



\$~8

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

+ W.P.(C) 5640/2012

**DELHI KHADI AND VILLAGE EMPLOYEES WELFARE
ASSO. AND ANR**

.....Petitioners

Through: Mr. Ashok Agarwal, Mr. Kumar
Utkarsh, Mr. Manoj Kumar, Ms.
Ashna Khan, Advocates.

versus

GOVT. OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Rijul Taneja, Advocate for R-1
and 2.
Mr. Karan Jain, Advocate for R-3.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

18.02.2025

%

1. The petitioner – an Association of employees of Delhi Khadi and Village Employees Welfare Association [“Association”], has filed this petition under Article 226 of the Constitution, for directions upon respondent No. 1 – Government of National Capital Territory of Delhi [“GNCTD”] and respondent No. 3- Delhi Khadi and Village Industries Board [“the Board”], to frame Rules and Regulations in exercise of their statutory powers respectively.

2. The Board has been established under the Himachal Pradesh Khadi and Village Industries Board Act, 1966 [“the Act”], which was extended to the Union Territory of Delhi, in the year 1983, with certain



modifications. Section 13 of the Act empowers the Administrator [defined as the Administrator of the Union Territory of Delhi], to appoint the Financial Advisor, the Chief Accounts Officer, and the Executive Officer of the Board. Section 13(3) further provides that the Board may appoint such other officers and servants as it considers necessary for the efficient performance of its functions, however, subject to Rules that may be made by the Administrator in this regard. Rule-making power is conferred upon the Administrator under Section 35 of the Act, which *inter alia* provides for the conditions subject to which and the mode in which the contracts may be entered into on behalf of the Board. Section 36 contains a specific provision with regard to Regulations to be made by the Board, in respect of the terms and conditions of appointment and service, and scales of pay of officers and employees of the Board, including various allowances.

3. The petitioner-Association has sought various reliefs in the writ petition, including the introduction of a pension scheme in the Board. However, learned counsel for the petitioners submits that the petitioners would be satisfied with a direction upon GNCTD and the Board, to notify Rules and Regulations under their statutory powers. He reserves their remedies to challenge the said Rules and Regulations in accordance with law, or take any other such legal action as may be available to them thereafter, if necessary.

4. Learned counsel for GNCTD and the Board submit that the draft of Rules and Regulations have, in fact, been framed and are in the process of approval, in consultation between GNCTD and the Board. It is their submission that Rules and Regulations will be notified as expeditiously as



possible, and preferably within a period of six months from today.

5. In view of the submission of learned counsel for the parties recorded above, no further directions are required in this writ petition.

6. It is made clear that the petitioner has limited its relief as aforesaid, and this Court has not passed any direction with regard to the provisions to be contained in the Rules and Regulations. It will be open to the petitioner or any other affected person to take recourse in accordance with law, if aggrieved thereafter.

7. The writ petition stands disposed of with these observations.

PRATEEK JALAN, J

FEBRUARY 18, 2025

“Bhupi”/SD/