

**CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT DELHI-1**

Misc. Application No. 11/2024 in ID No. 288/2023

Sh. Tarun Kumar and 38 others

Claimants

Versus

District Magistrate (East). GNCT, Delhi

Management

With

1. **Misc. Application No. 19/2024 in ID No. 283/2023**

Sh. Kanwar Muninder and 2 others Vs. District Magistrate (East). GNCT, Delhi

2. **Misc. Application No. 12/2024 in ID No. 221/2023**

Sh. Praveen Tyagi and 1 other Vs. District Magistrate (East). GNCT, Delhi

3. **Misc. Application No. 24/2024 in ID No. 289/2023**

Sh. Gopal Pandey and 15 others Vs. District Magistrate (East). GNCT, Delhi

4. **Misc. Application No. 23/2024 in ID No. 287/2023**

Sh. Akash Verma and 27 others Vs. District Magistrate (East). GNCT, Delhi

5. **Misc. Application No. 25/2024 in ID No. 290/2023**

Sh. Shashank Sharma and 11 others Vs. District Magistrate (East). GNCT, Delhi

6. **Misc. Application No. 20/2024 in ID No. 284/2023**

Sh. Sajan Vs. District Magistrate (East). GNCT, Delhi

7. **Misc. Application No. 22/2024 in ID No. 286/2023**

Sh. Rohit Pal and 13 others Vs. District Magistrate (East). GNCT, Delhi

8. **Misc. Application No. 21/2024 in ID No. 285/2023**

Sh. Dhiraj Tiwari and 6 others Vs. District Magistrate (East). GNCT, Delhi

9. **Misc. Application No. 13/2024 in ID No. 245/2023**

Mohd. Sajid and 16 others Vs. District Magistrate (East). GNCT, Delhi

10. **Misc. Application No. 14/2024 in ID No. 246/2023**

Sh. Parshant Vs. District Magistrate (East). GNCT, Delhi

11. **Misc. Application No. 15/2024 in ID No. 247/2023**

Sh. Ardhendau and 40 others Vs. District Magistrate (East). GNCT, Delhi

12. **Misc. Application No. 16/2024 in ID No. 248/2023**

Sh. Jitender and 11 others Vs. District Magistrate (East). GNCT, Delhi

13. **Misc. Application No. 17/2024 in ID No. 249/2023**

Smt. Asha Devi and 1 other Vs. District Magistrate (East). GNCT, Delhi

14. **Misc. Application No. 18/2024 in ID No. 250/2023**

Mujahid Ali and 9 others Vs. District Magistrate (East). GNCT, Delhi

15. **Misc. Application No. 26/2024 in ID No. 323/2023**

Sh. Sumit Kumar Vs. District Magistrate (East). GNCT, Delhi

Shri Rajiv Aggarwal, A/R for the claimants.

Ms.Laavanyan Kaushik, A/R for the managements.

Justice Vikas Kunvar Srivastava (Retd.)

(Presiding Officer)

ORDER

This order is intended to decide miscellaneous applications moved by claimants to grant ad interim relief in their favour against the management of GNCTD in ID No. 288/2023 **Sh.Tarun Kumar and others Vs. District Magistrate (East GNCTD, Delhi)** with similar prayer in several other Industrial Dispute cases detailed and described hereinabove with the same facts, issues and evidence involved therein. In view of the above the industrial disputes and miscellaneous applications referred above are taken up jointly for the purpose of consolidated hearing and decision through a common order. The Industrial Dispute case of Shree Tarun Kumar and Others V. GNCTD is termed leading case for the purpose of consolidated hearing and decision upon the instant miscellaneous application for interim relief.

FACTUAL MATRIX

Before going through the contents of Miscellaneous Application bearing number 11/2024 in the leading industrial dispute case of Tarun KKumar and others with other like applications moved in their respective industrial dispute cases referred here above it would be pertinent to have reference made by the Central Government *vide* order no. ND-25/II-58/2023-IR dated 30.11.2023 as an example because on similar references made by the same appropriate government other industrial dispute cases referred here above are also registered and pending for adjudication before this CGIT -cum-Labour Court, they shall be read mutatis mutandis in their respective I.D. Cases wherever required. It runs as under-

1. *“Whether the office of the District Magistrate (East), Govt. of NCT of Delhi is covered under the definition of ‘industry’ u/s 2 (j) of the Industrial*

Disputes Act, 1947 in relation to the work performed by the claimants Shri Tarun Kumar & 38 others (details mentioned in Annexure A)?

2. *Whether the claimant Shri Tarun Kumar & 38 others (details mentioned in Annexure-A) are covered under the definition of 'workman' u/s 2(s) of the Industrial Disputes Act, 1947?*
3. *If so, whether the demands of Sh. Tarun Kumar & 38 others (details mentioned in Annexure-A) through Delhi Parshashan Vikas Vibhag Industrial Employees Union against the management of District Magistrate (East), GNCT of Delhi for regularization of their services on their respective post from their initial date of joining into employment with difference of salary on the principal of "Equal Pay for Equal Work" from their initial date of joining and all consequential benefits thereof are fair, legal and justified? If yes, then for what relief the workmen are entitled to and what directions are necessary in this respect?"*

The industrial dispute scheduled in all such references made by the appropriate government is directed against the management of District Magistrate (East), GNCT, Delhi, impleaded as opposite party in the statement of claim in all the consolidated industrial dispute cases.

The claimants workmen who are detailed and described with their initial date of joining and designation in concerned departments of GNCTD in Charts under the heading "**SCHEDULE**" annexed at the bottom of this order have stated in their claim statement that the office of the management/opposite party, District Magistrate (East) in NCT of Delhi conducts functions such as magisterial matters, revenue courts, issue of various statutory documents, registration of property, conduct of elections, relief and rehabilitations, land acquisition and various other functions. The claimants/workmen joined into employment in office of the management with effect from the date as mentioned in said charts have been working as Data Entry Operators, Drivers, Security Guard, Computer Operator, Court Reader, Diary Dispatcher, Court Attendant and EOC Operators in the establishments of the management which are severable from the sovereign and regal functions of the management and as such in relation to the works having been done by them the management comes within the ambit of "industry" as defined in the Industrial Dispute Act, 1947 (for the purpose of brevity which shall here in after be called as " the Act" only)

The workmen were currently being paid wages at the rate of Rs.844/- per day which in month payable to the workmen for the actual number of days they have worked. The works performed by the workmen are regular and perennial in nature, still the management shows the workmen engaged for 89 days followed by one day un natural break which is only on papers while workmen use to attend duties on the day of that mandatory un natural break also. They do work 12 hours every day without payment of overtime wages. They are made to work all days in a month, still they are not paid their salary of two days every month. The workmen concerned have been working against vacant posts of their designation shown in the chart continuously from the date of their initial joining. The workmen concerned have also joined the civil defence corps as volunteers with spirit to serve humanity in the event of any disaster without expecting valuable consideration in lieu of their contribution with the no objection accorded by their department to attend call out duty in the disaster management by the civil defence corp. for such call out duty neither the management is employer nor the vounteers are employee and that stands on the footing of quite a different contribution than that of service as workman rendered at their place of employment in GNCTD.

The concerned workmen raised their grievances through the Labour Union namely, **“Delhi Prashasan Vikas Vibhag Industrial Employee Union”**. The management, irrespective of the actual status of the workmen concerned in employment of GNCTD shows them as volunteers engaged from the Civil Defence Volunteers Corps with a view to deny the employment benefit to the workmen. But when the management did not pay heed, the same was agitated before the conciliation officer of the Labour Department of Central Government. The conciliation officer vide order dated 06.10.2023 issued notice to the management and advised them to adhere to the provision of Section 33 of the ID Act with respect to service condition of the workmen. Despite that, the management tried to terminate the services of the concerned workmen. Apprehending their source of livelihood imperilled workmen approached the High Court of Delhi filing a writ petition no. W.P. (C) 14210/2023. Hon’ble High Court vide order dated 30.10.2023 issued following directions:

“10. Considering these facts and circumstances, and the letter and spirit of Section 33 of the ID Act, at this stage, it would be apposite that the following directions be passed in the interim:

i. The Conciliation Officer/respondent No.2 will endeavour to dispose of the matter at the earliest, preferably within a period of one month from today, with the cooperation of all the parties.

ii. In the meantime, till the decision of Conciliation Officer no precipitative action shall be taken with regard to the existing engagement of the petitioners.

iii. As regards the contentions raised by the Government of NCT of Delhi in respect of the jurisdiction and maintainability, the same may be considered by the Conciliation Officer, if so pressed by the Government.”

It is case of workmen that when despite the direction of the Hon’ble High Court quoted hereinabove the management terminated the services of the workmen in management of GNCTD of in the garb of terminating continuing call out duties by issuing office order dated 31.10.2023. Office order dated 31.10.2023 was served upon workmen concerned on 02.11.2023. The office order 31.10.2023 runs as under:

“Whereas, as per provision of the Civil Defence Act, 1968 and rules and regulations thereunder, the civil Defence Volunteers (CDVs) are to be disaster called out only for dealing with hostile attack or for management;

And whereas, it has been called for duties in various departments of GNCTD which is contrary to the provisions of the Civil Defence Act, 1968 and the rules & regulations made thereunder;

And whereas, it has been noted that the aforesaid call out of Civil Defence Volunteer needs to be ended with immediate effect;

Now therefore, Director Civil Defence/Divisional Commissioner is pleased to end to all its members of Civil Defence Corps (Civil Defence Volunteers) Deployed in any) department/office with effect from 31 Oct, 2023 (A/N).

This issues with the approval of the Competent Authority.”

At this stage the workmen concerned moved again to the High Court in W.P. (C)14210/2023 and CM Application no.56270/2023 praying that:

- a) *The protection granted by the predecessor Bench of this Court vide order dated 6th December 2023, may be extended till decision on the application for interim relief before the Ld. CGIT.*

- b) *In cases where interim protection has not been granted vide order dated 6th December 2023, interim relief may be granted by this court.*

The Hon'ble High court took notice of the fact that the opposite party/ management filed an appeal against the order of the High Court dated 06.12.2023 to the division bench but which were withdrawn by GNCTD on oral observation of the court that the aforesaid order warrant no interference. Therefore, the High Court *per contra*, the learned Counsel appearing on behalf of the GNCTD/respondent whilst opposing the contentions raised by the petitioners agreed that the prayer as sought by the petitioner during the course of proceeding may be granted by this Court.

As per order dated 24.01.2024 passed by the Hon'ble High Court of Delhi in the W.P.(C). 14210/ 2023:

"12. In view of the aforesaid discussion, petitioner are directed to approach the CGIT with an application, if not filed, within two weeks from today seeking interim relief and the Ld. CGIT is directed to decide the dispute in relation to the entitlement of petitioner for the grant of any interim relief as expeditiously as possible in accordance with law without being influenced by any of the proceedings before this court. It is further directed that the CGIT shall not grant any unnecessary adjournments to either party."

In the instant misc. application it is stated that workmen/claimants have also moved complaint under section 33 A of the Act in connection with the above industrial dispute and also that their services have been illegally terminated by the management whilst the said industrial dispute is pending for adjudication. It is further stated that despite the direction of the Hon'ble High Court dated 06.12.2023 regarding payment of wages and continuance of duties, the management did not pay the salary for the month of Nov 2023 and so on. They have been rendered unemployed after that. They have young family and old parents to take care of. They also have to pay many of their liabilities such as EMIs etc. However, the management showing a vindictive approach terminated their services.

In the wake of above facts instant application prays to grant interim relief during the pendency of the Industrial Dispute as well the complaint under section 33 A of the Act in terms of wages last drawn every month and to

issue direction to the management to take back the workmen on duty and pass any such other order as deemed fit in favour of the workmen as against the management.

In written statement as against the claim statement of the workmen and also reply to the complaint under section 33 of the Act, the management states claimants only volunteers of Civil Defence Corps deployed for dealing with disaster management or hostile attacks, as such they are not workmen. Government of NCT of Delhi and its department are not an industry since they perform sovereign functions of the state. However, it is stated by the management that a person may get himself enrolled as volunteer of Civil Defence Corps to contribute services in case of any disaster. Any person is eligible to be enrolled as volunteer, even those, who possess primary education i.e. forth standard and be a resident of Delhi only. This is also made clear that the individuals being businessmen/ serving in private sector or Govt. service or involved in any other business activities get themselves enrolled as volunteers. After their enrolment they undergo 5 days training in Firefighting, Flood Management, Earthquake Management, and Self defense. The GNCT has approximately 1,75,000 Volunteers enrolled with Civil Defence Corps whose services are used whenever required.

In the light of above facts the instant miscellaneous applications in concerned ID case intended to be decided , the Ld. AR for the workmen/claimants Shree Rajiv Agarwal , Advocate and one learned counsel Ms. Laavanya Kaushik, Advocate opted to argue the case on behalf of the Standing Counsel of GNCTD Ms. Avnish Ahlawat, Advocate though on the ground of learned standing counsel hearing on the last preceding date was passed over and deferred.. parties are heard over the instant application.

ARGUMENTS

The thrust of the argument opposing the prayer of claimants as interim relief during pendency of the industrial dispute is on the words “Deployment is voluntary in nature only on need basis under the provision of Civil Defence Act” and the claimants as volunteers deployed under the Civil Defence Act at the time of enrolment submitted no objection certificate from their employer/undertaking that the employer has no objection to the individual volunteering with Civil Defence Corps. Therefore, the claimants could not ask their permanence/regularization on their posts because their deployment is not against a particular post nor they have undergone through a recruitment

process for their present assignment. The posts are not sanctioned nor is there any approval from the Finance Department. No exercise by the workmen has ever been done to identify the requirement of the posts. No special budget is sanctioned for such deployment. Their claim of regularization and permanence in service is hit by the Apex Courts judgment in **State of Karnataka Vs. Uma Devi (2006) 1 SCC 1**. In their written submission the management opposite party has referred standing orders of 2015, 2016, 2021, & 2022 which prescribe that a Civil Defence Volunteer shall not be allowed to serve at the same place for a period of more than one year. On this score the management preferred argument that claimants' continuous engagement on call out duty was ex facie illegal, paying a contravention to the statute does not confer any legal right to the claimants to continue. They relied on **judgment dated 22.09.2022 in WP (C) 6526/2021, GNCTD Vs. Priyanka**, judgment in **Renu Vs. District session Judge (2014) 15 SCC 731, Shiv Kumar Vyas Vs. IGNOU & Ors. 2000 (53) DRJ 781**. Argument by the opposite party/ management is also preferred to impress that they have not been call out for duty continuously and recurringly but they are called on intermittently with considerable length of time in various years. Therefore, the claims or permanence and regularization on their posts they were working be dismissed. For this, they relied on **Arunima Baruah V. Union of India (2007) 6 SCC 120, Prestige Lights Ltd., V. State Bank of India (2007) 8 SCC 449, Udyami Evam Khadi Gramodyog Welfare Sanstha and anr. V. State of Uttar Pradesh (2008) 1 SCC 560, K.D. Sharma v. Steel Authority of India Ltd & Ors. (2008) 12 SCC 481, Amar Singh V. Union of India and Ors.(2010) 2 SCC 114, Kishore Samrite V. State of U.P. & Others (2013) 2 SCC 398**. Further it is argued that claimants, being volunteers do not have any employee or employer relationship, therefore, their claim is baseless for which they relied on judgments. **Judgment dated 18.05.2015 in W.P(C) 3589/2015 Kanta Devi Vs. M/s Sarvodaya Kanya Vidyalaya & Anr., Union Of India & Anr. Vs. Chhote Lal & Ors. Reported as (1991) 1 SCC 544, Balwant Rai Saluja Vs. Air India Limited & Ors. Reported as (2014) 9 SCC 407, Workmen of Nilgiri Coop. MKt. Society Ltd. Vs. State of Tamil Nadu & Ors. (2004) 3 SCC 514, State of Madhya Pradesh & Ors. Vs. Sandhya Tomar & Ors. (2013) 11 SCC 357**. It is impressed by the opposite party that the present industrial dispute is raised seeking benefit of section 33 of ID Act wrongfully to seek continuance of their engagement in the garb of the interim orders in which

legally they are not entitled to in view of the judgments referred. **BA Security Agents Employees Union Vs. Regional Labour Commissioner & Ors. 2010 SCC Online Del 1028, Central Warehousing Corporation Vs. Govt. of India & Ors. 2022 SCC On Line Del 1663, Delhi Puplic Library Vs. Govt. of NCT of Delhi 2019 SCC Online Del 9699, Sh. Dorairaj Spintex Vs. R Chitti Babu and Ors., (2021) 12 SCC 38.** Lastly it is submitted that law is well settled that there cannot be any regularization of any person working as a volunteer or for carrying on any volunteer activity. Reliance is placed on the judgments. **Grah Rakshak Home Guards Welfare Association Vs. State of Himachal Pradesh and Ors. Reported in (2015) 6 SCC 247, Jiban Krishna Mondal & Ors. Vs. State of West Bengal & Ors. Reported as (2015) 12 SCC 74, Man Sukh Lal Rawal & Ors. Vs. Union of India & Ors. Reported as 1999 (50) DRJ (DB), Rajesh Mishra & Ors. Vs. Govt. of NCT of Delhi & Ors. Reported as ILR (2002) I DELHI 684.** It is argued vehemently that by virtue of Section 14 (1) of the Civil Defence Act, 1968 the courts cannot interfere with orders passed under the Civil Defence Act, 1968.

After having heard the Ld. Counsel for the parties to the industrial dispute on the application meant to seek interim relief in the nature and terms of payment of wages to the claimants as workmen and to issue suitable direction if any to the management, this Industrial Tribunal proceeds as under-

DISCUSSIONS

Hon'ble High Court in order dated Jan 24, 2024 has directed the workmen/ claimants to approach the CGIT seeking interim relief and has also been pleased to direct the CGIT to decide the dispute in relation to the entitlement of the claimants (Petitioner before the Hon'ble High Court) for the grant of any interim relief as expeditiously as possible in accordance with law.

INCIDENTAL POWER OF THE INDUSTRIAL TRIBUNAL CUM LABOUR COURT TO GRANT INTERIM RELIEF OF INJUNCTION

In this regard the judgment of the Apex Court of India delivered in **Hindustan Liver Ltd. Vs. Ashok Vishnu Kate and ors. Reported (1995) 6 SCC 326 AIR 1996 Supreme Court 285.** It is held that *the Central Government Industrial Tribunal cum Labour Court will have the power to grant injunction as an incidental power. The concerned Labour Court should meticulously scan the allegations in the complaint and if necessary, get the necessary investigation*

made in the light of such complaint and only when very strong prima facie case is made out by the complainant appropriate interim orders intercepting the complained order. Such order should not be asked for mere askance by the Labour Courts.

Before to go further in the discussions it would also be pertinent to understand the word **prime facie** referred in the above judgment of the Apex Court. Prima facie is a term that translates to “at first sight” or “Based on first impression”. The phrase “Prima Facie” is used to describe a fact are presumption that is sufficient to be regarded as true unless otherwise rebutted or disproved. In law, it can refer to either evidence that is regarded plausible but susceptible to refutation or a stage in pre trial proceeding in which it is assessed whether the plaintiff/complainant has a sufficiently plausible case to go to trial. In others words prime facie is a legal term or a legal claim which is made when the plaintiff/complainant has enough evidence to proceed with a trial on the basis of which if he is given opportunity to prove them and if succeeding in proving them a possible decree are award may be in his favour.

In the instant matter of Industrial dispute which is regarding claim of regularization and permanence in employment on the basis of prolonged continuous engagement of the claimants as workmen on the posts they held under the industrial dispute Act. A Complaint under section 33 of the Industrial dispute Act is also pending before this tribunal complaining the interruption in terms and conditions as well as the status of the claimants despite the dispute had already been raised before the competent authority of the Labour Department and also in disobedience of his restraining order to not to disturb services of workmen and also in disobedience of the order of the Hon’ble High Court not to interfere with the terms and conditions and not to precipitate the workmen in contravention of mandatory provision of section 33. Interim application with prayer to issue directions to the management is moved on behalf of the claimants/workmen that they should be directed to continue with the payment of wages at the rate they lastly drawn during the pendency of the dispute raised initially before the conciliation officer of the labour department, before the High Court and presently before this industrial tribunal. The occasion to move such a prayer accrued to the claimants by virtue of the order of the management terminating their services in blatant violation of the mandatory prohibition under section 33, and in disobedience orders of the High Court

. Hon'ble Justice J.S. Khehar in the case of **Subrata Roy Sahara V. Union of India** reported in (2014) 8 SCC 470 at Para 185.2 laid down that ***“Disobedience of orders of a court strikes at the very root of the rule of law on which the judicial system rests. Judicial orders are bound to be obeyed at all costs. Howsoever grave the effect may be, is no answer for non-compliance of a judicial order. Judicial orders cannot be permitted to be circumvented”***.

The roots and origin of concept of interim/interlocutory order in the Indian context can be raised from the provision of order 39 rule 1,2 and 3 CPC, which are repository powers to grant interim relief of temporary injunction.. The industrial tribunal cum labour Court exercises a quasi judicial function in adjudicating the industrial dispute referred to or brought before it but, the adjudication presupposes the tribunal to proceed in judicial manner and discretion. Supreme Court of India has also propounded the same principal in **Colgate Palmolive (India) Ltd. Vs. Hindustan Liver Ltd. (1999) 7 SCC 1, 13, 14 AIR 1999 Supreme Court 3105**, by holding and enumerating the broad parameters that should govern the judicial discretion in passing of interim/interlocutory/temporary orders by Indian Cour. In Para 24 of the said judgment it is held;

“ We, however, think it fit to note hereinabove certain specific considerations in the matter of grant of the interlocutory injunction, the basic being non-expression of opinion as to the merits of the matter by the court, since the issue of grant of injunction, usually, is at the earliest possible stage so far as the time-frame is concerned. The other considerations which ought to weigh with the court hearing the application or petition for the grant of injunction are as below:

- I. Extent of damages being an adequate remedy.*
- II. Protect the plaintiff's interest for violation of his rights through, however, having regard to the injury that may be suffered by the defendants by reason therefor.*
- III. The Courts while dealing with the matter ought not to ignore the factum of the strength of one party's case is stronger than the other's.*
- IV. No fixed rules or notions ought to be had in the matter of grant of the injunction but on the facts and circumstances of each case the relief being kept flexible.*

- V. *The issue is to be looked at from the point of view as to whether on the refusal of the injunction the plaintiff would suffer irreparable loss and injury keeping in view the strength of the parties' case.*
- VI. *Balance of convenience even if there is a serious question or prima facie case in support of the grant.*
- VII. *Whether the grant or refusal of the injunction will adversely affect the interest of the general public which can or cannot be compensated otherwise."*

An Industrial tribunal cum labour court has incidental power to pass order granting interim relief to the claimant till the passing of final award has already been settled by the Apex Court in the **Hindustan Liver Ltd. Vs. Ashok Vishnu Kate (Supra)** under section 10 (4) and 2 (B) of the Act. Section (10) 4 and 2 B of the Act are respectively reproduced here under for the purpose of easy reference and smoothness in further discussions-

Section 10 (4) "Where in an order referring an industrial dispute to {a labour Court, Tribunal or National Tribunal} under this section or in a subsequent order, the appropriate Government has specified the points of dispute for adjudication, {the Labour Court or the Tribunal or the National Tribunal, as the case may be,} shall confine its adjudication to those points and matters incidental thereto."

Section 2 (b) "award" means an interim or a final determination of any industrial dispute or of any question relating thereto by any Labour Court, Industrial Tribunal or National Industrial Tribunal and includes an arbitration award made under section 10 A";

The words **"...and matters incidental thereto..."** is explained by Supreme Court in Case titled as **"Management of Hotel Imperial Vs. Hotel Workers Union"**, AIR 1959 Supreme Court 1342 suggests that there is no bar for an industrial tribunal to grant interim relief, it further suggest that ordinarily the interim relief should not be the whole relief that the party should get if they succeed finally Para's 21 & 22 of the above judgment are reproduced here under with great regard.

"Para 21. After a dispute is referred to the tribunal under section 10 of the Act, it is enjoined on it by section 15 to bold its proceeding expeditiously and on the conclusion thereof submit its award to the appropriate government. An "award" us defined in section 2 (b) of the Act as meaning "an Interim or final determination by an industrial Tribunal of

any industrial dispute or of any question relating thereto. "where an order referring and specifying the points of dispute for adjudication, the tribunal has to confine its adjudication to those points and matters incidental thereto; (Section 10(4). It is urged on behalf of the appellants that the tribunal in these cases had to confine itself to adjudicating on the points referred and that as the question of interim relief till the decision of the tribunal with respect to the same matter would be a matter incidental thereto under section 10 (4) and need not be specifically referred in terms to the tribunal. Thus interim relief where it is admissible can be granted as a matter incidental to the main question referred to the tribunal without being itself referred in express terms. The next question is as to how the tribunal should proceed in the matter if it decides to grant interim relief. The definition of the word 'award' shows that it can be either an interim or final determination either of the whole of the dispute referred to the tribunal or of any question relating thereto. Thus it is open to the tribunal to give an award about the entire dispute at the end of all proceedings. This will be final determination of the industrial dispute referred to it. It is also open to the tribunal to make an award about some other still remain to be decided . This will be an interim determination of any question relating thereto. In either case it will have to be published as required by section 17. Such awards are however not in the nature of interim for they decide the industrial dispute or some question relating thereto. Interim relief, on the other hand, is granted under the power conferred on the tribunal under section 10(4) with respect to matters incidental to the points of dispute for adjudication.

In the light of discussions made hereinabove in preceding Para's, it would be pertinent to note that industrial dispute preferred to this tribunal by appropriate government is with regard to relief of regularization and pending the same for adjudication when terms and conditions of the services were materially interfere by the management consequent thereupon a complaint of workmen/claimants under section 33 A of the Act are before the tribunal to finally decide and pass award the instant application in hand meant for interim relief which have been referred in one of the preceding Para is to be decided by the tribunal on the principal and sliant in order 33 rule 1, 2 & 3 of the CPC which requires the grant of refusal of the interim exemption on considering the three essential ingredients whether existing concurrently. These three ingredient of prima facie case irreparable loss and balance of convenience."

Prima facie case of the workmen/claimants as pleaded in their statement of claim and the complaint under section 33 A of the Act is to be read in consonance with the documentary evidences. Since from the very inception in the present industrial dispute firstly

before the labour authorities namely the conciliation officer and also in various writ proceedings before the Hon'ble High Court and then before this industrial tribunal, there is a consistent plea that the concerned workmen have been working in the establishment of the management performing their duties as DEO, Drivers, Security Guards, Computer Operator, Court Reader, Diary Dispatcher, Court Attendant and EOC Operator for issuing of certificate such as EWS certificate, Income Certificate, at the facilitation points set by the management. The date of engagement/deployment or employment of the workmen concerned is unequivocally referred in a chart submitted by them propagating their industrial Dispute at various forums of law, some of them working since a considerable long period for more than one or two decades. This is noteworthy that the initial engagement of such workmen and their performing works on different assignment from time to time in the departments of GNCTD is not denied even admitted in so many words in their reply submitted before all those forums of law. The tribunal has taken into notice that while the initial engagement of the claimants in various works during a long span of time, performance of work by such claimants under the direct control supervision and instruction of the competent authorities in various department of the GNCTD. There is no explanation on the part of management that why their services are kept temporary for such a long period in violation of law prescribed by the Industrial Dispute Act, The contract labour (Regulation and Abolition) Act, 1971 as well as various standing orders issued by them in consonance with the provision of Industrial establishment standing orders Act etc. This is also admitted by the management that the services of the present claimants/workmen were being taken and utilized regularly without any extraordinary break in their continuity of service as contract labours paying them wages in accordance with rate prescribed under the minimum wages Act prevailing at the relevant times. Then also, the management seems to argue for the sake to oppose their claim before a forum of law that they are not workmen as defined and the management of GNCTD is excluded

from the definition of industry as defined the under the Industrial Dispute Act, 1947.

In the above context section 2(j) as amended up to date is being quoted hereunder:

“Industry” means any business, trade, undertaking, manufacture or calling of employers and includes any calling, service, employment, handicraft, or industrial occupation or avocation or workmen;

Likewise the definition of workmen as given under section 2 (s) is quoted hereunder:

“Workman” means any person (including an apprentice) employed in any industry to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether the terms of employment be express or implied, and for the purposes of any proceeding under this act in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with, or as a consequence of, that dispute, or whose dismissal, discharge or retrenchment has led to that dispute, but does not include any such person-

- I. Who is subject to the Air Force Act, 1950 (45 of 1950), or the Army Act, 1950(46 of 1950), or the Navy Act, 1957 (62 of 1957); or*
- II. Who is employed in the police services or as an officer or other employee of a prison; or*
- III. Who is employed mainly in a managerial or administrative capacity; or*
- IV. Who, being employed in a supervisory capacity, draws wages exceeding ten thousand rupees per mensem or exercises, either by the nature of the duties attached to the office or by reason of the powers vested in him, functions, mainly of a managerial nature.*

Historically, the definition of the term “Industry” under the Act is interpreted in the case of **Bangalore Water Supply and Sewerage Board V. A. Rajappa reported in AIR 1978 Supreme Court 845** wherein Hon’ble Supreme Court has given interpretation of the word “Industry” in the widest scope and “Sovereign Functions” within a limited orbit, Industrial adjudication as influenced by the aforesaid precepts and enterprise cannot therefore be excluded from the ambit of the Act merely because of the individual predilection of a judge. A Study of the judgments of the Supreme Court from Banerjee

to Jai Bir Singh brings to the fore a variety of cases where the court had to decide on the questions of ambit of 'Industry' under the Act. The activities which engaged the attention of the court on the issue of 'Industry' were those of municipalities, local bodies, government-run hospitals, educational institutions, liberal professions, clubs, state and central government departments, etc. and inclusive. It is in two parts. The first part lays down that "industry" means any business, trade, undertaking, manufacture or calling of employers" and the second part specifies that it 'includes' any calling service, employment, handicraft or industrial occupation or avocation of workmen." Thus, while the first part defines it from standpoint of the employer, the second part visualizes it from that of the employees. Discussing both these parts, the supreme court, In Madras Gymkhana club employees union V. Gymkhana club, attempted to keep the two notions concerning employers and employees apart and expressed the view that denotation of the term 'industry' is to be found in the first part relating to the employers and the connotation of the term is intended to include the second part relating to workmen. Later on, the court in Safdarjung Hospital V. Kuldip Singh Sethi held that the definition had to be read as a whole and when so read it denoted a collective enterprise in which employers and employees were associated. It did not exist by the employees alone. It existed only when there was a relationship between employers and employees, the former engaged in 'business, trade, undertaking, manufacture or calling of employers' and the latter engaged in 'calling, service employment, handicraft or industrial occupation or avocation'.

In the context of the present matter the issue raised by the management before this court that to the above effect that GNCTD are discharging governmental functions and therefore immune from the definition of industry, Industrial Dispute and application of Industrial Dispute Act over them in strict sense because they are discharging sovereign or legal function. The above issue raised by the management stands answered as it held by the bangalore water supply case (Supra) according to which 'Industry' as define section 2 (j) has wide import (a) Where (i) Systematic activity, (ii) organized by co-operation between employer and employee, (the direct and

substantial element is chimerical) (iii) for the production and/or distribution of goods and services calculated to satisfy human wants and wishes (not spiritual or religions but inclusive of material things or services geared to celestial bliss e.g. making, on a large scale, Prasad or food), Prima facie, there is an 'Industry' in that enterprise.

(b) Absence of profit motive or gainful objective is irrelevant, be the venture in the public, joint private or other sector.

(c) The true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer-employee relations.

(d) If the organization is a trade or business it does not cease to be one because of philanthropy animating the undertaking.

Although Section 2(j) uses words of the widest amplitude in its two limbs their meaning cannot be magnified to overreach itself.

Further the Supreme Court in above case propounded a working principal called a triple test number. (i) There should be systematic activity. (ii) Organized b co-operation between employer or employee. (iii) For the production and/or distribution of goods and services calculated to satisfy human wants and wishes. It is further emphasized that industry does not include spiritual or religions services geared to celestial bliss.

Therefore, the consequences of the decision in the above case are that profession, Clubs, Education Institution, Cooperatives, Research Institutes, Charitable Projects and other Adventures if they fulfill triple test stated above cannot be assumed from the scope of section 2(j) of the Act.

In **state of U.P V. Jai Bir Singh 2017 (3) SCC 311**, it was held that a caveat has to be entered on confining 'Sovereign Functions' to the traditional so described as 'inalienable functions' comparable to those performed by a monarch, a ruler or a non-democratic government. The learned judges in the Bangalore Water Supply a Sewerage Board case seem to have confined only such sovereign functions outside the purview of 'industry' which can be termed

strictly as constitutional functions of three wings of the state i.e., executive, legislature and judiciary. The concept of sovereignty in a constitutional democracy is different from the traditional concept of sovereignty which is confined to 'law and order', 'defense' 'law making' and 'justice dispensation'. In a democracy governed by the Constitutional obligations contained in the Directive Principles of the state policy in part- IV of the Constitution of India. From the point of view, wherever the government undertakes public welfare activities in discharge of its constitutional obligations, as provided in part- IV of the constitutions, such activities should be treated as activities in discharge of sovereign functions falling outside the purview of 'industry'. Whether employees employed in such welfare activities of the government require protection, apart from the constitutional rights conferred on them, may be a subject of separate legislature but for that reason. Such governmental activities cannot be brought within the fold of industrial law by giving an undue expansive and wide meaning to the words used in the definition of industry.

In Union of India V. Raju Kumar Shah and with other similar writ petitions Hon'ble High Court reported in 2020 SCC Online Delhi 370 observed in Para 64 and 65 which are being quoted here under;

Para 64 . The "Predominant nature" test, thereby, stands reiterated, but e even more significant in the reference, by the Supreme Court, the "Defence of the Country, the raising of armed forces, making peace or waging war, foreign affairs, the powers to acquire and retain territory, etc,"Included , within the concluding "etc" in the afore-extracted passage from the judgment of the Supreme Court, would be functions which are similar, in character, to those mentioned earlier, i.e., defence of the country, raising of Armed forces, making peace, waging war, foreign affairs, and the power to acquire and retain territory.

Para 65. Apparently, therefore, only such functions may be regarded as "inalienably sovereign", as could not, constitutionally and at any point of time, ever be delegated to a private authority, as they are incapable of being discharged by private persons. The fact that, in view of the statutory dispensations, existing at a particular point of time, the function is required to be discharged by the Government, or by a governmental authority, would not, ipso facto, be sufficient to Characterize the functions as "Sovereign". Functions such as making peace, waging war, legislation, maintenance of public law and order, and eminent domain and acquisition of territory for public purposes, are constitutionally and

inalienably, sovereign and are incapable of being delegated to any private authority, at any fore cable point of time. Such functions, alone, would be eligible to the regarded as “inalienably sovereign”. So as to justify exemption from the definition of “Industry” in the ID Act.

On the basis of above discussion this tribunal is of opinion opinion that irrespective of its legal functions the GNCTD is discharging some other works which cannot be said inalienable function like the works of the present claimants/workmen were discharging under the direct control and supervision of Competent Authorities, Officers and Employees in various department of GNCTD they are workmen as defined under section 2(s) quoted here in above in preceding Para in relation to the works having been discharged by them and the management is employer as defined in section 2(g) of the Act.

Section 2(g)“employer” means-

- (i) In relation to any industry carried on by or under the authority of any department of [the central Government or a state Government,] the authority prescribed in this behalf, or where no authority is prescribed, the head of the department*
- (ii) In relation to an industry carried on by or on behalf of a local authority, the chief executive officer of that authority;*

Therefore, the pleadings of the parties and evidences on record collectively tend to establish that the management of GNCTD is industry in relation to the work assigned to the present claimants/workmen during their engagement as such from time to time is an ‘Industry’ and there clearly exists relation of employer and employee between management and the claimants under the definition given in the Industrial Dispute Act. Likewise, the claimants undoubtedly come within the ambit of definition of workmen as defined under the Act. Therefore, the dispute as raised before the Conciliation Officer appointed under the Industrial Dispute Act and referred to this tribunal by the appropriate government is prima facie an industrial dispute as defined under section 2(k) of the Act. Section 2(k) is being quoted here under for easy reference;

“Industrial dispute” means any dispute or difference between employers and employers, or between employers and workmen, or between workmen and workmen, which is concerned with the

*employment or non-employment or the terms of employment of
with the conditions of labour, of any person;*

When the claimants/workmen have successfully established the management an industry they are workmen therein and engaged with in their services for a long even then admittedly they were kept as contractual workmen for a considerably long duration, Prima facie they had been subjected to Unfair Labour Practice which is defined under section 2 (ra) .“Unfair Labour Practice” means any of the practices specified in the fifth Schedule;

In the schedule of the Act the unfair labour practice is elaborated

To deny the present claimants claim under the industrial dispute so as to thwart off their prima facie case the management has posed the status of the present claimants illegally and irregularly employed in the various departments of the GNCTD because they were volunteers under the Civil Defence Act for providing call out services in the event of disasters if any in the State of Delhi and for that their services shall be treated as “**NISHKAM SEWA**” if translated to English means” service for no valuable considerations”. Much vehemence is given on the provision of the Civil Defence Act 1968 of which section 2(ab) and section 5 relating to appointment as member of civil defence corps use words “any person” does not qualify such person to be a government servant necessarily it keeps free any person from the public at large who is sprit fully volunteer themselves to contribute their services without any expectation to be paid in lieu their of. The management has remained unsuccessful in establishing that in lieu of they being a volunteer in civil defence were given appointment in various departments of GNCTD. Management in arguments and written submission has also admitted that a person to be eligible for enrollment as volunteer may be professing personally business, serving in private establishment or government service are involved in any other activities who is willing and ready to volunteer himself in case of any disaster. Disaster like Firefighting, Flood management, Earthquake Management and in exercise of right to Self Defence of himself or of any other’s person or property. It means that the present employment of the claimants in various department of GNCTD has no material connection with ending their

call out duty as volunteer in civil defence. The management has clearly admitted that the total no of 1,75,000 persons are enrolled as volunteers in Civil Defence. Only some of them to say a nominal percentage of them about 10% are working in the various departments of GNCTD. It clearly means that a government employee/workmen or any individual from the different field of life activities may be a volunteer in the Civil Defence Corps but inverse is not possible that every person who is in government service is necessarily be treated as volunteer unless he himself opted to be enrolled as such in civil defence corp. it is therefore established that ending the call out services as volunteer in civil defence will automatically not enough to end the services of such volunteer if he is in service of government in absence of law and rules in this regard. iwith an employment in the government department. Therefore, if call out services under the Civil Defence Act is terminated by the Civil Defence Authorities prima facie it would not have effect on the status of a volunteer as employee or workmen of a department in GNCTD.

The plea of claimants being a volunteer under the Civil Defence Act and therefore, they have no right to demand regularization in services in their department the management of GNCTD seems to be a veil to cover the act of illegally terminating the services of present claimants/workmen and also to avoid the consequences of their act of Unfair Labour Practice.

The dispute as to the regularization was raised before the management but when they did not pay heed and whisper threats to terminate the services the same was raised before the conciliation officer on The Conciliation Officer in the matter restrain the management not to disturb in continuous in service of the workmen till the adjudication of the dispute even when the workmen apprehended that the management is going to terminate the services in GNCTD departments in the garb of termination of call out services in Civil Defence they immediately restup to the high court. Hon'ble high court also restrained the GNCTD for not precipitating the services of workmen till the final decision over the industrial dispute the management cleverly enough stopped taking the work from the present workmen and even published and advertisement

to fill up vacancies expected to be all vacant from ousting the present claimants from their services. Their apprehension of the claimants/workmen is reasonable and their expectation from the tribunal to direct management for claimant of their wages is lawful and they are entitled to get such relief from this tribunal. The prima facie case of the claimants/workmen is fully established.

Irreparable loss the workmen/claimants who were depending on their wages for feeding their families and to discharge their liabilities in day to day life as they were in various department of GNCTD who were utilizing their services since long for more than one and two decades as the case may be were all of sudden without their fault stopped from discharging their duties assigned to them and from getting their wages in view of their valuable services. Loss of means of livelihood is an irreparable loss .

Balance of convenience-The plea of management that there is no vacancy and sanctioned post with regard to the work of present claimant/workmen said to be discharged in the various department of GNCTD and there is no financial approval there for , stands belied by recent action of the GNCTD itself as they have published an advertisement for recruitment of suitable persons on the posts upon which the present claimants/workmen were working. The management has not explained and presented the rules, regulation or standing order if any before the tribunal to show how the workmen/claimants were engaged in the services of the management without prior prior sanction of government and availability of budget. They have also not cited incident of any unlawful activities on the part of present workmen/claimant nor they have stated what action has been taken by them against such officer of the management who had employed claimants/workmen for such a extraordinary long period of one or two decades. Therefore, irreparable loss occasioned to the workmen/ claimants by the act of management but the management itself is not going to suffer, if the workmen/claimants are retained in service till the final adjudication of the dispute.

The Tribunal is of opinion that the three essential ingredients for grant of interim relief in the circumstances of the case both in the nature of prohibition as well as mandatory direction are well established as against the case of claimant/workmen set forth in their application against the move of

management of taking fresh hands in place of the workmen as they had issued a tender for engaging fresh hands .

Injunction and direction as interim order

There is no doubt, that the management being appointing authority is competent to terminate the service of the workmen, but subject to compliance of the law and the procedure prescribed under the industrial dispute Act. Under section 25 (F), a retrenchment as defined in section 2(oo) of the Act amounts to termination of service but Inverse is not true. Every termination of service by the management is not retrenchment of the workmen permissible under the industrial dispute Act.

It is not the case of the management that the services of the claimants as workmen was time bound for any project work bound to be terminated with the completion of the work.

It is also not the case of the management that they terminated the services of the workmen on any other ground like misconduct or their inability to discharge the duties assigned to them. The case put up before the tribunal on behalf of the management with regard to the ending the call out duties of a volunteer under the Civil Defence Act, 1968, but how and in what manner the end of call out duties of a volunteer who is also an employee in department of management is materially connected affecting the adversely present workmen/claimants in termination of their services also.

The claim of regularizations which is to be adjudicated after taking oral documentary evidences on record with regard to the nature of the appointment/engagement of the workmen, in various departments of the management continuation of their services, utilisation of their service by management, the standing orders governing the engagement and its engagement of workmen concerned as well as alleged termination of service of workmen concerned by management. With the subject of final award, the complaint under section 33 is also to be decided on the basis of evidences placed and brought on record by the parties to the industrial dispute. In both the matters the essence of the subject matter is the continuity of service. After raising of the dispute before the Conciliation Officer, section 33 of Industrial Dispute Act comes into operation which mandatorily restricted the management from terminating the services of workmen without prior permission of the concerned authority or tribunal.

In view of the above ***Jaipur Zila Sarkari Bhumi Vikas Bank Vs. Ram Gopal Sharma. AIR 1994 (6) SCC 522***, the constitution bench of the Hon'ble Supreme Court held the matter that if the prior approval is not granted under section (2b) of the Industrial Dispute 1947, the order of dismissal becomes ineffective from the date it was passed or from the date of non-approval of the order of dismissal and want of approval under section 33 (2) (B) renders the order of dismissal ineffective.

Alleged termination of services of workmen concerned is ineffective and inoperative, the same shall be treated as if the same was not passed at all. Therefore, the tribunal hereby restrains the management GNCTD from divesting the workmen concerned from their wages equal to and the rate of wages lastly disbursed by the management to them and also the management is further directed to keep reserved the vacancies for the present workmen/claimants during the pendency of the present Industrial Dispute and complaint under section 33 moved therein.

The office is directed to send the copy of the order in due procedure of law under section 17 A for compliance and further action

Schedule

Detailed chart of claimant/workmen in various Industrial Dispute cases referred hereinabove at the top of the order are:-

ID no. 287/ 2023

Sr. No.	Name / Father's Name	Designation
1.	Akash Verma S/o Sh. Sanjay Verma	Attendant
2.	Sanjeev Kumar S/o Sh. Brahm Pal	Attendant
3.	Sourav Kumar S/o Sh. Rajender Kumar	Attendant
4.	Anil Kumar S/o Sh. Satyapal Singh	Attendant
5.	Bijender S/o Sh. Jai Prakash Sharma	Attendant
6.	Manoj Kumar S/o Sh. Naresh Kumar	Attendant
7.	Harish S/o Sh. Rajendra Kumar	Attendant
8.	Javed Ali S/o Sh. Shafaqqat Ali	Attendant

9.	Kunal Dutt Sharma S/o Sh. Om Prakash Sharma	Attendant
10.	Mujahid Ali S/o Sh. Islamuddin	Attendant
11.	Munesh W/o Sh. Manoj Kumar D/o Mahender Singh	Attendant
12.	Neeraj S/o Sh. Ram Sajan	Attendant
13.	Nishi Kant Sharma S/o Sh. Mool Chand Sharma	Attendant
14.	Parvinder Kumar S/o Sh. Mehak Singh	Attendant
15.	Pradeep Kumar S/o Sh. Mahesh Chand	Attendant
16.	Rajender Kumar S/o Sh. Balbir Singh	Attendant
17.	Rama Shankar S/o Sh. Uday Raj	Attendant
18.	Sachin Panchal S/o Sh. Om Pal Singh Panchal	Attendant
19.	Sanghmitra W/o Sh. Inder Prakash	Attendant
20.	Sandeep S/o Sh. Surendra	Attendant
21.	Sharda D/o Sh. Vinod Kumar	Attendant
22.	Vinod Kumar S/o Sh. Ram Preet	Attendant
23.	Satyawati W/o Sh. William Jacob	Attendant
24.	Yoginder S/o Sh. Brij Mohan	Attendant
25.	Krishan Bharti S/o Sh. Inder Jeet	Attendant
26.	Suraj Prakash S/o Sh. Chiranji Lal	Attendant
27.	Ankit Panchal S/o Sh. Prem Chand Panchal	Attendant
28.	Sh. Alok Kumar S/o Sh. R.K. Srivastava	Attendant

ID no. 288/ 2023

Sr. No.	Name / Father's Name	Designation
1	Tarun Kumar S/o Late Sh. Mange Ram	Computer Operator / ADM Court Reader
2.	Sh. Vishal Tiwari S/o Sh. Rakesh Kumar Tiwari	Data Entry Operator
3.	Sh. Shyam Sunder S/o Late Sh. Mange Ram	MTS-Cum Diary Dispatcher
4.	Sh. Vijay Kant S/o Sh. Hans Nath Chaturvedi	Diary Dispatcher
5.	Anjali Sharma W/o Sh. Kamalkant	Data Entry Operator
6.	Sh. Lokesh Sharma S/o Late Sh. Suraj Bhan Sharma	Computer Operator / Court Reader

7.	Sh. Rahul Tank S/o Sh. Vijay Pal	Data Entry Operator
8.	Manjay Kumar S/o Sh. Ram Daras	Computer Operator / Court Reader
9.	Sh. Abhishek Singh S/o Sh. Sudhir Kumar	Driver
10.	Sh. Pankaj S/o Late Sh. Rajbir Singh	Driver
11.	Sh. Manoranjan Panda S/o Sh. Bhawani Shanker Pandan	MTS
12.	Sh. Mahendra Singh S/o Late Sh. Mool Chand	Driver
13.	Sh. Anuj S/o Sh. Dharamveer Singh	MTS
14.	Sh. Satya Pal Singh S/o Sh. Harish Chand	MTS / Court Attendant
15.	Sh. Mohit Tripathi S/o Sh. Ram Pal Tripathi	MTS
16.	Sh. Satya Prakash Sharma S/o Sh. Radhey Shyam Sharma	Data Entry Operator
17.	Ms. Harsh Lata D/o Late Sh. Paras Nath	Data Entry Operator
18.	Sh. Sachin Sharma S/o Sh. Sandeep Sharma	Driver
19.	Smt. Sakshi W/o Sh. Kunal Nagpal	MTS
20.	Ms. Lalita D/o Sh. Mahesh Chand	Data Entry Operator
21.	Ms. Meenu D/o Sh. Ram Veer Singh	Data Entry Operator
22.	Sh. Akash Verma S/o Late Sh. Kuldeep Verma	Data Entry Operator
23.	Sh. Rohit S/o Sh. Satya Pal Singh	Data Entry Operator
24.	Sh. S.B.R. Zaidi S/o Sh. Asgar Zaidi	Data Entry Operator
25.	Sh. Ashish Kumar S/o Sh. Naresh Pal	Security Guard
26.	Shrawan Mehta S/o Late Sh. Nand Kishore Mehta	Data Entry Operator
27.	Sh. Devender Kumar S/o Late Sh. K.D. Pandey	Driver
28.	Sh. Ranjeet Kumar Poddar S/o Sh. Bhola Poddar	MTS
29.	Sh. Varun Kumar S/o Sh. Babu Lal	MTS
30.	Ms. Pooja D/o Sh. Prem Singh	Data Entry Operator
31.	Sh. Teetu S/o Sh. Perm Swaroop	Driver
32.	Sh. Rahul S/o Sh. Dulare Ram	Data Entry Operator
33.	Firoz Khan S/o Sh. Nasir Khan	Data Entry Operator
34.	Sh. Hari Om S/o Sh. Veer Singh	Data Entry Operator
35.	Ms. Aakriti D/o Sh. Krishan Kant Sharma	Data Entry Operator

36.	Sh. Ishwar Singh S/o Late Sh. Hemraj	EOC Operator
37.	Sh. Shubham Sharma S/o Sh. Shashi Kant Sharma	EOC Operator
38.	Sh. Abhishek S/o Sh. Surender Singh	Driver
39.	Sh. Raj Kumar S/o Late Sh. Jagat Singh	EOC Operator

ID no. 285/ 2023

S No.	Name / Father's Name	Designation
1.	Sh. Dheeraj Tiwari S/o Late Sh. Joginder Tiwari	Data Entry Operator
2.	Sh. Paras Jindal S/o Late Sh. Pawan Jindal	Reader to SDM
3.	Sh. Manoj Sharma S/o Late Sh. Khacheru Lal Sharma	Driver
4.	Sh. Tarun Kumar Anand S/o Sh. Tilak Raj	Data Entry Operator
5.	Sh. Nikhil Sharma S/o Late Sh. Jagdish	Driver
6.	Sh. Harshit Sharma S/o Late Sh. Jagdish	Driver in DDMA
7.	Sh. Sumit Arora S/o Late Sh. Joginder Lal Arora	Driver

ID no. 286/ 2023

Sr. no.	Name / father & Husband Name	Designation
1.	Sh. Rohit Pal S/o Sh. Dharam Pal	Data Entry Operator
2.	Sh. Satish Kumar S/o Sh. Gokul Prasad	Data Entry Operator
3.	Mohd. Sajid S/o Abdul Wahab	Data Entry Operator
4.	Sh. Amit Dhanked S/o Sh. Raj Kumar Dhanked	EOC Operator
5.	Sh. Amit Kumar Panwar S/o Sh. Suresh Kumar	EOC Operator
6.	Sh. Hari Om Chauhan S/o Sh. Ram Chander Chauhan	Data Entry Operator
7.	Sh. Bhaskar Diwakar S/o Sh. Maharaj Singh Diwakar	Diary Dispatcher / MTS
8.	Sh. Rohit S/o Sh. Jai Prakash	Diary Dispatcher / Clerical Work
9.	Sh. Keshav Aggrawal S/o Sh. Ramesh Prasad Aggrawal	P.S.O. / MTS
10.	Sh. Ashutosh S/o Sh. Suresh Pal	Diary Dispatcher / Peon Work
11.	Sh. Mukesh Kumar S/o Late Sh. Kishan Chand	EOC Operator

12.	Sh. Tejpal Singh Yadav S/o Sh. Amichand Yadav	Driver
13.	Sh. Omkar Singh S/o Sh. Ram Kishan	DDMA Rescuer
14.	Sh. Ritesh Ralhan S/o Late Sh. Anil Ralhan	Driver / MTS

ID no. 290/ 2023

Sr. No.	Name/ Father's Name	Designation
1.	Sh. Shashank Sharma S/o Sh. Satya Prakash Sharma	Data Entry Operator / EOC Operator (DDMA)
2.	Sh. Ajay Singhal S/o Late Sh. Om Prakash	Driver / P.S.O
3.	Smt. Madhu Singhal W/o Sh. Ajay Singhal	Data Entry Operator
4.	Sh. Mukesh Kumar S/o Sh. Ram Prakash	Driver / P.S.O
5.	Sh. Nitin Kumar S/o Sh. Rajesh Kumar	Driver / P.S.O
6.	Ms. Sheelu D/o Sh. Nepal Singh	Data Entry Operator
7.	Ms. Deeksha Sehgal D/o Anil Sehgal	Data Entry Operator
8.	Shuhaib S/o Abdul Samad	Data Entry Operator
9.	Sh. Alakh Kumar Kushvaha S/o Sh. Pramod Kumar Mahto	Data Entry Operator / EOC Operator (DDMA)
10.	Sh. Arbind Kumar S/o Sh. Rajbir Singh	Driver / PSO
11.	Sh. Devender Kumar S/o Sh. Chet Ram	Driver / EOC Operator (DDMA)
12.	Ms. Kalpana D/o Sh. Tapan Sarkar	Data Entry Operator

ID no. 250/ 2023

Sr. No.	Name / Father's Name	Designation
1.	Mujahid Ali S/o Islamuddin	P.S.O
2.	Mohd. Farman S/o Mohd. Yusuf	All Dak Distribution (internal and external)
3.	Vaseem Ahmed S/o Muqeem Ahmed	Driver
4.	Smt. Sonam D/o Sh. Dinesh Mavi	D.E.O
5.	Mohd. Sarwer Khan S/o Mashkooor Ahmed Khan	Driver
6.	Saddam Ali S/o Mohd. Saiyed Ali	Security Guard (Main Gate)
7.	Sh. Deepak Kumar S/o Sh. Ranjeet	M.T.S
8.	Sh. Deepak S/o Rajender	P.S.O

9.	Sh. Pradeep Kumar S/o Neem Bahadur	D.E.O
10.	Sh. Sandeep Kumar S/o Neem Bahadur	Security Guard (Main Gate)

ID no. 248/ 2023

Sr. No.	Name / Father's Name	Designation
1	Sh. Jitender S/o Sh. Jagmohan	CDV
2	Asif Ali Ansari S/o Wahid Ali Ansari	CDV
3	Smt. Bharti W/o Sh. Bhupender Kumar	CDV
4	Sh. Narendra Kumar S/o Sh. Om Prakash	CDV
5	Sh. Rajender Kumar Chauhan S/o Sh. Pati Ram	CDV
6	Sh. Jagat Ram S/o Sh. Anop Ram	CDV
7	Sh. Amitesh Kumar S/o Sh. Vijay Verma	CDV
8	Sh. Rohit S/o Sh. Lakhan Singh	CDV
9	Sh. Inderjeet Meena S/o Sh. Subhash Chand	CDV
10	Sh. Sunil Kumar S/o Sh. Narender Kumar	CDV
11	Sh. Tanesh Kumar S/o Sh. Ram Vilas	CDV
12	Sh. Upender S/o Sh. Shith Raj Kanojia	CDV

ID no. 283/ 2023

Sr. No.	Name / Father's Name	Designation
1.	Sh. Kawar Muninder Singh S/o Late Sh. Ashok Singh	Dak Dispatch / Dairy & File Movement
2.	Ms. Nisha Verma D/o Sh. Manoj Kumar Verma	Dak Dispatch / Dairy & MTS
3.	Sh. Raj Kumar S/o Late Sh. Gama Prasad	Driver

ID no. 289/ 2023

Sr. No.	Namen / Father's Name	Designation
1.	Sh. Gopal Pandey S/o Sh. Paras Pandey	Marriage Registration
2.	Salman Khan S/o Raseed	Driver
3.	Sh. Lokesh Tomer S/o Sh. Sube Singh	D.D.M.A. (Q.R.V)
4.	Sh. Amar Singh Sawle S/o Sh. Sukhdev Rao	Driver
5.	Sh. Lalit S/o Sh. Surender Singh	E.O.C. Operator
6.	Sh. Nafeesur Rehman S/o Abdul Hameed	Driver

7.	Sh. Vikal S/o Sh. Ramdhan Singh	Driver
8.	Riyaz S/o Nizamuddin	E.O.C. Operator
9.	Sh. Manish Kumar S/o Sh. Jhullan Prasad	Driver
10.	Riyazuddin S/o Munne Khan	Data Entry Operator
11.	Pradeep Kumar S/o Sh. Amar Singh	Data Entry Operator
12.	Sh. Ravi Kumar S/o Sh. Prakash Chand	Dispatch Rider
13.	Sh. Rajnish S/o Sh. Jai Shankar	MTS
14.	Sh. Amit Kumar Sharma S/o Late Sh. Dhanpat Sharma	Dispatch Rider
15.	Sh. Gautam Vishwas S/o Late Sh. Gopi Chand	Data Entry Operator
16.	Sh. Amrit S/o Sh. Rajesh	Data Entry Operator, Dispatch Rider

ID no. 247/ 2023

Sr. No.	Name / Father's Name	Designation
1.	Sh. Ardhendau Kumar Singh S/o Sh. Kameshwar Singh	Personal Staff (SDM H.Q)
2.	Sh. Gulshan Kharbanda S/o sh. Sohanlal	P.S.O Cum Driver
3.	Sh. Deepak Kumar S/o Sh. Arun Kumar	Personal Staff (SDM H.Q)
.	Sh. Vinod Kumar S/o sh. Bhagwan Dass	Store Keeper
5.	Sh. Mohit S/o Sh. Ombir	DEO
6.	Ms. Kiran Kumari D/o Sh. Achhender Singh	Daak / DEO
7.	Ms. Rashmi D/o Rajesh Kumar	DEO
8.	Sh. Ashok Ghoswami S/o Sh. Ramayan Ghoswami	PSO
9.	Ms. Neelam D/o Sh. Binda Prasad	DEO
10.	Sh. Swaraj S/o Sh. Prem Lal	Revenue Court Cases / EWS
11.	Smt. Santosh Devi W/o Late Sh. Santosh Kumar	SDM Daak Dispatcher
12.	Ms. Anjlana Lovely W/o Late Sh. Anil Kumar	Daak Dispatcher
13.	Sh. Vinod Shishodiya S/o Sh. Moti Lal	DEO
14.	Sh. Lalit Sharma S/o Sh. Deva Nand Sharma	PSO
15.	Sh. Amarjeet S/o Sh. Prem Sagar	DEO

16.	Sh. Rajender Singh S/o Sh. Prem Sagar	PSO
17.	Arshad Hussain S/o Ahmad Hussain	Driver
18.	Sh. Lalit Kumar S/o Sh. Hawa Vir Singh	PSO
19.	Sh. Lakshay Chauhan S/o Sh. Vishnu Chauhan	Personal Staff
20.	Sh. Rajan Kumar S/o Sh. Kameshwar Singh	DEO
21.	Sh. Amit Kumar S/o Sh. Inder Sain	DEO
22.	Sh. Sunil Dhakar S/o Sh. Mohan Lal	R.T.I. Dealing Assistant
23.	Sh. Ashok Kumar S/o Sh. Mohan Lal	Office Assistant
24.	Sh. Ranu S/o Sh. Rajender Kumar	MTS
25.	Firoz Khan S/o Babu Khan	Driver
26.	Sh. Amit Kumar S/o sh. Raj Kumar Singh	DEO
27.	Mohd. Shamim S/o Mohd. Habib	Driver
28.	Deepak Dagar S/o Sh. Mahavir Dagar	QRT Operator
29.	Sh. Manoj Kumar S/o Sh. Radhey Shyam	Daily Assistant of Recovery
30.	Mohd. Ashfaq S/o Late Waris Ali	EOC Operator
31.	Sh. Vikash Kumar S/o Late Sh. Ram Ashish	DEO
32.	Mohd. Shamim S/o Mohd. Jaseem	DEO
33.	Sh. Pravin Kumar S/o Sh. Sushil Kumar	DEO
34.	Sh. Mahesh Jogi S/o Sh. Bhartu Jogi	DEO
35.	Sh. Dashrath Prasad S/o Sh. Marai Ram	Daak Dealing Assistant
36.	Sh. Nitin Sharma S/o sh. Om Prakash	Clerk
37.	Sh. Dharmender S/o Sh. Krishan Lal	DEO
38.	Sh. Ghanshyam S/o Sh. Puran Lal	DEO
39.	Sh. Harish Kumar Bhardwaj S/o Sh. Shiv Kumar Bhardwaj	DEO
40.	Sh. Raja Babu S/o Sh. Dukhi Paswan	DEO
41.	Sh. Nikhil Kumar S/o Sh. Tara Chand	DEO

ID no. 245/ 2023

Sr. No.	Name / Father's Name	Designation
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1.	Mohd. Sajid S/o Mohd. Sameuddin	Data Entry Operator
2.	Sh. Ganesh Kumar S/o Sh. Girraj Singh	Data Entry Operator
3.	Sh. Ashok Kumar Yadav S/o Late Sh. Bharat Singh Yadav	Security (Main Gate)
4.	Smt. Varsha Kashyap W/o Sh. Malkhan Singh	MTS
5.	Smt. Shilpi Goswami W/o Sh. Ashwani Bharati	Data Entry Operator
6.	Smt. Anjali W/o Sh. Nishant Kumar	Data Entry Operator
7.	Ms. Jyoti Mathur D/o Sh. Munesh Kumar	Data Entry Operator
8.	Mohd. Sharique S/o Mohd. Shafi	Dairy Dispatcher/ Clerical Work
9.	Shahabuddin S/o Shokat Ali	MTS
10.	Smt. Meena Sharma W/o Late Sh. Sunil Sharma	Data Entry Operator
11.	Imran Khan S/o Aslam Khan	Dairy Dispatcher/Clerical Work
12.	Sh. Hari Om Pandey S/o Sh. Suresh Chandra Pandey	Driver
13.	Noved Khan S/o Ummed Khan	QRV Driver
14.	Sh. Rakesh Tripathi S/o Sh. Surendra Nath Tripathi	Driver
15.	Sh. Amit Kumar S/o Sh. Pawan Kumar	Security Guard
16.	Sh. Anuj Kumar S/o Sh. Shyam Sundar	Data Entry Operator
17.	Sh. Kaushal Sharma S/o Sh. Shripal Sharma	Driver

ID no. 221/ 2023

Sr. No.	Name/ Father's Name	Designation
1.	Sh. Praveen Tyagi S/o Sh. Onkar Singh	EOC Operator
2	Sh. Arun Kumar S/o Sh. Suraj Pal	QRV Driver

ID NO. 249/ 2023

Sr. No.	Name / Father's Name	Designation
1.	Smt. Asha Devi Arya W/o Sh. Kundan Arya	MTS
2.	Sh. Sumit S/o Sh. Sunder	QRT Driver

Sr. No.	Name / Father's Name	ID No.	Designation
1.	Sh. Parshant Kumar S/o Late Sh. Gopi Chand	246/ 2023	MTS/ Peon
2.	Sh. Sajjan Kumar S/o Sh. Ajit Kumar	284/ 2023	Driver
3.	Sh. Sumit S/o Sh. Raj Kumar	323/ 2023	Data Entry Operator

Justice Vikas Kunvar Srivastava (Retd.)
(Presiding Officer)

19.03.2024
Sudha Jain
Ashish