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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 3040/2021**

ABDUL MAJID AND ORS ..... Petitioner

Through: Ms. Ritu Jain, Advocate.

versus

EMPLOYEES STATE INSURANCE CORPORATION  
AND ORS ..... Respondents

Through: Mr. Yakesh Anand & Mr. Akshay  
Thakur, Advocates for R-1 to 3/ESI.  
Mr. Devesh Dubey, Advocate for Mr.  
Anil Soni, CGSC for UOI.  
Mr. Karunesh Tandon, Ms. Simran  
Mulchandani & Mr. Manish Kumar,  
Advocates for R-8.  
Mr. Neeraj, Mr. Sahaj Garg, Mr.  
Rudra Paliwal & Mr. Vedansh,  
Advocates for R-9.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**ORDER**

% **20.09.2021**

1. This hearing has been done through hybrid mode.
2. Vide order dated 28<sup>th</sup> July 2021, the present petition had been disposed of and directions were passed in respect of making online hearings at the Central Government Industrial Tribunal (*hereinafter* 'CGIT') efficient, as also in respect of expeditious hearing of the case of the Petitioners by the CGIT. Today, the matter has been listed for receiving the status report in respect of the upgradation of video conferencing facilities and in respect of appointment of the second Presiding Officer in the CGIT bench.
3. At the outset, Mr. Yakesh Anand, Id. Counsel submits that the case of the Petitioners is now pending for hearing before the CGIT, and is listed on

22<sup>nd</sup> September, 2021.

4. Insofar as the upgradation of the CGIT's infrastructure, as well as appointment of the second Presiding Officer is concerned, this court had passed the following directions on the last date of hearing:

*“12. Considering these facts, until it is fit to hold physical hearings, the CGIT ought to be equipped with necessary facilities for the conduct of video conferencing hearings, through an online platform. Accordingly, in order to make the online functioning of the CGIT efficient, the following directions are issued:*

- (i) The CGIT would procure the required number of Cisco Webex license/s, in order to enable it to conduct hearings throughout the working hours of the day, on a daily basis.*
- (ii) High speed internet shall be immediately installed in the CGIT, through any of the established players, for the conduct of hearings through video conferencing on an online platform, so that issues or disruptions due to non-availability/improper internet connection, do not take place during the hearings.*
- (iii) For any other assistance that would be required in terms of manpower, including stenographic assistance, the Presiding Officer, CGIT is permitted to take steps in accordance with the established procedure, and the Ministry of Labour and Employment shall provide all necessary cooperation in this regard.*
- (iv) The Ministry of Labour and Employment has undertaken to make the necessary funds available urgently for provision of the infrastructure in the CGIT including*

*procurement of Cisco WebeX licences, broadband high speed internet as also other facilities which are necessary to conduct online hearings at the CGIT.*

- (v) *Mr. Sarsij Kumar (M:965000723) and Mr. Zameem Ahmad Khan (M:9650006732) from the IT department of the Delhi High Court, are requested to visit the CGIT office on 30th July 2021, at 2:00 PM, and coordinate with Mr. Rishabh Dev (M:8168278201), Secretary to the Presiding Officer, in order to set out the steps to be taken for efficient conduct of proceedings through video conferencing within the next two weeks itself. The concerned officer of the Ministry of Labour and Employment, under whom the CGIT works, shall be deputed at the site in order to ensure that there is proper coordination in timely implementation of the necessary steps.*
- (vi) *It is informed that a Committee is already functioning in the Ministry for dealing with these issues. If so, the Committee shall give effect to the order passed today by this Court, and shall cooperate with the officers of IT Department of the Delhi High Court.*

*13. This Court has also been informed that there are two benches of the CGIT which normally function in Delhi, i.e., CGIT-I and CGIT-II. However, only one Presiding Officer, Ms. Pranita Mahanti, has been working and the said Presiding Officer is holding hearings qua both these Benches.*

*14. There is no reason as to why the position of another Presiding Officer of the CGIT is being kept vacant, and the appointment of a Presiding Officer for the second Bench is being delayed. Accordingly, the Ministry of Labour and Employment, or the*

*relevant appointing authority, is directed to take expeditious steps to fill the vacancy of the said Presiding Officer for second Bench of CGIT.*

*15. Let a status report in respect thereof be put up before this court within six weeks by Mr. Soni Id. CGSC.”*

5. In terms of the above order, the status report which was to be filed by Mr. Soni, Id. CGSC, has not been filed on record. On behalf of Mr. Soni, Id. CGSC, Mr. Dubey, Id. Counsel, seeks further time to file the same.

6. As noted in the last order, CGIT being an important Tribunal which is required to function regularly, the status report is absolutely crucial in order to ensure that the infrastructure for holding video conferencing hearings is available.

7. Accordingly, the Registrar of the CGIT shall file a status report/affidavit as to the upgradation of infrastructure for holding video conferencing hearing within two weeks, failing which, the Registrar shall appear before this Court on the next date of hearing. The court has noted the submission that recently due to the indisposition of one of the Members of the CGIT, the functioning has been slightly impeded. Be that as it may, the infrastructure ought to be upgraded to ensure that whenever CGIT reopens, the facilities required to conduct full-fledged online hearings are ready.

8. List on 21<sup>st</sup> October, 2021.

9. Copy of this order be sent to the Registrar, CGIT on [po-del1-cgit@gov.in](mailto:po-del1-cgit@gov.in) as also on [po-del2-cgit@gov.in](mailto:po-del2-cgit@gov.in). The same may also be sent to the Registrar by the office of Mr. Soni, Id. CGSC.

**PRATHIBA M. SINGH, J.**

**SEPTEMBER 20, 2021/Rahul/AS**