

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVIL

WRIT PETITION No.2296 of 2020

ORDER:

Heard learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.

At the hearing, it is submitted that the subject matter is covered by the common order dated 30.03.2011 passed by this Court in W.P.No.11107 of 2009 and Batch. The operative portion of the common order dated 30.03.2011 reads as under:

“Hence, the writ petitions are 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.

There shall be no order as to costs.”

Accordingly, in terms of the common order dated 30.03.2011 passed in W.P.No.11107 of 2009 and batch, and for the reasons recorded therein, this Writ Petition is also disposed of. No costs. Miscellaneous Petitions, if any pending, shall stand closed.

05-02-2020
Prv

ABHINAND KUMAR SHAVILI, J





THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM



WRIT PETITION No.11482 of 2019

07th January, 2020

ksm