

**Government of India
Ministry of Labour & Employment,
Central Government Industrial Tribunal-
Cum-Labour Court-II,
New Delhi.**

I.D. No.48/2018

1st November, 2023

**Yogesh Kumar,
S/o. Shri Amrendra Kumar,
R/o H. No. 752, Saraswati Puram,
B and C, New Delhi-110067**

...Applicant/Claimant

Versus

**1. Vice Chancellor
Jawaharlal Nehru Unviersity
New Delhi-110067.**

**2. Radha Krishna,
SO Admin.-II,
Jawaharlal Nehru
New Delhi-110067.**

...Management/Respondents

Award

This is the claim filed by the claimant under section-2A of the Industrial Dispute Act. Claimant had stated that he had been working with the Mgt-1 from 17 July 2015 to 26th November 2015 on the post of waterman for a salary of Rs. 9068/- per month. In spite of his hardworking and sincerity, he was never paid over-time wages along with other facilities. He was even being asked to work for national holidays. He has demanded the best facilities from the management but

management had not paid any heed. Rather than his service was terminated. Hence, he prayed that he be reinstated with full back wages.

Respondent had rebutted the claim of the claimant by filing the WS. Claimant was not the workman employed with Respondent. He was engaged for seasonal work as a waterman on contract basis with effect on 17th July 2015 to 14th September 2015 through **Manpower Agency M/s. Sybex Support Services(P) Ltd., New Delhi**. He was paid salary and wages as per admissible by the government. He submit claim of the claimant be dismissed.

Claimant had filed the rejoinder denying the averments made in the WS by the management.

After completing of the pleadings vide order dated 21st January 2019 following issues are framed.

1. Whether there exists any employer and employee relationship between the claimant/workman and respondents/managements.
2. Whether the termination of service by the workman by management is illegal and improper.
3. Whether the workman is entitled to reinstatement to service with back wages and other allowances as claimed.
4. To what other relief the parties are entitled to.

The workman was asked to bring the witnesses in support of his claim. In spite of providing the various opportunities, workman has failed to bring any witness into witness box. Therefore, in the absence of any evidence on record, claims of the claimant has resulted into failure. Hence, no disputant award is passed accordingly.

Date:- 01.11.2023

Presiding Officer
CGIT Cum –labour Court-II