

**SH. ATUL KUMAR GARG, PRESIDING OFFICER, CENTRAL GOV.
INDUSTRIAL-TRIBUNAL CUM – LABOUR COURT NO II, NEW
DELHI**

I.D. No.12/2020

Sh. Kishore, S/o Sh. Rega,

Through – The President Sh. Hukum Chand,
CPWD Karamchari Union, Babu Lal Ji Complex,
Shop No- 04, Gurgaon Road, Opposite Bus Stand,
Gurgaon Haryana.

I.D. No.13/2020

Smt. Giraj, S/o Sh. Kishori,

Through – The President Sh. Hukum Chand,
CPWD Karamchari Union, Babu Lal Ji Complex,
Shop No- 04, Gurgaon Road, Opposite Bus Stand,
Gurgaon Haryana.

I.D. No.14/2020

Mohd. Moti, S/o Mohd. Mohanidin,

Through – The President Sh. Hukum Chand,
CPWD Karamchari Union, Babu Lal Ji Complex,
Shop No- 04, Gurgaon Road, Opposite Bus Stand,
Gurgaon Haryana.

I.D. No.15/2020

Through – The President Sh. Hukum Chand,
CPWD Karamchari Union, Babu Lal Ji Complex,
Shop No- 04, Gurgaon Road, Opposite Bus Stand,
Gurgaon Haryana.

I.D. No.16/2020

Sh. Prabhu Dayal, S/o Sh. Reega,

Through – The President Sh. Hukum Chand,
CPWD Karamchari Union, Babu Lal Ji Complex,
Shop No- 04, Gurgaon Road, Opposite Bus Stand,
Gurgaon Haryana.

I.D. No.17/2020

Sh. Jagdish, S/o Sh. Durga Pal,

Through – The President Sh. Hukum Chand,
CPWD Karamchari Union, Babu Lal Ji Complex,
Shop No- 04, Gurgaon Road, Opposite Bus Stand,
Gurgaon Haryana.

I.D. No.18/2020

Smt. Rani Dayal Verma,

Through – The President Sh. Hukum Chand,
CPWD Karamchari Union, Babu Lal Ji Complex,
Shop No- 04, Gurgaon Road, Opposite Bus Stand,
Gurgaon Haryana.

VERSUS

- 1. The Director General C.P.W.D.**
Nirman Bhawan, New Delhi – 110001.
- 2. The Executive Engineer CPWD, Civil, T Division,**
Sarojni Nagar, New Delhi – 110023.
- 3. Rawat (Contractor)**
C/o The Executive Engineer CPWD, Civil, T Division,
Sarojni Nagar, New Delhi – 110023.

AWARD

By this composite order, I shall dispose off these seven claims application filed by the workmen U/S 2A of the I.D Act. The workmen in their claim statement had stated that they have been working with the management since 2002, 2003, 2004 and 2005 at the post of mason, seweraman, beldar and safai karamchari. However, from the initial date of joining, they were being treated as a daily rated/casual/muster roll workers and were being paid fixed wages and their wages were never revised from time to time under the minimum wages Act by the appropriate government while their counterparts doing the identical work and the work of the same value but was being treated as regular employees and were paid salary in proper pay scale and allowance. They also enjoy other facilities like uniform, P.F., Medical Leave, CL, Gazette/Festival/Restricted Holidays. Although, the workmen supposed to be regularized since their initial date of joining but the management has never regularized them till now. Instead of regularizing their services, the management terminated them from their services. They had filed the claims with the Labour Commissioner, but no result have been yielded. Hence, they had filed their claim U/S 2 (A) of the I.D Act.

Management-3 was proceeded ex-parte vide order dated 07.04.2022. Management- 1 & 2 had appeared and filed their WS denying the relationship of employer and employee. Issues have been framed. Workmen are asked to file their evidence in support of their claims. However, the AR for the workmen had stated that he has no contract with the workmen since long as such he is unable to file the affidavit in evidence.

In these circumstances, when the workmen have not led any evidence, then the claims of the workmen are resulted into failure. Hence, the claims of the workmen stand dismissed. Award is accordingly passed. A copy of this order is placed in each of the file. A Copy of this award is sent to the appropriate government for notification U/S 17 of the I.D Act. File is consigned to record room.

12/02/2024

ATUL KUMAR GARG
Presiding Officer
CGIT – Cum – Labour Court - II