

Government of India
Ministry of Labour & Employment,
Central Government Industrial Tribunal –Cum- Labour Court-II, New Delhi
Present: Smt. Pranita Mohanty

ID.NO.162/2020

Delhi Plumber Allied Industrial Workers Union (Reg.)
1801/9, 1st Floor, Govindpuri Extension, Main Road, Kalkaji,
New Delhi-110019.

.....Workman

Versus

1.M/s SAM Surveyors and Adjusters,
53, Venkatachalam Street Royapuram,
Chennai (Tamilnadu) 600013.

2. M/s Container Corporation of India Ltd.
Inland Content Depot, Tughlakabad,
New Delhi-110020.

.....Managements.

AWARD

In the present case, a reference was received from the appropriate Government vide reference no. L-42011/71/2020 (IR(DU) dated 15.09.2020 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether the demands raised by the workers mentioned in Annexure A through Delhi Plumber Allied Industrial Workers Union (regd.) letter dated 10.07.2017 (enclosed as Annexure) are proper, legal and justified? If yes, to what relief these workers are entitled and what directions are necessary in this regard?”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, Claimants union opted not to file the claim statement with the Tribunal.

3. On receipt of the above reference, notice was sent to the workman union as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimants union. Despite service of the notice, claimants union opted to abstain away from the proceedings. No claim statement was filed on their behalf. Thus, it is clear that the claimants are not interested in adjudication of the reference on merits.

4. Since the claimants neither put their appearance nor led any evidence so as to prove their cause against the managements, this Tribunal is left with no choice, except to pass a 'No Dispute/Claim' award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

Presiding Officer
CGIT-cum Labour Court II,
Rouse Avenue,
Delhi-110002.

Date: 12th September, 2022.