

**BEFORE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-  
LABOUR COURT NO-II, NEW DELHI**

**ID.No. 18/2018**

The General Secretary,  
Indian Airport Kamgar Union (IAKU),  
Quarter No. B-140, Pocket-A,  
INA Colony, New Delhi-110023.

**VERSUS**

The Chairman,  
**M/s Airport Authority of India,**  
Rajiv Gandhi Bhawan, Safdarjung Airport,  
New Delhi-110003.

*Appearance*

*For claimant: None*

*For respondent: Sh. Vaibhav Kalra and Ms. Neha Bhatnagar, Ld. ARs*

**AWARD**

The appropriate Government has sent the reference referred dated 16.02.2018 to this tribunal for adjudication in the following words:

***“Whether the action of the management of Airports Authority of India in discontinuing the payment of Proficiency Allowance based on a totally different concept and paid to the workers since 1997, on the plea of introduction of the Scheme of Performance Linked Payment (PLP), is legal & justified? If not, to what relief the workers are entitled?”***

After receiving the said reference, notice was issued to both the parties. Both the parties have appeared. Claimant/union has filed the claim statement with the prayer that declare notification of AAI regarding discontinuing the payment of Proficiency Allowance issued on basis of Bi-partite agreement held between Airports Authority Employees Union and AAI management U/s 18(1) of the **Industrial Disputes Act (hereinafter called as an “Act”)** and declare restoration of Proficiency Allowance paid as an Incentive in addition to Productivity Linked Incentive/Ex-gratia.

Respondent has filed the WS. He denied the averment made in his claim statement. He submits that claim petition is devoid of merit as it was raised by un-recognised union of the management. He also submits that claim is not maintainable and deserves to be dismissed.

After completion of the pleadings, following issues has been framed vide order dated 15.04.2019 i.e.:-

1. If the proceeding is maintainable.
2. Whether the introduction of the scheme of Performance Linked Payment (PLP) is suppression of proficiency allowance is legal and unjustified.
3. Whether there was proper espousal of the dispute and the General Secretary of India Airport Kamgar Union has been properly authorized to represent the workmen.
4. To what relief the parties are entitled to.

Cross-examination of the witness whose affidavit had already been filed, however, since long, nobody has been appearing on behalf of the claimant to substantiate their claim. Counsel for the respondent had stated that the Ld. Additional District Judge vide order dated 25.02.2022 had

restrained the witness Mr. Rudrappa from using in any manner the letter head, stamps, seals, logo and the name of the plaintiff union in respect of business/affairs/activities of the said union. He further submitted that since then, neither the AR of the claimant union has been appearing nor produced any witness.

In view of the facts on record that claimants have not been appearing since then to substantiate their claim. Their claim has been resulted into failure. Consequent thereto, their claim stand dismissed. Award is accordingly passed. A copy of this award is sent to the appropriate government for notification as required under section 17 of the ID act 1947. File is consigned to record room.

Date: 09.12.2024

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