

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

**ID.No. 177/2023**

The President,

**Food Corporation of India Handling Union,**

5166, 02<sup>nd</sup> Floor, Damodar Das Building, Basant Road,  
Near Karnail Singh Stadium, Pharganj, New Delhi-110055.

**VERSUS**

1. The Chairman cum Managing Director,  
**Food Corporation of India,**  
Headquarters, 16-20, Barakhamba Lane,  
New Delhi-110001.

*Appearance*

*For claimants: None*

*For respondent: Sh. Pankaj Yadav, Proxy for the management.*

**ORDER**

The appropriate Government has sent the reference refer dated 08.12.2023 to this tribunal for adjudication in the following words:

1. *“Whether the action of management of Food Corporation of India the proposed change of condition of service by termination/modification of the settlement dated 03.08.2012 i.e. withdrawing the ‘A’Area minimum wages rate (Uniform rates) to all the Direct Payment System (DPS) workers across the country is legal just and*

*proper? If no, what relief the workmen concerned are entitled to.*

*2. Whether the action of management of Food Corporation of India for the proposed change of condition of service of Mandal that Mandal will work as a handling labour but, will be treated as handling labour for the purpose of deciding the per labour output of the gang, in the other words, 12 handling labours and 1 Mandal actually work then the total output of gang will be divided by 13 instead of 12 for deciding per labour output is legal just and proper? If no, what relief the workmen concerned are entitled to.*

*3. Whether the action of management of Food Corporation of India for the proposed change of condition of service by UNILATERAL modification/termination of the settlement dated 13.03.1999 i.e. exclusion of the HRA component from the wages for the computation/calculation of incentive and allowance (OTA) qua Department workers and withdrawing the inclusion of incentive in wages for computation of CPF and gratuity qua Departmental Workers is legal just and proper? If not, what relief the workmen concerned are entitled to.”*

After receiving the said reference, notices were issued to both the parties. Management has been appearing in each of the hearings. Claimants have not been appearing since the reference has been received to this tribunal. Even, the claimant has not come forward to file his claim statement before this tribunal, despite, providing a number of opportunities.

In these circumstances, 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: 23.10.2024

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