

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

ID.No. 168/2021

Sh. Suresh Chand, S/o Sh. Hari Singh,
R/o VPO- Sinsini, Tehsil-Deeg, District Bharatpur,
Rajasthan-321001.

VERSUS

1. **Indian Statistical Institute,**
7, SJS Marg, Katwaria Sarai, New Delhi-110016.

2. **Sunil Dutt Nautiyal Security Agency,**
222, 2nd Floor, Vardhman Crown Mall,
Sector-19, Dwarka, New Delhi-110075.

Appearance

For claimants: None.

For respondent: None.

AWARD

This is an application **U/S 2A of the Industrial Disputes Act (here in after referred as an Act)** filed by the claimant for his illegal termination. Claim of the claimant is that he was working with the management-1 through management-2 (Contractor) 01.05.2016 at the post of Security Guard at the last drawn salary of Rs. 27,351/- p.m. As per D.G.R circular, PF of Rs. 1800/- was deducted and Rs. 25,551/- was paid. He has been doing his duty with diligently and honestly and did not give any chance to the management for any complaint. Workman had been signed forcibly on some blank papers, blank vouchers and other documents by the management by promising to create and provide the worker amenities. During the services, management had not been providing any legal facilities i.e. appointment letter, Leave Book, bonus, overtime, I-card, Salary receipt, ESI Card, Fund, weekly and events holidays etc. When the workman demands the same verbally, then after a long time, management started deducting the PF to the workman. When the workman reiterated the other

same facilities, management got annoyed with the demands raised by the claimant and had terminated the services of the workman on 04.03.2020 without any rhyme or reason or without issuing any show-cause notice or without paying earned wages. He had sent the demand letter, but, he has not been taken on duty. He had sent the complaint to the labour commissioner, but, it has yielded no result. Hence, He has filed the present claim.

Management-1 and Management-2 have filed their WS. They have denied the averment made in the claim statement. They also submitted that claim deserves to be dismissed.

After completion of the pleadings, following issues has been framed vide order dated 04.08.2022 i.e.:-

1. Whether the proceeding is maintainable.
2. Whether there exist employer and employee relationship between the claimant and the management no.1.
3. Whether the service of the claimant was illegally terminated by the management no. 2.
4. To what relief the claimant is entitled to and from which date.

Now, the matter is listed for workman evidence. He is required to file his affidavit. Despite, providing a number of opportunities, workman has not been appearing since long to substantiate his claim.

In these circumstances, when the claimant is not interested in pursuing his claim. His claim stands dismissed. 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: 21.11.2024

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