

ITEM NO.32

COURT NO.5

SECTION PIL(W)

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s) (Civil) No(s).318/2006

NATIONAL CAMPAIGN COMMTT., C.L., LABOUR

Petitioner(s)

VERSUS

UNION OF INDIA & ORS

Respondent(s)

(With appln.(s) for impleadment, exemption from filing O.T.,
directions and office report)

WITH

CONMT.PET.(C) No. 52/2013 in W.P.(C) No. 318/2006

Date : 08/05/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE DEEPAK GUPTA

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Mr. R.V. Prabhat, Adv.

For Petitioner(s)

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For Respondent(s)

Union of India/

CAG

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Mr. Jagjit Singh Chhabra, AOR

Mr. Khwairakpam Nobin Singh, AOR

Mr. Milind Kumar, AOR

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Mr. Shrish Kumar Misra, AOR

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Mr. T. Harish Kumar, AOR

Mr. Varinder Kumar Sharma, AOR

Mr. Mohd. Shahid Hussain, Adv.

Ms. Kamini Jaiswal, AOR

Ms. Radha Rangaswamy, AOR

Ms. Asha Gopalan Nair, AOR

UPON hearing the counsel the Court made the following

O R D E R

We have heard learned Additional Solicitor General, learned *amicus curiae* and learned counsel for the parties as well as Mr. R. Srinivasan, Principal Legal Adviser in the office of the Comptroller and Auditor General of

India. We have gone through the affidavit filed by Mr. Srinivasan and some of the facts mentioned therein are quite startling.

Without going into details of the contents of the affidavit, we are of the view that the first step that needs to be taken is to ascertain from each State Government/Union Territory the amount that has been collected under the Building and Other Construction Workers' Welfare Cess Act, 1996 since the enactment of the Act, i.e., 1996 until 31st March, 2017. The amount so collected will be intimated to the office of the Comptroller and Auditor General of India.

Similarly, the amount collected over the years and which has been transferred to the Building and Other Construction Workers Welfare Board should also be indicated to the office of the Comptroller and Auditor General of India as on 31st March, 2017. If there is any amount which has been collected, but not yet transferred to the aforesaid Board shall be transferred within a period of six weeks from today with intimation to the office of the Comptroller and Auditor General of India.

We request Mr. Srinivasan to file the details in the form of a tabular chart.

List the matter on 2nd August, 2017.

(SANJAY KUMAR-I)
AR-CUM-PS

(SHARDA KAPOOR)
COURT MASTER