

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

Present:

Smt. Pranita Mohanty,  
Presiding Officer, C.G.I.T.-Cum-Labour  
Court-II, New Delhi.

**INDUSTRIAL DISPUTE CASE NO. 40/2017**

**Date of Passing Award- 08.12.2022**

Between:

**Sh. Devender Singh and others S/o Shri Nain Singh,**  
R/o- H.No.M-338, Sewa Nagar,  
New Delhi.

Claimant

**VERSUS**

**ERNET India,**  
**Block-I, A Wing,**  
**5<sup>th</sup> floor, NMRC IT Park,**  
**Shashtri Park, Delhi-110053.**

Managements

Appearances:-

Claimant in person

For the claimant

(A/R)

Shri L R Goel

For the Management.

(A/R)

**A W A R D**

This is a reference received from the appropriate government to adjudicate if the claimant Devender Singh and others as per the list Annexure-A of M/s ERNET India are entitled to the status of permanent workman in the company and entitled to pay at par with regular employees. If so on what terms and condition and date.

As stated in the claim petition all the claimants were appointed as messenger cum peon in the establishment of the management on their names being sponsored by the employment exchange. They were given appointment letter the claimants were demanding regularization of service and pay parity with the permanent employees and several

representations were given. When they could not redress their grievance they raised a dispute before the Labour Commissioner and conciliation was taken up. For the failure of the conciliation the appropriate government referred the matter to this tribunal for adjudication.

The management filed written statement denying the stand taken by the claimants. It has been pleaded that there exists no industrial dispute and the claim is not maintainable.

On these rival pleadings the following issues are framed for adjudication.

### **ISSUES**

1. Whether the proceeding is maintainable.
2. Whether the claimant is a workman u/s 2(s) of the Id Act and the claim advanced is an industrial dispute.
3. Whether the claimants are entitled to get permanent status.
4. To what relief the claimants are entitled to.

During the pendency and before recording of evidence both parties express their intention for conciliation. After several rounds of conciliation the claimants examined as WW1, WW2, and WW3 gave their statements stating that they have no grievance against the management and the claim has been settled. Thus, during the Lok Adalat held on 12<sup>th</sup> November 2022 the conciliation was recorded and this award is passed. Hence, ordered.

### **ORDER**

The claim be and the same is disposed of as the claimants have no dispute against the management in respect of the claim. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

Presiding Officer.  
CGIT-Cum-Labour Court.  
8<sup>th</sup> December, 2022.

Presiding Officer.  
CGIT-cum-Labour Court.  
8<sup>th</sup> December, 2022.