

18-01-2024
ct no. 13
sl. 11
pk

WPA 4625 of 2023

Shri Asit Kumar Das
-Versus-
Union of India and others

Mr. Sandipan Pal,
Mr. Tithi Chakraborty
... for the petitioner

Mr. Arjun Roy Mukherjee,
Ms. Tapati Samanta
... for the State.

Mr. Ajit Kumar Mishra,
Mr. Abhishek Dey,
Mr. Supravat Banerjee
... for the respondent nos. 1 to 3.

1. The District Magistrate has filed a report in the form of affidavit, which is kept with the record.
2. It appears that most special training centres under the National Child Labour Project Scheme have been closed with effect from 1st October, 2020. A communication of the Deputy Magistrate & Deputy Collector, Purba Medinipur addressed to the Joint Secretary, Ministry of Labour & Employment dated 15th October, 2020 is enclosed therewith.
3. However, a large number of STCs under the same district continued to work until September, 2022. It is presumed that the said STCs were

functional because there were still some children being trained.

4. It is clarified by the counsel for the Union and the State that in view of the Sarva Siksha Abhiyan (SSA) already being enforced the NCLP was no longer required. Some children were found simultaneously registered under both the NCLP as well as the SSA scheme.

5. The District Magistrate, Purba Medinipur has fairly reported that a number of persons have continued to work in Purba Medinipur district in the STCs under the NCLP Scheme until September, 2022.

6. For having worked in the STCs upto September 2022, the said persons are entitled to some remuneration.

7. In the above circumstances, this Court directs the Secretary, Ministry of Labour and Employment, Government of India/respondent no. 3 to take a decision within a period of one month from the date of receipt of a copy of this order, as to whether any of the funds of the Central Government lying with the State, under the NCLP Scheme with the district administration of Purba Medinipur, could be utilised for payment of remuneration to those persons who

continued to work in the STCs, until September, 2022.

8. Needless to mention that appropriate guidelines and conditions and precautions may be prescribed by the Central Government, Ministry of Labour and Employment before any such disbursement if any.

9. Appropriate checks and balances must be ensured by the Labour Ministry and the District Magistrate.

10. With the aforesaid directions, the writ petition is disposed of.

11. There will be no order as to costs.

12. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)