

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

PRESENT
SHYAM S. GARG
Presiding Officer

REFERENCE NO.CGIT-2/49 of 2019
EMPLOYERS IN RELATION TO THE MANAGEMENT OF
RASHTRIYA CHEMICALS AND FERTILIZERS

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

AND

THEIR WORKMEN.

The President
Mumbai Shramik Sangh
Sangarsh Quarry Road
Bhandup (W)
Mumbai 400 078

APPEARANCES:

FOR THE EMPLOYERS : Mr. S. Alva,
Advocate.
FOR THE UNION : No Appearance.

Mumbai, dated the 16th August, 2021.

AWARD

The Government of India, Ministry of Labour & Employment by its Order No.L-42011/129/2019-IR (DU), dated 18.09.2019 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 M/s. Rashtriya Chemicals & Fertilizers Ltd. for not rectifying the date of birth in respect of three workmen in accordance with

school leaving certificates in the present dispute is legal and justified? if not, what relief the workmen are entitled to?"

2. After receipt of the reference, both parties were served with notice. None appeared on behalf of the Union. Matter was adjourned on several dates.

3. Representative of Management Shri Prashant Borse appeared with their advocate and filed Memorandum of Appearance. He also filed an application for dismissal of Reference stating that the Second Party i.e. Mumbai Shramik Sangh has not filed the statement of claim despite many opportunities. Therefore they prayed that the Reference be disposed of for non-filing of Statement of Claim

4. On perusal of the record and discussions, my humble opinion is that, no fruitful purpose is served by keeping this Reference pending. It also appears that union and workman are not interested to proceed with this Reference. So this reference is dismissed for default. Hence the order:

ORDER

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

Date: 16.08.2021

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