

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
NO.2, MUMBAI**

PRESENT
SHYAM S. GARG
Presiding Officer

REFERENCE NO.CGIT-2/21 of 2019

EMPLOYERS IN RELATION TO THE MANAGEMENT OF

1. RASHTRIYA CHEMICALS AND FERTILIZERS

The Executive Director-HR
M/s. Rashtriya Chemical and Fertilizers
Administrative Building
Chembur, Mumbai-400 074.

2. SHREE DATTA TRAVELS

The Proprietor
M/s. Shree Datta Travels
A/54, Amar Vikas Mandal
Plot no.10, Behind Municipal School,
Sewri X Road, Wadala
Mumbai 400 031

3. M/s. NEW WAY TRAVELS

The Proprietor
M/s. New Way Travels
Shop No.7, Bldg. No.4/7,
Near Vidyamandir School,
Tagore Nagar, Vikhroli East,
Mumbai 400 083.

**AND
THEIR WORKMEN.**

The Vice President
Raigad Shramik Aekata Sangh
House No.36, Shop No.01
At Post Navade, Tal. Panvel
Raigad (Maharashtra) 410 208.

APPEARANCES:

FOR THE EMPLOYERS(1) : Mr. Medhas Nambiar
Advocates i/b The Law Point.
EMPLOYER (2) : No appearance.

EMPLOYER (3) : No appearance
FOR THE UNION : No appearance

Mumbai, dated the 3rd January, 2022.

AWARD

The Government of India, Ministry of Labour & Employment by its Order No.L-42011/37/2018-IR (DU), dated 07.03.2019 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2 (A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following industrial dispute to this Tribunal for adjudication:

“Whether the action of the management of the RCF Ltd. (Principal Employer) and M/s. Shri Datta Travels, (Contractors) and M/s. New Way Travels (Contractors) in terminating the services of workmen namely Shri Sachin R. Garud & 04 others (as per list enclosed) w.e.f. 4.8.2016 who were working as drivers w.e.f. Jan-2011, March-2010, June – 2010 and June – 2011 is legal and justified? If not, what relief to this workmen are entitled to ?”

1. Shri Sachin Ramesh Garud
2. Shri Gautam Shamrao Suman
3. Shri Siddarth Sanjay Shinde
4. Shri Ashok Dilip Gaikwad
5. Shri Mohammed Shahid

2. After receipt of the reference, both parties were served with notice. Mr. Medhas Nambiar for Management No.1 present. Management 2 & 3 absent. Union absent.

3. Management file an application Ex.6 with the prayer that union did not appear before this court even repeatedly issue summons / notice by this court according to him reference is pending from May 2019. On the perusal of the record it appears that this reference received on 25.3.19 and this tribunal issued notice to the union on 3.4.19 and 27.7.21 acknowledgement of the notices also on record. It shows that which is return to this tribunal on 18.8.21. Nobody appeared on behalf of union.

4. It is also appears that union and worker are not interested to prosecute this matter. So Ex.6 is allowed and this reference is dismissed as default and reference answered is negative and workers are not entitled for relief. Hence the order:

ORDER

Reference answered in negative against the workmen. Workmen are not entitled to any relief.

Date: 03.01.2022

Sd/-
(Shyam S. Garg)
Presiding Officer
CGIT-2, Mumbai