

GOVT. MEDICAL COLLEGE & HOSPITAL, CHANDIGARH
(ESTABLISHMENT BRANCH-IV)

Endst No.: GMCH/EIV/EA3/2019/

45035-36


Dated, Chandigarh the

A copy of letter No. 3262/F-II(GMSH)/2019/15974 dated 26.09.2019 alongwith its enclosures received from the Principal Secretary Health, Chandigarh Administration, is forwarded to the followings for information and to furnish the information within 02 days positively, please :-

- 1 The Office Superintendents (Estt. I, II, III, HA-I & HA-II), GMCH, Chandigarh
- 2 The System Analyst, IT Centre, GMCH with a request to e-circulate/email the same to all the HODs/Branch Incharges of GMCH Chandigarh.

Encls. As above.

for


Superintendent (Estt.-IV)
Joint Director (Admn.).



3860
9/10/19

From

The Principal Secretary Health,
Chandigarh Administration.

To

1. The Director Principal,
Govt. Medical College & Hospital,
Sec. 32, Chandigarh.
2. The Director Health & Family Welfare,
Chandigarh Administration.

No. 3262/F-II(GMSH)/2019/ 15924
Dated, Chandigarh the 26/9/19

Subject: Conferment of powers of Judicial Magistrate 1st class on Executive Magistrates for the trial of offences under the bonded labour System (Abolition) Act, 1976

Enclosed please find herewith a copy of letter No. 12/2/448-HII(2)-
2019/15493 dated 18-9-2019 received from Superintendent (Labour) Home
Department, Labour & Employment Branch, Chandigarh Administration on the
subject cited above for taking necessary action in the matter.

DA: As above

For

Wsingh 25/9/19
Superintendent Health,
Principal Secretary Health,
Chandigarh Administration



CHANDIGARH ADMINISTRATION
HOME DEPARTMENT
LABOUR & EMPLOYMENT BRANCH

2804

No. 12/2/448-HI(2)-2019/15493

Dated the 18.09.19

To

Health Branch
Diary No. 3262

Dated 20/9/19

PA/ASH 223879

Dated 20/9/19

PA/PSH/223879
Dated: 20/9/19

All the Administrative Secretaries,
Head of Departments,
Boards, Corporations,
Union Territory of Chandigarh.

Subject:-

Conferment of powers of Judicial Magistrate 1st Class on
Executive Magistrates for the trial of offences under the
Bonded Labour System (Abolition) Act, 1976.

Secy.
Health (Bmu)

Asst. Secy.
Health

SH (Health)

Wd
20/9/19
G2

gk
23/9/19
Rk GMSH

Enclosed please find herewith a copy of Letter No. 1946

spl. Gaz.II/XXI.C.22, dated 21.12.2018, along with its
enclosures, received from Sh. Phalit Sharma, OSD (Gaz.II),
the Registrar General, Punjab and Haryana High Court,
Chandigarh, which is self explanatory, on the subject noted
above.

You are requested to provide a copy of notification vide
which the Union Territory of Chandigarh has been declared /
conferred the quasi judicial powers upon all the District
Magistrates and all the City Magistrates, Union Territory of
Chandigarh, under Section 21 of the Bonded Labour Act
(Abolition) Act, 1976, if any, available with your respective
office, at the earliest, for its onward transmission to the
Hon'ble Court, Chandigarh.

Wing
17-9-2019

Superintendent (Labour),
for Secretary (Labour),
Chandigarh Administration.

From

The Registrar General,
Punjab and Haryana High Court,
Chandigarh.

Home II Branch

No. 51

Date 29.01.19

To

The Home Secretary,
Chandigarh Administration,
U.T. Chandigarh.

Judicial Branch PA/PSH/ 11232
Diary No. 799 Dated: 26-12-18

Dated: 28.12.18

PA-ASH/ 11737
Dated: 26/12/18

Dated: Chandigarh; the 21-12-2018.

Sub:

Conferment of powers of Judicial Magistrate 1st Class on Executive Magistrates for the trial of offences under the Bonded Labour System (Abolition) Act, 1976.

Sir,

District Administration

Revenue Branch
No. 923 Date 21/1/19

I am directed to refer you on the subject cited above and to point out that the Full Bench of the Hon'ble Madhya Pradesh High Court vide its judgment dated 28.09.1995 rendered in the case Misc. Petition No. 2522 of 1984, titled as " **'Hanumantsing Vs. State of Madhya Pradesh'** and the Division Bench of the Hon'ble Bombay High Court vide its judgment dated 25.09.1991 rendered in Criminal Writ Petition No. 406 of 1988 titled as "Govind Shanwar Chatal Vs. Dattatraya Waman Bhanushali and another, declared Section 21 of the Bonded Labour (Abolition) Act, 1976, as un-constitutional being violative of Article 21 of Constitution of India.

Therefore, you are requested to withdraw judicial powers conferred upon all the District Magistrates and all the City Magistrates, U.T. Chandigarh, under Section 21 of the Bonded Labour Act (Abolition) Act, 1976, at the earliest, under intimation to this Court.

You are further requested to issue notification under Section 21(2) of the Bonded Labour System (Abolition) Act, 1976, conferring powers upon the Court of Judicial Magistrate First Class for trial of the offences under 'The Bonded Labour System (Abolition) Act, 1976', committed within its jurisdiction.