Writ Petition is therefore, disposed of by this order:

a) the Regional Commissioner or any Officer authorized by him shall first issue a notice to the petitioner to decide whether the activity undertaken by the petitioner comes within the definition of Coal Mine. It shall be open to the petitioner 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 petitioner is liable, at a later point of time, he shall be under obligation to pay the arrears also;

d) the amount deducted from the petitioner, 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.

Consequently, the miscellaneous Applications, if any shall stand closed. No costs.

**CHALLA KODANDA RAM, J**

17th December 2018

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