

**THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL, JABALPUR**

CGIT/LC/R/24/2023

Present: P.K.Srivastava

H.J.S..(Retd)

**Shri Rajpal Sharma,
Head of Branch Bhartiya Mazdoor Sangh
Rewa Block, R/o Nearby Kalyan Petrol Pump,
Panna Naka, Umri, Satna (MP) – 485001**

Workman

Versues

1. The Divisional Railway Manager,
West Central Railway, Jabalpur – 482001
2. The Sr. Divisional Commercial Manager,
O/o DRM., Commercial Dept.

West Central Railway, Jabalpur - 482001
3. Shri Rohit Agrawal, Prop.,
Shri Balaji Goods Transport Co.,
Near Hardual Mandir, Baldeobagh, Jabalpur-482002
4. Shri Rajendra Agrawal, Prop. M/s Narmda Enterprises,
Nearby Baldeobagh Chowk. Jabalpur - 482002
5. Shri Ritesh Agrawal, Prop..
M/s. Shri Rameshwaram Transport Co.,
Near Hardol Mandir, Baldeobagh, Jabalpur - 482002
6. Shri Divyadeep Gupta, Director,
M/s D.G. Transport & Warehousing Pvt.,
Ltd. G-11, Gopal Arcade,
Near Damoh Naka, Jabalpur-482001
7. M/s Bhanu Logistics Pvt. Ltd.,
By (i) Shri Utpal Sarkar, Director
(ii) Shri Venu-gopalan Iyengar Urupattur, Director,
Branch Office 12, Gopal Vihar Complex Cherital,
Damoh Naka, Jabalpur - 482002
8. Shri Bhanu Pratap Singh Thakur,
Prop., Bhanu Road Carrier, Branch Office-12,
Gopal Vihar Complex Cherital,

Damoh Naka, Jabalpur - 482002

**9. Shri Ramesh Kumar Anand,
Prop., Ojha Imperia, 1102 B-Block,
Near Rampur Chowk, Jabalpur – 482001**

**10. Mrs. Asha Agrawal, Prop., M/s. Shree Kanhaji
Goods, Scheme No-14, H. No-440,
Kanchan Vihar Road, Vijay Nagar,
Jabalpur - 482002**

Management

AWARD

(Passed on this 16th day of July, 2026)

As per letter dated 16.02.2023 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. L-41011/07/2023-(IR(B-I)) dt 16.02.2023. The dispute under reference relates to:

1. ***“Whether the demand of Railway Mal Godam Palledar Sangh (BMS), Jabalpur (MP), vide letter dated 10.11.2020 for Increase in rates (As mentioned in Annexure "C") against the management of Railway (1) The Divisional Railway Manager, West Central Railway, Jabalpur & (2) The Sr. Divisional Commercial Manager. West Central Railway, Jabalpur and against the following & Contractors (1) Shri Rohit Agrawal, Prop. Shri Balaji Goods Transport Co. (2) Shri Rajendra Agrawal, Prop. M/s Narmda Enterprises (3) Shri Ritesh Agrawal, Prop., M/s Shree Rameshwaram Transport Co. (4) Shri Divyadeep Gupta, Director, M's D.G. Transport & Warehousing P, J. Ltd. (5) M/s Bhanu Logistics Plt. Ltd., Rep. by (1) Shri Utpal Sarkar, Director (10) Shri Venugopalan Iyengar Urupattur, Director (6) Shd Bhanu Pratap Singh Thakur, Prop., Bhanu Road Carrier (7) Shd Ramesh Kumar Anand, Prop., Ojha Imperia (8) Mrs. Asha Agrawal, Prop., M/s Shree Kanhaji Goods is legal, fair and justified? If yes, what relief is concerned***

persons entitled to and from which date and what other directions, if any, are necessary in the case?"

"2. Whether the demand of Railway Mal Godam Palledar Sangh (BMS), Jabalpur (MP), vide letter dated 10.11.2020 for Safety, health, welfare facilities (As mentioned in Annexure A) against the management of Railway (1) The Divisional Railway Manager, West Central Railway, Jabalpur & (2) The Sr. Divisional Commercial Manager, West Central Railway, Jabalpur and against the following 8 Contractors (1) Shri Rohit Agrawal, Prop., Shri Balaji Goods Transport Co. (2) Shri Rajendra Agrawal, Prop. M/s Narmda Enterprises (3) Shri Ritesh Agrawal, Prop., M/s Shree Rameshwaram Transport Co. (4) Shri Divyadeep Gupta, Director, M/s D.G. Transport & Warehousing Pvt. Ltd. (5) M/s Bhanu Logistics Pvt. Ltd., Rep. by (1) Shri Uipal Sarkar, Director (ii) Shri Venugopalan Iyengar Urupattur, Director (6) Shri Bhanu Pratap Singh Thakur, Prop., Bhanu Road Carrier (7) Shri Ramesh Kumar Anand, Prop., Ojha Imperia (8) Mrs. Asha Agrawal, Prop., M/s Shree Kanhaji Goods is legal, fair and justified? If yes, what relief is concerned persons entitled to and from which date and what other directions, if any, are necessary in the case?"

According to the workman Union, there have been various conciliation and settlements between the Union and the Contractors with respect to wages. There was demand made by the Union to pay wages to its member workmen, who are the labourers with Railways, engaged by the different Contractors (mentioned in the statement of claim) for payment of wages on increase rates vide representation of Union dated 31.05.2022, which was not accepted by the Contractors. The dispute was raised in this respect before the concerned Labour Commissioner. After failure of conciliation, the reference was sent to this Tribunal.

In its written statement of defense, Railways have taken a case that, these workmen are engaged by the Contractors, hence the contractors are liable to pay their wages, which they receive from Railways. The Railways have made and have provided the

facilities like water, toilet, resting place and pathways etc. as per rules.

The Contractors have taken a case that the relief claimed is beyond the terms of reference, which cannot be granted.

In spite of so many dates fixed (as many as 07 dates), the Union Representatives absented themselves. They did not produce any evidence. Management also did not produce any evidence. I have heard argument of Learned Counsel for Railway Mr. Sunil Ku. Gupta and Mr. Pranay Choubey, Learned Counsel for the Contractors. None was present for the Union. I have gone through the record as well.

As reference speaks, the dispute refers as to “***whether, the members of the workman union are entitled to benefits issued by the Union vide their letter dated 10.11.2020 with respect to increase in rate of wages and safety health welfare facilities.***”

In the statement of claim, the Union has claimed relief on the basis of their letter dated 21.05.2022, which is beyond the scope of this reference. Moreover, the initial burden to prove its claim is on the Workman Union, in which they have failed. Hence, in the light of above discussion, holding the claim of the workman Union not proved and is beyond reference, the reference is answered against the Union.

AWARD

Holding the demand of Railway Mal Godam Palledar Sangh (BMS), Jabalpur (MP), vide letter dated 10.11.2020 for Increase in rates (As mentioned in Annexure "C") & for Safety, health, welfare facilities (As mentioned in Annexure A) against the management of Railways is held not proved. The reference is answered against the Union.

No order as to cost.

DATE:- 16/07/2026

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