

**THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR COURT DELHI - 1,
NEW DELHI.**

ID No. 17/2019

The Secretary,
MCD General Mazdoor Union,
Room No. 95, Barrack No. 1/10, Jamnagar House,
Shahjahan Road,
New Delhi-110011.

Workman...

Versus

The Commissioner,
East Delhi Municipal Corporation,
Udyog Sadan, Near Patparganj, Shahdara,
Delhi-110092.

Management...

AWARD

In the present case, a reference was received from the appropriate Government vide letter No-L-42011/150/2016-IR(DU)) dated 17.02.2018 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

The Schedule

“Whether the action of Management of East Delhi Municipal corporation is justified in imposing the penalty of reduction of two stages in time scale of pay for a period of three years along with the effect of postponing future increments imposed upon the disputant workman Sh. Surinder and further the retention of 50% amount during the suspension period wef 15.07.1992 to 18.08.1993 is fair, just & legal? If not, to what benefits the disputant workman is entitled to?”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Claim statement was filed on behalf of the claimant.

3. Thereafter, none appeared on behalf of the claimant nor his A/R appeared despite providing a number of opportunities, claimant have not appeared to substantiate his claim.

4. Since the workman has neither put in his appearance nor he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a 'No Dispute/Claim' award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

Justice Vikas Kunvar Srivastava
Retired Judge, Allahabad High Court
Presiding Officer

Date: 17.10.2024