

Government of India
Ministry of Labour & Employment,
Central Government Industrial Tribunal –Cum- Labour Court-II, New Delhi
Present: Smt. Pranita Mohanty

ID.NO. 56/2022

Ms. Priyanka & 11 others.
Rept. By Delhi Prashanaik Vikas Vibhag Industrial
Employees Union (Regd.) Agarwal Bhawan, G.T Road,
Tis Hazari, Delhi-110054.

.....claimants

Versus

1. The Director
National Institute of Electronics & Information Technology,
2nd Floor, Parsvnath Metro Mall, Inderlok Delhi-110052.

2.The Secretary,
Department of Information Technology, Govt., of NCT of Delhi,
9th Level, B-Wing, Delhi Secretariat, I.P , Estate Delhi-110002.

3.Serivce Department, govt., of NCT of Delhi,
Delhi Secretariat Complex, 7th Level, B-Wing, I.P Estate Delhi-110002.

4.Department of Training & Technical Education,
Muni Maya Marg, Pitampura, Delhi-110054.

.....Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide letter No. L-42011/160/2021 IR (DU) dated 7.12.2022 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“1.Whether the claim of Delhi Prashasanik Vikas Vibhag Industrial Employees Union in respect of Ms. Priyanka &11 Others vide letter dated 02.08.2021 that the contract / arrangement between the

management of Department of Training and Technical Education , Govt.of NCT of Delhi(DTTE), services Department, Government of NCT of Delhi, Information of Technology Department, Government of NCT of Delhi (DIT) and National Institute of Electronics & Information Technology (NIELIT) is sham and bogus, is proper, legal and justified? If yes, to what reliefs the disputant workers are entitled and what other directions, if any, are necessary in the matter?

2.Whether the claim of Delhi Prashasanik Vikas Vibhag Industrial Employees Union in respect of Ms. Priyanka &11 others vide letter dated 02.08.2021 to the management of Department of Training and Technical Education, Govt. of NCT of Delhi (DTTE) services Department, Government of NCT of Delhi, Information of Technology Department, Government of NCT of Delhi (DIT) and National Institute of Electronics & Information Technology (NIELIT) for payment of arrears of difference in salary and salary as per pay scale of Data Entry Operators/ LDC on the principle of “Equal pay for Equal Work”is proper legal and justified? If yes, to what reliefs the disputant workers are entitled and what other directions, if any, are necessary in the matter?”

2.In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, Claimants union opted not to file the claim statement with the Tribunal.

3. On receipt of the above reference, notice was sent to the workmen as well as the managements. Neither the postal article send to the claimants, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimants. Despite service of the notice, claimants opted to abstain away from the proceedings. No claim statement was filed on their behalf. Thus, it is clear that the workmen are not interested in adjudication of the reference on merits.

4. Since the workmen has neither put their appearance nor they led any evidence so as to prove their cause against the management, this Tribunal is left with no choice, except to pass a 'No Dispute/Claim' award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

Presiding Officer
CGIT-cum Labour Court II,
Rouse Avenue,
Delhi-110002.

Dated: 1st May, 2023