

Item No.1                      Rajesh Kumar Jha V/s M/s GAIL (India) Ltd. & Ors.  
ID No. 174/2025  
11.11.2025

Present:      Sh. Kumar Anshuman, A/R alongwith the Claimant.

Fresh case is filed u/s 2A of the ID Act for adjudication. I have gone through the contents of claim petition. However, in this case, the workman herein is a supervisor. Definition of a workman as mentioned in section 2(s) of the ID Act is reproduced here:

***2 [(s) “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 service 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 3 [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.]***

In order to invoke the jurisdiction of this court, the claimant has to take his case within the definition of workmen. Clause 4 of Section 2 specifically excluded supervisor from the definition of workmen if he has drawn salary of more than Rs.10,000/- per month. Claimant herein, claims to be supervisor

having drawn salary of Rs.26,728/- per month. Hence, applicant is excluded from the definition of workmen. Therefore, his claim does not lie in this Tribunal. Hence, the claim stands dismissed. File be consigned to record room.

(Presiding Officer)

11 .11.2025