

In the Court of Commissioner for Persons with Disabilities
National Capital Territory of Delhi
25-D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-2
Phone-23216002-04, Telefax: 23216005
Email : comdis.delhi@nic.in

[Vested with power of Civil Court under the Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995]

Case No. 4/780/2014-Wel./CD/ 2815-16

Dated: 10.3.15

In the matter of:

Sh. Banke Lal Prasad

S/o. Sh.Nagina Prasad
Gurudwara Road, D.K.Post Office,
Mohan Garden, New Delhi-110059.

..... Petitioner

Versus

Sh. Satish Mathur

Commissioner

Labour Department
Government of NCT of Delhi
5, Sham Nath Marg
New Delhi.

.....Respondent

ORDER

1. A petition was filed by Sh.Bankey Lal Prasad a disabled person and a founder President of Delhi Relief and Education Society for Handicapped relating to non payment of honorarium etc to the petitioner.
2. The Labour Commissioner Government of NCT of Delhi was requested to file his comments and since no comments were received a hearing was fixed. During the course of the hearing the representative of the Labour Commissioner stated that the petitioner alleged that a sum of Rs.12,000/- is due from Varun Beverages Limited and that his trolley was forcefully taken away by the agent of Varun Beverages Limited. The complaint was examined by the Labour Department and it was found that the complainant had entered into an agreement with Varun Beverages Limited to act as a vendor exclusively for selling

Pepsi brand products and therefore the petitioner is not a workman/employee and hence no action is warranted on his complaint by the Labour Department.

3. I have perused the petition and the reply filed by the Labour Commissioner. The petition is not maintainable in as much as the agreement with the Varun Beverages Limited clearly indicates that the petitioner was appointed as a vendor for selling Pepsi brand products and the petitioner was not an employee of Varun Beverages Limited and therefore the Labour Department is not legally empowered to intervene in the matter as it is a matter between two private parties through an agreement.

4. Ordered accordingly.



Given under my hand and the seal of the Court this 10th day of March 2015.

File - 224
10/3/12

(K.S. Mehra)

Commissioner

Court of Commissioner (Disabilities)
National Capital Territory of Delhi
Room No. - 1
25-D, Mata Sundari Road, New Delhi-02