

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

ID.No. 139/2020

The President,

Ambuja Cement Employees Union,

Village – Lakeshwari, Post- Sikanderpur,
Tehsil – Bhagwanpur, District – Haridwar,\
Uttarakhand- 247661.

VERSUS

The Unit Head

Ambuja Cement Ltd. (Roorkee Unit),

Village – Lakeshwari, Post- Sikanderpur Bahiswal,
Tehsil- Roorkee, District- Haridwar,
Uttarakhand- 247661.

ORDER

The appropriate Government Sh. **A.K. Singh**, Government of India, Ministry of Labour/ Shram Mantralya has sent the reference refer dated 02.09.2020 to this tribunal for adjudication in the following words:

“Whether the action of management in suspending as well as terminating the workman the President, Ambuja Cement Employees Union, Haridwar is taken in undue haste, without application of mind and without affording natural justice? If so, what remedy should be provided to the workman now?”

After receiving the said reference, The appropriate Government Sh. **Navin Vaidya, Deputy Director**, Government of India, Ministry of Labour/ Shram Mantralya has sent the corrigendum dated 14.12.2020. The reference be read as:

1. *“Whether Sh. Sumit Chakarvarthy and Sh. Dipak Sharma are the workmen as per the provision of I.D Act, 1947?”*
2. *Whether the action of Management of M/s Ambuja Cement suspending as well as terminating the Sh. Sumit Chakarvarthy and Dipak Sharma is taken in due haste by the management without conducting the proper inquiry proceedings?*

If, so, what remedy should be provided to the Sh. Sumit Chakarvarty and Sh. Dipak Kumar Sharma now?”

Notice were issued to both the parties. AR for the management Sh. **Kamalkant Tyagi** has appeared and filed the W.S denying the averment made in the claim. The claimants have not been appearing since long before this tribunal, despite, providing a number of opportunities.

In these circumstances, when the workmen are not interested in pursuing their claim. This tribunal has no option except to pass the no disputant award. Hence, no disputant award is passed. Award is passed accordingly File is consigned to the record room. A copy of this award is hereby sent to the appropriate government for notification under section 17 of the I.D Act 1947.

Date: 19.03.2024

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