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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 8054/2024 & CM APPL. 33175/2024**

**NATIONAL CAMPAIGN COMMITTEE FOR CENTRAL
LEGISLATION ON CONSTRUCTION LABOUR..... Petitioner**

Through: Mr. Chirayu Jain, Adv.

versus

**DELHI BUILDING AND OTHER CONSTRUCTION WORKERS
BOARD & ANR. Respondent**

Through: Mr. Harish Plaha and Mr. Abhay
Dibui, Advs. for R-1.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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30.05.2024

1. Present writ petition has been filed by the Petitioner seeking directions to the Respondents No.1 and 2 to undertake manpower requirement assessment audit in Respondent No.1-Board in terms of the judgment passed by this Court in *Sonia Gandhi Vs. GNCTD 2013 DHC 5646-DB* at the earliest and to further direct the Respondents No.1 and 2 to undertake all steps that are necessary to implement the directive issued by the apex court vide order dated 18th January, 2010 in *NCC-CL Vs. Union of India and Ors. WP(C) 318/2006*.

2. Learned Counsel for the Petitioner states that the Petitioner is seeking directions to ensure that steps are taken to engage sufficient number of



permanent full-time staff in the office of Respondent No.1.

3. He states that Respondent No.1 was created in 2005. However, despite a lapse of nineteen years, it is forced to rely solely on the outsourced contractual staff and undisputedly, the same has been one of the main root-causes for lack of institutional development of Respondent No.1.

4. He states that the Apex Court vide order dated 18th January, 2010 in *NCC-CL Vs. Union of India* (supra) had directed hiring of full-time adequate number of permanent staff in all welfare boards across India, including Respondent No.1. However, these directives remain unimplemented by the Respondent Nos.1 and 2 till date.

5. He states that since years Respondents No.1 and 2 have carried out no manpower assessments and have failed to take any steps towards recruitment of permanent staff. According to him, failure to recruit permanent staff and over-reliance on contractual staff has only resulted in a lopsided organisational structure. He further states that the outsourced contractual staff, having no promotional avenues nor secure future in Respondent No.1 can hardly be expected to be dedicated towards institution building and it would be wrong and arbitrary to place such an obligation upon a person who has no avenue for personal growth within the institution.

6. He also states that though the Petitioner had sent representations dated 11th October, 2023 and 24th April, 2024, yet no action has been taken by the Respondents till date.

7. Keeping in view the aforesaid, this Court directs the respondent No.2 to decide the petitioner's representation dated 24th April, 2024 in accordance with law, within twelve (12) weeks. In the event, the petitioner is aggrieved by the decision of respondent No.2, the petitioner shall be at liberty to



agitate its grievances in accordance with law. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MAY 30, 2024

N.Khanna