

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

I.D. No.26/2021

**Sh. Brajesh Kumar, S/o Sh. Amar Singh,
R/o – Sikandarpur, P.O. Pilkhana, Akarabad, Aligarh,
Uttar Pradesh – 202121.**

**Through – Indian National Migrant Worker’s Union,
1770/8, 3rd Floor Govind Puri Extn. Main Road, Kalkaji,
New Delhi – 110019.**

I.D. No.27/2021

**Sh. Vedpal, S/o Sh. Masijaran,
R/o T – 281, Mehar Chand Market Lodhi Road,
New Delhi – 110003.**

**Through – Indian National Migrant Worker’s Union,
1770/8, 3rd Floor Govind Puri Extn. Main Road, Kalkaji,
New Delhi – 110019.**

I.D. No.28/2021

**Sh. Deepak, S/o Sh. Chander Lal,
R/o J - 53, 2nd Floor, Dakshin Puri,
New Delhi – 110019.**

**Through – Indian National Migrant Worker’s Union,
1770/8, 3rd Floor Govind Puri Extn. Main Road, Kalkaji,
New Delhi – 110019.**

I.D. No.29/2021

Sh. Surjit Kumar, S/o Sh.Subhash Chand,
R/o BB - 165, Bagrian Basti Near Kali Mandir ,
Akhara Wali Gali, Nabi Karim, Pharganj, Delhi – 110055.

Through – Indian National Migrant Worker’s Union,
1770/8, 3rd Floor Govid Puri Extn. Main Road, Kalkaji,
New Delhi – 110019.

I.D. No.30/2021

Sh. Nitin, S/o Late Sh.Puran,
R/o J - 289, Jaitpur Arpan Vihar ,
Badarpur, South Delhi – 110044.

Through – Indian National Migrant Worker’s Union,
1770/8, 3rd Floor Govid Puri Extn. Main Road, Kalkaji,
New Delhi – 110019.

VERSUS

- 1. Sh. P.K. Gupta CMD**
National Building Construction Corporation Ltd.,
N.B.C.C. Bhawan, Lodhi Road, New Delhi – 110003.
- 2. Sh. A.K. Verma, Manager,**
National Building Construction Corporation Ltd.,
N.B.C.C. Place, Bisham Pitamah Marg, Pragati Vihar,
New Delhi – 110003.
- 3. Sh. Surender Kumar (Employer),**
S.K.Construction Co.
D – 29, Gali No. 1, Jharoda Part-01,
Burari, New Delhi- 110009.

4. Vimal Enterprises,

Through- National Building Construction Corporation Ltd.,
N.B.C.C. Place, Bhisham Pitamah Marg, Pragati Vihar,
New Delhi- 110003.

AWARD

By this composite order, I shall dispose off the claims of the above said workmen U/S 2A of the I.D Act. The workmen in their claim statement had stated that they have been working with the managements since 12.03.2017, 11.02.2019, 01.11.2012, 2014 and 01.03.2018 at the post of House keeping with the management- 1 & 2. Respondent no. 3 & 4 are the false contractor. They have been drawing the pay from 15,000 to 18,000/- per month. They have been deprived by the management of the legal facilities since beginning. When they demanded the said legal facilities, principal employer and contractor had terminated their services on 01.12.2019 after keeping their arrear of their salary of November 2019. Workmen had sent the demand notice asking the management to keep them on duty but management has not given any answer. They had filed the claims with the Labour Commissioner on 30.05.2018 but no result have been yielded. Hence, they had filed their claim U/S 2 (A) of the I.D Act.

Management no. 1 & 2 had appeared and filed the WS denying the relationship of employer and employee. Management-3 had also appeared later on and filed their WS denying the averment made by the claimants. Issues have been framed. Workmen are asked to file their evidence in support of their claims. However, the AR of the workman Sh. Anil Rajput had stated that he has no contract with the workmen for long time as such he is unable to file the affidavit in evidence.

In these circumstance, when the workmen have not led any evidence, then the claims of the workmen are resulted into failure. Hence, the claims of the workmen stand dismissed. Award is accordingly passed. A copy of this order is placed in each of the file. File is consigned to record room.

24/01/2024

ATUL KUMAR GARG
Presiding Officer
CGIT – Cum – Labour Court - II