

BEFORE THE NATIONAL INDUSTRIAL TRIBUNAL, MUMBAI

Present

JUSTICE R.N. KAKKAR

Camp. Court "Kolkata"

REFERENCE NTB-01 OF 2003

22/02/2021

Mr. Sourav Mishra, Adv holding brief for Mr. Abhay Kumar, Adv present for the Food Corporation of India.

Mr. Anil Tiwari, Adv and Mr. Rajkumar, Adv, present on behalf of the FCI Workers Union.

Ms. Kunda Samant, Adv present on behalf of the FCI Handling Workers Union and Party No. 3 to 19.

Mr. Chandan Kumar, Adv present on behalf of the FCI Shramik Union.

Mr. Pitambar, Representative of the CITU Union present on behalf of the FCI Workers Association.

Mr. Jaiprakash Sawant, Adv present on behalf of the Bhartiya Kendriya Khadya Sangathana.

None is present for party no. 20 and 21.

Mr. Jaiprakash Sawant filed his authority. He also filed Rejoinder to the counter affidavit dated 6.1.2021 which is taken on record and copy furnished to all the parties.

Learned counsel for the FCI Worker's Union filed compilation of pleadings

Matter adjourned for hearing on impleadment application filed by Bhartiya Kendriya Khadya Sangathana and for further argument on proposals for single Labour System for DPS, NWNP and withdrawal of certain undue benefits paid to DLS.

Fix on 23.2.2021.



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Secretary to the Court
Central Government Industrial
Tribunal-cum-Labour Court No. 1
Mumbai

BEFORE THE NATIONAL INDUSTRIAL TRIBUNAL, MUMBAI

Present

JUSTICE R.N. KAKKAR

Camp. Court Kolkata

REFERENCE NTB-01 OF 2003

23/02/2021

Mr. Sourav Mishra, Adv. holding brief for Mr. Abhay Kumar, Adv. present for the Food Corporation of India.

Mr. Anil Tiwari, Adv. and Mr. Rajkumar, Adv. present on behalf of the FCI Workers Union.

Ms. Kunda Samant, Adv. Present on behalf the FCI Handling Workers Union and Party No. 3 to 19.

Mr. Chandan Kumar, Adv. present on behalf of the FCI Shramik Union and FCI Workers Association (CITU) Union.

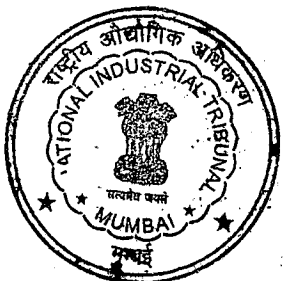
Mr. Ashutosh Shukla, Adv. present on behalf of the FCI Mazdoor Union.

With regard to the application for recalling the order dated 07/10/2020, I have heard the parties concerned.

Learned counsel representing FCI Union has stated that since the order was passed in absence of the proposed applicant of the impleadment application hence, they have no objection except the allegation made against the Tribunal.

Learned counsel representing other parties had also stated the same fact.

Under these facts and circumstances, without touching the merits of the allegations made against the office of the Tribunal recall application is allowed and order so far as if it relates to the applicant of the proposed impleadment application is recalled and opportunity of hearing is afforded to press the impleadment application. However, it is



hereby directed that any party who wants to file objection over impleadment application of the applicant may file on or before the date of hearing. It is brought to the notice of the Tribunal that only FCI Management has filed objection against the proposed impleadment application of Bhartiya Kendriya Khadya Sangathan.

Mr. Tarni Paswan present in person and he has made a statement before this Tribunal that he is withdrawing the allegations made against the Tribunal.

In pursuant to the previous orders so far as it relates to the proposal submitted by the FCI Management, Reply has been filed by FCI Mazdoor Union and FCI Shramik Union.

Learned counsel representing FCI Management Sourabh Mishra stated that response of the management is under consideration and he undertakes to file response of the management on 25.2.2021.

It is stated by the learned counsel for the FCI Workers Union that he had already filed four objections of the proposal of the management which are dated 29.1.2017, 14.8.2018, 28.1.2021 and 24.8.2020.

Today FCI Workers Union has filed Statement/Counter proposal on behalf of the workers Union. Its copy has been furnished to the management. It is expected that response to this affidavit may also be filed on the next date of hearing i.e.26.2.2021.



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Secretary to the Court
Central Government Industrial
Tribunal-cum-Labour Court No. 1

BEFORE THE NATIONAL INDUSTRIAL TRIBUNAL, MUMBAI

Present

JUSTICE R.N. KAKKAR

Camp. Court "Kolkata"

REFERENCE NTB-01 OF 2003

24/02/2021

Mr. Sourav Mishra, Adv holding brief for Mr. Abhay Kumar, Adv present for the Food Corporation of India.

Mr. Anil Tiwari, Adv and Mr. Rajkumar, Adv, present on behalf of the FCI Workers Union.

Ms. Kunda Samant, Adv present on behalf of the FCI Handling Workers Union and Party No. 3 to 19.

Mr. Chandan Kumar, Adv present on behalf of the FCI Shramik Union & FCI Workers Association (CITU).

One of the representative present on behalf of Bhartiya Kendriya Khadya Sangathana.

None is present for party no. 20 and 21.

All the parties are directed to file draft-issues by tomorrow i.e. 25.2.2021.

Fix on 25.2.2021.



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Secretary to the Court
Central Government Industrial
Tribunal-cum-Labour Court No. 1
Mumbai

BEFORE THE NATIONAL INDUSTRIAL TRIBUNAL, MUMBAI

Present

JUSTICE R.N. KAKKAR

Camp. Court Kolkata

REFERENCE NTB-01 OF 2003

25/02/2021

Mr. Abhay Kumar, Adv and Mr.Sourabh Mishra, present for the Food Corporation of India.

Mr. Anil Tiwari, Adv and Mr. Rajkumar, Adv, present on behalf of the FCI Workers Union.

Ms. Kunda Samant, Adv present on behalf of the FCI Handling Workers Union and Party No. 3 to 19.

Mr. Chandan Kumar, Adv present on behalf of the FCI Shramik Union and FCI Workers Association (CITU)

None is present for party no. 20 and 21.

Mr.Tarnik Paswan stating himself to be Gen. Secretary of Bhartiya Kendriya Shramik Sanghathana present.

In compliance of the previous order, Draft issues are filed by the Unions.

Management has filed statement in reply/rejoinder on behalf of the respondent to respond by way of affidavit of FCI shrank Union and FCI Mazdoor Union concerning the proposal of Single Labour System in FCI.

The Impleadment application filed by Bhartiya Khadya Nigam Sangathan is pending.

Objection against the impleadment application has already been filed by the F.C.I. management against the impleadment application.

In support of the impleadment application following documents are mandatorily required.

1. Registration certificate of the Union under Trade Union Act.
2. Recognition Certificate of the FCI.
3. List of the employees of the Union.



4. Affidavit to the effect that how this union is connected with Reference and how it is referred to this Tribunal.

It is admitted by Gen. Secretary representing Bhartiya Khadya Nigam Sangathan that it has not been filed along with impleadment application. He sought adjournment to file the about stated relevant documents in support of the impleadment application which is allowed.

He is directed to file the necessary documents in support of the impleadment application by the next date of hearing.

Arguments of the learned counsel representing FCI management had been heard on the point of different category of the workers namely; Departmental Labour, DPS, No work No Pay and Management Committee System i.e. category of the employee who are demanding equal pay for equal work.

Hearing could not be completed.

Fix on 26.2.2021 for hearing.



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Secretary to the Court
Central Government Industrial
Tribunal-cum-Factory Court No. 1

BEFORE THE NATIONAL INDUSTRIAL TRIBUNAL, MUMBAI

Present

JUSTICE R.N. KAKKAR

Camp. Court "Kolkata"

REFERENCE NTB-01 OF 2003

26/02/2021

Mr. Abhay Kumar, Adv and Mr. Sourabh Mishra, present for the Food Corporation of India.

Mr. Anil Tiwari, Adv and Mr. Rajkumar, Adv, present on behalf of the FCI Workers Union.

Ms. Kunda Samant, Adv present on behalf of the FCI Handling Workers Union and Party No. 3 to 19.

Mr. Chandan Kumar, Adv present on behalf of the FCI Shramik Union and FCI Workers Association (CITU)

Mr. Tanik Paswan stating himself to be Gen. Secretary of Bhartiya Kendriya Shramik Sanghathana present.

Mr. Suvadip Bhattacharjee, Adv and Mr. Balram Patra, Adv present on behalf of Party No.20 and 21.

He has filed his authority which is taken on record.

Matter partially heard.

All the parties are directed to file written submissions on or before the next date of hearing.

Fix on 21.4.2021 at Mumbai.



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Central Government Industrial
Tribunal-Cum-Labour Court No. I
Mumbai