

**BEFORE SH. ATUL KUMAR GARG, PRESIDING OFFICER,  
CENTRAL GOVT. INDUSTRIAL-CUM-LABOUR COURT NO-II, NEW  
DELHI**

**I.D. No. 15/2014**

**Sh. Vinod Kumar, S/o Sh. Ramgopal,  
L-179, Camp No.-3,  
Nangloi,  
New Delhi- 110041**

**I.D. No. 17/2014**

**Sh. Shahid Khan,  
T-378, Mangolpuri,  
New Delhi,  
New Delhi-110083**

Versus

**1. The Director**

**Bharti Airtel Ltd.  
Plot no. 224, Okhla Industrial Estate  
Phase-3, New Delhi-110020**

**2. The Director**

**Bharti Airtel Services Ltd.  
Corporate Centre, Neelgagan Mandi,  
Sultanpur, New Delhi-110030**

**3. The Contractor**

**Alcatel Lucent Network Services India Ltd.  
15<sup>th</sup> Floor, Tower-C, DLF Cyber Green City,  
Phase 3, Gurgaon-12206**

**AWARD**

Government of India, Ministry of Labour/ Shram Mantralya has sent the two references in regard to the two workmen dated 17.02.2014 and 10.02.2014 to this tribunal for adjudication. Both the references have been similarly worded in the following words:

***“Whether the transfer of the workmen from one parent company i.e. Bharti Comtel Ltd. To Telesonic Network Ltd. Through Bharti Airtel Services Ltd. and Alkatel Lusent Network management Services India Ltd. within a span of 07 years without explaining any purpose and reasoning to the workman Sh. Shahid Khan and Vinod Kumar are just Fair and Legal? If not, what relief the workmen concerned are entitled to ?***

After receiving the said reference, notices were issued to both the parties. Both parties had appeared. Claimants had filed their claim statement before this tribunal.

Respondent had filed the reply and denied the employer and employee relationship between the workman and him.

Rejoinder has also been filed by the claimants to the W.S of the management wherein, he had denied the averment made by the management and affirmed the averment made in the claim. Issues have already been framed vide letter dated 08.11.2016. Since for the last eight year workmen have not led any evidence to prove their claims. Finally vide order dated 18.04.2023, their right to adduce evidence was closed by this tribunal.

In these circumstances when the workmen have not led any evidence to substantiate their claims, their claims are resulted into dismissal. Their claim stand dismissed. Award is passed accordingly. Copies of these awards are sent to appropriate government for notification under section 17 of the I.D. Act. Files are consigned to record room. A copy of this order is placed in each of the file.

02<sup>nd</sup> April, 2024

ATUL KUMAR GARG  
Presiding Officer.  
CGIT-cum- Labour- Court-II