

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

ID.No. 245/2019

1. **Sh. Bhola Nath Yadav, S/o Sh. Ram Pal Yadav,**
R/o B-272, Near Usha Mata Mandir, Daya Basti,
Sarai Rohilla, Onkar Nagar, Delhi-110035.

2. **Sh. Samar Bhadur Yadav, S/o Sh. Ram Dhani Yadav,**
R/o B-272, T-Huts, RPF Line, Daya Basti,
Baljit Nagar, Onkar Nagar, North West, Delhi-110035.

3. **Dinesh Kumar Kushwaha, S/o Sh. Puran Chand,**
R/o House No. K-32, J.J. Colony, Wazirpur, Ashok Vihar,
Delhi-110052.

VERSUS

1. The Commissioner,
North Delhi Municipal Corporation,
Civic Centre, Jawahar Lal Nehru Marg, New Delhi-110002.

2. **Superior Securities,**
A-308, 02nd Floor, Defence Colony, New Delhi-110024.

AWARD

This is an application of **U/S 2A of the Industrial Disputes Act (here in after referred as an Act)** filed by the claimants. Claimants had stated in the claim statement that they had been working with the respondent as a Security Guard since 01.04.2024 at the last drawn wages Rs. 9,180/- each per month They had been doing their work with diligently with the management. During service tenure, respondents did not give them appointment letter, ESI and P.F. benefit, earned leave, casual leave and annual bonus. They also did not give to the workmen any overtime wages for working on holiday. Respondents took the work from workman Samar Bahadur in night shift in February, 2016 at Samuday Bhawan-11, Wazirpur Village, Delhi-110052 but they did not pay

wages to the workman for that month. The Security Supervisor Rajender fed up with the illegal deduction of Rs. 3,180/- per month where the workmen registered oral complaint with higher authorities who also threatened them to terminate from their job. Workmen demanded legal benefit orally due to which the respondents withheld their wages for the month of January, 2017. The workmen then through Union sent a complaint dated 06.03.2019 to the local police but no action was taken. A complaint for payment of outstanding wages were sent through the Union to the Assistant Labour Commissioner (Central), but no necessary action has been taken. For that action, workmen had been terminated on 01.04.2017 with the reply that the contract with MCD has expired/completed. After the termination, when the workmen suddenly asked to the respondent-1 to pay their outstanding wages and issue further deployment orders. Neither the workmen have been given their outstanding wages nor issued any deployment orders. They had sent the demand letter dated 07.08.2017 to the respondents but, no reply was given by the respondents. They have gone to the conciliation officer, but no result was yielded. Hence, they have filed the present claim. They are unemployed since the date of termination from their services.

Management-1 & 2 have not been appearing since long. They have been proceeded ex-parte vide order dated 12.01.2023.

Now, the matter is listed for ex-parte evidence of the workmen. Claimants have not been appearing since long. They have not brought any evidence i.e. documents and oral to substantiate their claim, in spite of providing a number of opportunities.

In these circumstances, when the claimants have not been appearing since long to substantiate their claim, it appears that they are not interested to pursue the case. This tribunal has no option except to pass the no dispute award. No dispute award is passed accordingly. 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: 14/08/2024

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