

**THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,**  
**JABALPUR**

**NO. CGIT/LC/R/15/2020**

**Present: P.K.Srivastava**

**H.J.S..(Retd)**

**Shri Dilip Singh Jhalal,  
S/o Shri Ram Singh Jhalal,  
168, Ganesh Nagar ke pass,  
Bilvali, Indore (M.P.) – 452001**

**Workman since died.**

**He was represented by his legal representatives-**

- 1. Smt. Narmada Jhala,  
W/o Late Dilip Jhala,  
R/o 4, Khadva Naka,  
Ganesh Nagar, Bilawali,  
Indore (M.P) – 452001**
- 2. Nikita Jhala,  
D/o Late Dilip Jhala,  
R/o 4, Khadva Naka,  
Ganesh Nagar, Bilawali,  
Indore (M.P) – 452001**
- 3. Veerendra Jhala,  
W/o Late Dilip Jhala,  
R/o 4, Khadva Naka,  
Ganesh Nagar, Bilawali,  
Indore (M.P) – 452001**



**Workman**

**Versues**

- 1. M/s.PrimeOne Workforce Pvt. Ltd..  
R-47, Zone-II, M.P. Nagar,  
Bhopal (Madhya Pradesh)-462 011.**
- 2. M/s.Kaapro Management Solutions Pvt. Ltd.,  
201, Royal Diamond, Y.N. Road,  
Indore (Madhya Pradesh) - 452 003.**
- 3. Registrar,  
Indian Institute of Technology,  
DAVV Campus, Khandwa Road,  
Indore (Madhya Pradesh)-452 017.**

**Management**

**(AWARD)****(Passed on this 06<sup>th</sup> day of February, 2026)**

As per letter dated 05/02/2020 by the Government of India, Ministry of Labour, New Delhi, the reference is made to this Tribunal under Section-10 of Industrial Disputes Act, 1947 (in short the 'Act') as per Notification No. **J-1(1-10)/2020-IR** dt. 05/02/2020. The dispute under reference relates to:

***"Whether the action of the management of M/s PrimeOne Workforce Pvt. Ltd. and M/s. Kaapro Management Solutions Pvt. Ltd. in terminating the services of the workman Shri Dilip Singh Jhala S/o Shri Ram Singh Jhala working in the establishments of Registrar, Indian Institute of Technology, Indore (M.P.) w.e.f. 16.02.2018 and 28.04.2016 respectively are just & proper? If yes, what relief the Workman concerned is entitled to and from which date?"***

The said reference was modified vide order No. J-1(1-10)/2020-IR dated 05.02.2020 as follows-

***"Whether the action of the management of the Registrar, Indian Institute of Technology (IIT), Indore (M.P.) / M/s.PrimeOne Pvt. Ltd. and M/s. Kaapro Management Solutions Pvt. Ltd. in terminating the services of workman Shri Dilip Singh Jhala S/o Shri Ram Singh Jhala working in the establishment of Registrar, Indian Institute of Technology, Indore (M.P.) w.e.f. 16.02.2018 and 13.04.2016 respectively, are just and proper? If yes, what relief the workman concerned is entitled to and from which date?"***

**Case of the workman** side is that, the Institute published an advertisement for engagement of Drivers, Clerks etc. by way of walk in interview and the workman Dilip Singh Jhala (now deceased) represented through his legal representatives, appeared for interview. He was selected and was appointed with the Institute at Driver. Later on he came to know that his engagement was shown as a contract employee of M/s Kaapro Management Solution Limited which is a camouflage adopted by the Institute just to deny the workman his legal claims. There was no mention in the advertisement that the appointment shall be made through the private company. The workman has been working with the Institute and has been discharging the work of same nature done by his regular counterparts. Since, 2016 another outsourcing agency M/s Prime One Workforce Limited was shown as Outsourcing Agency and the appointment of the workman was

shown through that outsourcing agency by way of a fresh appointment letter extended from time to time lastly renewed from 16.04.2017 to 15.04.2018. The Workman was disengaged vide order of the contractor M/s Prime One Workforce Limited w.e.f. 16.02.2018 on the ground that the Contract with the institute has come to an end. According to the workman he was engaged in a work of permanent and perennial nature, the contractors were camouflage. His engagement is thus against Section 25F and 25G as well Rules 77 of ID Central Rules, 1957. The workman side has prayed that he be reinstated with back wages and benefits.

**Notices** were issued to the Management. None appeared from their side in spite of service. No written statement of defense was filed. After the reference, the Workman died and at present he is represented by his legal representatives.

**In evidence**, the Workman filed his affidavit as his examination in chief. There is no cross examination from the side of any Management.

**I have heard** ex-parte argument of Learned Counsel for the Workman Mr. Pranay Choubey and have been gone through the record.

**As it comes out** from the perusal of record the workman died and there is no question of his reinstatement. It is his case that appointment letters were issued by the Outsourcing Agency and last appointment letter dated 15.02.2016 effective from 16.02.2016. In absence of any evidence in rebuttal the case of Workman to the extent that he was appointed by Outsourcing Agency and worked for 240 days at least in the year preceding date of his termination by the outsourcing agency M/s Prime One Workforce limited is held proved on the basis of his uncontroverted affidavit. Since, it is ascertain that he was paid no notice pay or compensation hence, his disengagement is in violation of 25G of the Act.

***As regards to relief, in view of the facts and circumstances of the case in hand, a lump sum amount of Rs. 50,000/- (Rupees Fifty Thousand) in lieu of all the rights will meet the end of justice in the case in hand to which the workman is held entitled to recover from M/s Prime One Workforce Limited.***

The reference stands answered accordingly.

**AWARD**

***Holding the action of the management of the Registrar, Indian Institute of Technology (IIT), Indore (M.P.) / M/s. PrimeOne Pvt. Ltd. and M/s. Kaapro Management Solutions Pvt. Ltd. in terminating the services of workman Shri Dilip Singh Jhala S/o Shri Ram Singh Jhala (now deceased) working in the establishment of Registrar, Indian Institute of Technology, Indore (M.P.) w.e.f. 16.02.2018 and 13.04.2016 is held unjust and illegal.***

***A lump sum amount of Rs. 50,000/- (Rupees Fifty Thousand) in lieu of all the rights will meet the end of justice in the case in hand to which the legal representatives of the workman are held entitled to recover from M/s Prime One Workforce Limited.***

**DATE:- 06.02.2026**

**(P.K.SRIVASTAVA)  
PRESIDING OFFICER**

