

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16399 of 2017

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Satyendra Kahar @ Hanuman, Son of Shri Kuldeep Kahar, R/o Village P.O.-
Amiyawar, P.S.- Nasariganj, District- Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal 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, Labour Resources Department, Vikash Bhawan, Patna.
5. The Divisional Commissioner, Patna Division, Patna.
6. The Deputy Labour Commissioner, Swaraj Puri Road, Gaya.
7. The District Magistrate, Rohtas at Sasaram.
8. The Labour Superintendent , Rohtas at Dehri On Sone, District- Rohtas.
9. The Labour Enforcement Officer, Rohtas at Dehri On Sone, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Akhouri Vipin Bihari Shrivastava, Advocagte
For the Respondent/s : Mr.Raghwendra Kumar -Sc22

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 01-04-2019

Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking following reliefs :-

*(i) For quashing the order dated 6.09.2017
passed by Second Appellate Authority-cum-Principal
Secretary, Labour Resources Department, State of
Bihar, Respondent no.2, contained in Annexure-14
whereby and whereunder the Respondent no.2
illegally held that petitioner not produced any
evidence for pendency of the form of Labourers*



ignoring receiving receipt issued by the office of Respondent no.8.

(ii) For issuance of a direction to Respondents authorities to prepare list of Labourers of Building Construction whose forms had already been submitted in the office of District Office of Labour Department and make payment of these labourers.

(iii) For issuance of direction to Respondent no.8 not to issue Identity Card to the Labourers without verification from District Verification Committee, as required under law.

(iv) For issuance of direction to conceal Identity Card issued without any affirmation of District Verification Committee.

(v) For issuance of direction that amount of Renewal of 3837 Labourers i.e. Rs.300/-out of Rs.284/-deposited by the society may be return because their name does not find in the list.

(vi) For issuance of writ/writs, order/orders or direction/directions.

For that the petitioner has moved this Court under Public Interest Litigation in CWJC No.11752 of 2015, which was permitted to be withdrawn without any liberty to approach the appropriate forum. However, in the present case, the petitioner is seeking registration of workers along with their respective identity cards attached with the construction. The Scheme itself takes care of entire field in what manner the registration of the worker



attached with construction will be done and the detail procedure has been provided. If a person attached with the construction is only entitled to approach the Committee constituted at the level of the District as well as Divisional Labour, on inquiry it is found any worker engaged with the construction industry, he will be granted the identity card for the purpose of his entitlement of the benefit which is conferred under the Welfare Scheme. The petition of worker in individual capacity will be considered not in a representative capacity, after proper verification only, their registration would be made.

In such view of the matter, this Court does not find any merit in this writ application and, accordingly, the same is dismissed.

(Shivaji Pandey, J)

V.K.Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	03.04.2019
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