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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 25th October, 2021

+ **W.P.(C) 3040/2021**

ABDUL MAJID AND ORS. Petitioners
Through: Ms. Ritu Jain and Mr. M.N. Singh,
Advocates. (M:9313988114)
versus

EMPLOYEES STATE INSURANCE CORPORATION
AND ORS Respondents
Through: Mr. Yakesh Anand, Ms. Sonam
Anand and Ms. Deepshika
Sansanwal, Advocates for R-1.
(M:9810004397)
Mr. Anil Soni, CGSC with Mr. Satish
Chander, U. Sec., Ministry of Labour
& Employment. (M:9312224805) and
Mr. Sunil Sherawat, Secretary to
Court of Sh. Jagmohan Singh, ALC.
(M:9911188527)
Mr. Pankaj Kumar, Advocate for R-4.
(M:9811787626)
Mr. Parveen Kumar Mehdiratta,
Advocate for Respondent No.7.

CORAM:
JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh, J.(Oral)

1. This hearing has been done through hybrid mode.
2. In paragraph 7 of the order dated 21st October, 2021, the date is wrongly mentioned as 21st November, 2021. The correct date in the matter is of today, i.e., 25th October, 2021, as recorded in paragraph 9. Accordingly, the said date be read as 25th October 2021.

3. This Court has been hearing this matter in respect of upgradation of video conferencing facilities at the Central Government Industrial Tribunal (“CGIT”) and in respect of appointment of the second Presiding Officer in the CGIT bench, for its smooth functioning. Vide the last order dated 21st October 2021, this Court had directed the Secretary, CGIT and Mr. Satish Chander, Under Secretary, Ministry of Labour and Employment to be present in Court on the next date. This Court had also directed Mr. Anil Soni, Id. CGSC, to ascertain as to whether a separate internet connection would be required for high speed internet at the CGIT, and how many licenses of *Cisco Webex* would be required.

4. Pursuant to the last order, Mr. Satish Chander, Under Secretary, Ministry of Labour and Employment, and Mr. Sunil Sherawat, Secretary, CGIT, have appeared today.

5. Mr. Anil Soni, Id. CGSC, at the outset, points out that the status report which was placed by him on the last date before the Court was slightly outdated. There is a fresh status report, which has been filed by the Presiding Officer, CGIT/Labour Court-I - Ms. Pranita Mohanti, dated 7th October 2021, that has been placed on record. Mr. Soni relies upon the said report to submit that the required FTTH connections and *Cisco Webex* licenses have been obtained.

6. A perusal of the status report dated 7th October 2021, shows that appropriate manpower and infrastructure have been made available in the CGIT for conduct of regular online hearings. The said report reads as under:

“Subject:- Status report/action taken report on behalf of CGIT-cum-LC No.1 Delhi.

Reference:- Order dated 28/09/2021 in WP(C) 3040/2021 in the matter of Abdul Majid and others vs. RSIC and others- regarding.

Sir,

*With reference to the above sited subject and the order passed by the Hon'ble Delhi High Court, it is humbly submitted that in compliance of the order dated 28/07/2021, the Respondent i.e. Secretary, Ministry of Labour and Employment had forwarded the status report/written statement to CGSE vide Letter No. Z- 21021/10/2021- CLS-II dated 27/08/2021. Copy of the same is enclosed. Further, it is humbly informed this tribunal has secured **three CISCO WEBEX** meeting software for conducting online hearing.*

- 1. The online hearings in respect of industrial dispute matters as well as EPF appeals are being conducted regularly and the cause list to that effect are being uploaded on the website cgit.labour.govt.in.*
- 2. This tribunal has secured two FTTH internet connections for the use of each Presiding Officer having minimum speed of 500 mbps.*
- 3. The Ministry of Labour and Employment, Government of India has accorded permission to engage two out sourced staff comprising of one data entry operator and one stenographer for each CGIT and the tribunal has engaged them with effect from Oct, 2021.*
- 4. The Ld. Presiding Officer CGIT has been provided with an all in one Computer system with latest configuration along with Scanner*

and MDF. The process of up gradation of other computer systems and peripherals is ongoing.”

7. Mr. Satish Chander and Mr. Sunil Sherawat have appraised the Court of the current position at the CGIT. According to Mr. Chander, apart from the infrastructural facilities which have been provided, constitution of a Search & Selection Committee for the members of the CGIT is also under process, and the same should be constituted shortly. He further submits that urgent steps would be taken towards filling up the vacancies in CGIT, as currently only one Bench is functioning.

8. It is clear that further to the previous orders dated 28th July 2021, 20th September, 2021 and 21st October, 2021, the following infrastructural facilities have now been enabled at the CGIT, with assistance from the IT team of the Delhi High Court:

- (i) Two internet connections with 500 mbps speed have been made available, and are now being used for conduct of video conference hearings.
- (ii) Three licenses of *Cisco Webex* software for conduct of video conferencing hearings have been obtained on 28th September, 2021, and are being utilized.
- (iii) Two outsourced staff, i.e. one data entry operator and one stenographer for each CGIT Bench, are stated to have been engaged since October, 2021. Mr. Sherawat confirms that the said staff has already been reporting on duty.
- (iv) All-in-one computer system for the Presiding Officer has been provided. Insofar as other infrastructure, in the form of computers or manpower would be required, the Presiding

Officer shall take the necessary steps, as per the prescribed process.

- (v) Steps towards filling up of vacancies in the CGIT shall also be taken expeditiously.

9. The Court has been informed that presently only one Bench of CGIT is holding regular hearings, on a daily basis, through the hybrid mode, however steps towards appointment of a second presiding officer shall be taken expeditiously. Let a further status report in respect of the conduct of hearings, appointments etc., be filed by Mr. Anil Soni, Id. CGSC on or before 23rd November 2021. If there is any impediment in the functioning of the CGIT, the same shall be brought to the notice of this Court through Mr. Anil Soni, Id. CGSC, on the next date of hearing.

10. Finally, in the status report placed on record on the last date, an issue has been raised in respect of the premises where the CGIT is functioning. The Under Secretary has placed on record a letter dated 12th February, 2021, which is stated to have been sent to the District & Sessions Judge, Rouse Avenue Complex, seeking additional space in the Rouse Avenue District Court Complex. Let the same be forwarded to the worthy Registrar General for appropriate action.

11. The presence of officials present today is dispensed with so long as a further, updated status report is placed on record on or before 23rd November 2021.

12. List on 29th November, 2021.

PRATHIBA M. SINGH
JUDGE

OCTOBER 25, 2021/dk/Ak