

**IN DECISIONS OF HON'BLE COURT,
FOLLOWING ARE HELD TO BE A WORKMAN**

Accountant: The work of an accountant is mainly of clerical nature, unless he is vested with supervisory or administrative duties.

1. Punjab Coop. Bank Ltd v. R. S. Bhatia.
2. South Indian Bank Ltd v. A. R. Chacko.
3. Sanjiv Kumar Gupta v. Presiding Officer, Labour Court.
4. Management of M/s. Gajraj Estates (P) Ltd vs. Their Workman Shri Anil Kumar Agrawal & Anr.

Accounts Officer: Mainly performing duties of clerical nature.

1. Leena Patade v. Union of India, Ministry of Labour.
2. Management of Christian Medical College and Hospital, Vellore v. (1) Presiding Officer, Labour Court, Vellore (2) L. Chinnappan.
3. Kirloskar Electric Company Ltd v. Government of N. C. T. of Delhi.

An Officer : Neither managing nor supervising others, will be a 'workman' under I.D Act as neither the designation nor the salary would decide the issue as to whether the employee is a workman or not.

Muralidharan K. v. Management of M/s. Circle Freight Intl. India) Pvt. Ltd.

Apprentice: Who was neither imparted training nor the agreement was registered under the Apprentice Act, will be a workman.

1. State of Gujarat v. Chauhan Ramjibhai Karsanbhai.
2. Superintending Engineer v. Dattatraya Mahadeo Badarkhe.

Assistant: Doing clerical job and checking the bills will not be discharging any supervisory or managerial duties.

Ranbir Singh vs. Presiding Officer, Labour Court II, Faridabad and Another.

Assistant Engineer: He has been performing duties of technical nature, will be a 'workman'.

Uttar Pradesh State Sugar Corporation Ltd. V. Deputy Labour Commissioner, Meerut.

Assistant Executive in Quality Control Department: Not being authorized to initiate any departmental proceedings against his subordinates is a workman.

Anand Regional Co-Op Oil Seedsgrowers Union Ltd. v. Shaileshkumar Harshadbhai Shah.

Assistant Secretary: Has been performing duties of a secretary and not of managerial nature.

Secretary, Larambha Service Coop. Society Ltd. v. Suresh Chandra Chhuria.

Badli Worker: When he completes 240 days, he becomes entitled to retrenchment compensation by virtue of being a 'workman'.

1. Sarabhai Chemicals v. Subhash, 1984 followed Digwadib Colliery v. Their Workmen.
2. Karantaka State Road Transport Corpn. v. S. G. Kotturappa.

Bank Branch Manager/ Officer of Bank: His duty are to check various accounts and as such performs clerical work.

1. Sunita B. Vatsaraj v. Karanataka Bank Ltd.
2. Leena Patade v. Union of India, Ministry of Labour.

Bank Employee engaged as Secretary: Not having independent powers as vested with the Chairman of the Bank.

Kavitsm Co-operative Rural Bank Ltd. v. Presiding Officer, Labour Court.

Cameraman : Doing technical work in motion picture industry.

Marshal Braganza v. Labour Court.

Canteen's Employees: Since an employer has a statutory obligation to run a canteen in a factory employing more than 250 workers.

Workmen of S. B. M v. S. B. M.

Cashier: Handling cash only.

Ram Naresh Singh Parihar v. U. P. State Sugar Corporation Ltd.

Casual Employer: There is no specific exclusion of such workers from the definition of 'workman as given under the Act.

1. Ebramalai v. Mgt. Of Sunplex Concrete Piles Ltd.
2. 'Radha Kishan Vunbreacle Factory v. Industrial Tribunal.
3. G. Yadi Reddy v. Brooke Bond India Ltd., Ghateshwar.

4. Narendra Deo Krishi Evam Praudyogic Vishwavidyalaya Mazdoor Union v. Kulpati, N.D.K Evam P. Vishwavidyalaya.
5. Andhra Pradesh State Road Transport Corporation (represented by its Managing Director) v. Ramulu. Ex. Casual Driver.
6. Tanuku Municipality v. Venkateswara Rao.
7. Govind Goenka v. Dayawati and Other.

Centrifugal Operator: Being semi-skilled only.

Director M/s. Experimental Sugar Factory, Kanpur v. Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court, Kanpur.

Chemist: Doing mainly technical job with little supervision.

Burmashell Oil Storage and Distributing Co. Of India v. Burmashell Mgt. Ass.

Chemist Incharge: Having power only to recommend other employees' leave, not to sanction it and cannot take disciplinary action.

Sudhir Kumar S/o Sourindra Kumar Roy v. Ferro Alloys Corporation. Ltd.

Chief Analytical Chemist: Duties performed/allocated to be examined, being incharge of section immaterial.

S. B. Kulkarni v. Indian Red Cross Society.

Clerk: Doing file correspondence, writing ledgers and making entries in cash book, etc.

1. Indian Iron & Steel Co. Ltd v. Workmen.
2. Punjab Cooperative Bank Ltd. v. Bhatia R. S.
3. Hem Raj Gurjar v. State of Rajasthan.

Commercial Inspector in Central Railway: Since not performing managerial/administrative functions.

R. M. Nevlekar v. The Chief Commercial Superintendent, Central Railway, Bombay.

Daily Rated Employees: Receiving payment only for the work done.

1. Pilot Pen Co. v. Addl. Labour Court, Madras.
2. L. Krishnan v. Southern Railway.
3. P. Prabhakaran v. G. M, Kerela State Transport Corpn.
4. Chairman-cum-Managing Director, Orrissa Road Transport Company Ltd. v. Ramesh Chandra Gouda.

5. MCD v. Narendar Kumar.

Demonstrator: Though designated as Sales Representative, but not performing outdoor duties.

Singer India Ltd. v. State of Uttar Pradesh.

Development Officer: In an insurance Company will be a workman.

Ishwarlal Ramhariya and Another vs. New India Assurance Co. Ltd. and others.

Director: The employee was employed on managerial and supervisory work but the employer failed to prove its contention by not producing documentary evidence such as minutes book of the company or register of the Board of Directors.

M/s. V. L. T. Cargo Movers Pvt. Ltd. v. Shri Ajitkumar S. Puri.

Dismissed Workers: Covered by the definition of the workman.

1. Ganesh Dass Ram Gopal v. Govt. of Uttar Pradesh.
2. Cawnpore Tannery Ltd. v. S. Guha.

Doctor in a Hospital (Asstt. Medical Officer ClassII) : Doing technical job.

1. Dr. Surendra Kumar v. Union of India.
2. Mar Baselius Medical Mission Hospital v. Joseph Babu

Draftsman: Working under the complete supervision of Head of the Department.

Maheshwar Singh vs. Indomag Steel Technology Ltd.

Driver: Driving vehicle only.

District Education Officer (Primary), Gurdaspur v. Jagir Singh.

Field Inspector: Not performing any supervisory job.

Food Specialities Ltd. v. Labour Court, Bhatinda.

Geologist: Assisted by a driver & helper only without performing supervisory/managerial/administrative function.

Mahajan Borewell Company, Bangalore v. Rajaram Bhat.

Graduate Engineer: Mainly doing technical jobs.

Leyland v. A. Vijay Kumar.

Health Officer: Doing same job as done by a Public Health Nurse.

Nirmal Tej Nath Dhar v. Matru Sewa Sangh Mahal, Nagpur.

House Keeper : Has not been discharging supervisory duties.

Cricket Club of India v. Baljit Shyam.

Incharge of Sales Section: Entrusted with salesman's duties.

Delhi Consumer Coop. Wholesale Store Ltd. v. S. L. Thakural.

Junior Engineer: Labour Court has erred in holding that the Junior Engineer was not a workman since he was appointed in a supervisory capacity whereas there was no evidence in support that he was discharging supervisory duty.

Batuk S. Chauhan v. Factory Manager and Another.

Junior Officer: A junior officer who has mainly been discharging clerical duties will be a 'workman'.

Eicher Motors Limited v. Presiding Officer, Labour Court, U.T. Chandigarh.

Legal Assistant: Not discharging any managerial functions.

Darshan Lal v. Director, State Transport.

However, in another case, the Supreme Court has held that Legal Assistant will not be a workman. (See who is not a workman).

Malls of Bungalows of Officers of an industrial concern: Doing job incidentally connected with work of industry.

J.K. Cotton Spinning & Wvg. Mills Co. Ltd v. Labour Appellate Tribunal.

Maintenance Engineer: Not performing any managerial or administrative function, having no power to take disciplinary action against any employee nor can sanction leave.

Shree Baidyanath Ayurved Bhawan Ltd., Allahabad v. Presiding Officer, Industrial Tribunal (1), Allahabad.

Manager of a Warehouse: Not performing supervisory or administrative duties.

Punjab State Warehouse Corporation. v. State of Punjab.

Medical Officer: Doing technical job.

Bengal United Tea Co. Ltd. v. Ram Labhaya, Officer, I.T.

Medical Representative: Performing salesman's duties.

1. H. R. Adyanthaya v. Sandoz (India) Ltd.
2. Rohane Pouleno (India) Ltd., Lucknow v. State of Uttar Pradesh.
3. Rajasthan Medical and Sales Representatives Union v. Industrial Research Institutes (P) Ltd.
4. Anand Awadhani v. Presiding Officer, Labour Court, Udaipur.

Mini Deposit Collector of a Bank:

Dhirendra Prasad Misra v. Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court, Kanpur.

Non-teaching Staff:

Y.M.C.A College Sports Higher Secondary School (Sports Wing), rep by its Correspondent, Chennai v. Presiding Officer, Principal Labour Court, Chennai.

Oversees or Junior Engineers: Doing Technical job.

Vinjay Kumar Mayo v. State.

Part-Time Employee: Since not distinct from full-time.

1. Yeshwant Singh Yadav v. State of Rajasthan.
2. Kanhaiya Lal v. State of Rajasthan.
3. Managing Director v. Fally Ram.
4. Simala Devi v. Presiding Officer.
5. Coal India Ltd. v. Presiding Officer, Labour Court.
6. Municipal Board, Pratapgarh v. Labour Court, Bhilwara.
7. Bhavnagar Jila Sahakari Sangh Ltd. v. Dhiren P. Parekh.
8. Div. Manager, New India Assurance Co. Ltd. v. A. Sankaralingam.
9. Kan Singh vs. Distt. Ayurved Officer & Ors.
10. Himachal Pradesh State Electricity Board and Anr. Vs. Laxmi Devi and Anr.

Part -Time Sweeper:

1. Kailash Chand Saigal v. Om Prakash.
2. Indian Hydraulic Industries (P) Ltd. v. Kishan Devi and Bhagwati Devi.

Persons employed at the residential quarters of the Officials of a Company:

Rendering domestic services and administering to the comforts of the officers of the company.

1. Punjab Sugar Mills Co. Ltd. v. Their Workmen.
2. British India Corpn. Ltd., Kanpur v. Workmen.

Piece-Rated Tailors: Payment only on piece-rated basis.

Shining Tailors v. Industrial Tribunal.

Pilot: Being a workman under the I. D. Act, will not be excluded merely because he has been performing some supervisory jobs.

Indian Iron and Steel Co. Ltd. v. Ninth Industrial Tribunal, West Bengal.

Probationer: Employed for trial and not excluded by the definition.

1. Motor & Machinery Mfg. Ltd. v. Industrial Tribunal, Delhi.
2. Bihar Journals Ltd. v. Ali Hassan.
3. Delhi Cantonment Board v. Central Govt. Industrial Tribunal.

Professional Service Representative: Doing promotion and sales of pharmaceutical products without managerial power and no staff.

A. Ram Mohan v. Presiding Officer, Labour Court, Bangalore.

Retired Employee: Having a right to take recourse to adjudicatory machinery under the Industrial Disputes Act.

ICI India Ltd. v. Presiding Officer.

Retrenched Employee: As defined by the Act.

1. Trichy Siringam Transport Co. (P) Ltd. v. Industrial Tribunal, Madras.
2. Cawnpore Tannery Ltd. v. S. Guha.
3. H. R. Adyanthaya v. Sandoz (India) Ltd.

Sales Representatives:

Berger Paints India Ltd. v. Chander Kant N. Raut.

Salesman: Performing neither managerial nor administrative duties.

1. Krishna Charan Promod Nath Chakraborti v. India Textile Co. Ltd.
2. Carona Sahu Co. Ltd., Bombay v. Presiding Officer, Labour Court, Jalandhar.
3. Management of Roneo Vickers India Ltd. v. Lt. Governor of Delhi.
4. Indian Farmers Fertiliser Cooperative Ltd. v. Presiding Officer, Labour Court, Union Territory, Chandigarh.

Secretary of a Society: Performing mainly clerical duties.

T. C. C Coop. Society Ltd. v. Labour Court.

Security Coordinator:

R. Ramanujam vs. Senior Manager, M/s. By Design (Private) Limited, Bangalore.

Security-cum-Administrative Officer: Doing mainly clerical job, nomenclature of the post immaterial.

Kulwant Singh v. Reliance Petrochemicals Ltd.

Security Inspector: Duties being at the premises gate.

Ved Prakash Gupta v. Delton Cable India (P) Ltd.

Security Officer: Performing duties of clerical nature.

A. Sambanthan v. Presiding Officer III, Addl. Labour Court, Madras
Performing supervisory duties casually.

Beco Engg. Co. Ltd. v. State of Punjab

Senior Service Engineer: Entrusted with installation, servicing and repair of Xerox machine.

General Manager, Kores (India) Ltd. v. Presiding Officer, Labour Court, Sambalpur.

Smelter: Doing smelting job only.

Vidya Dhar v. The Hindustan Copper Ltd., Khetri.

Stop Incharge: Through designated as 'Shop Incharge', not discharging supervisory duties.

Regional Manager, Gandhi Ashram, Ratanpura, Mau v. Labour Court, U. P. Varanasi.

Spinning Assistant: Though instructing to the fitters but not authorized to sanction their leave.

Binny Ltd. (represented by Staff Manager), Madras v. M. P. Appadurai Samuel (died).

Steno Typist: Mainly work of clerical nature.

Uttar Pradesh Financial Corporation v. Neelam Sharma.

Store Incharge : Occasionally discharging supervisory functions.

Sikand & Company v. State of H.P.

Sub-Editor of a Newspaper: Being a working journalist, covered under the Industrial Disputes Act.

Bihar Journals Ltd. v. Ali Hasan.

Superintendent: Doing manual job.

Burmashell Oil Storage & Disturbing Co. of India v. Burmashell Management Association.

Superintendent: When not performing supervisory duties but only maintaining the account books, will be a 'workman'.

1. Management of Ram Lal Anand College v. Workman Sh. C.L Yadav.

Supervisor: Not supervising the work of others.

1. Blue Star Ltd. v. N. Sharma.
2. Titagarh Paper Mills Co. Ltd v. First Industrial Tribunal.
3. Premier Automobiles Ltd. v. Premier Automobiles Employees' Union.
4. Upper India Coop. v. Paper Mills Co. Ltd.
5. Vayitri Plantations Ltd. v. Babu Mathew.
6. Rajeshwar Mahato v. The Eighth Industrial Tribunal, West Bengal.
7. Manganese Ore (India) Ltd. v. Union of India.

Teacher in Factory Premises: Assigned with some clerical work.

J. G. Garewal v. Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court, Jabalpur.

Teacher in Handicrafts: Although an instructor, doing tailoring job herself by preparing new patterns, designs for stitching work.

Promodini Patkar v. India Cancer Society.

Techincian-cum-Designer: Without supervisory powers including sanction of leave of other employees.

Gwalior Investment Co. Ltd v. K. M. Desai, Member Industrial Court.

Telephone Operator: Discharging non-supervisory functions.

Satyendra Singh Rathore v. Rajasthan Rajya Pathya Pustak Mandal, Jaipur.

Temporary Employee: Not excluded by the definition.

Chief Engineer (Jittigalan) Cheparrie, Madras v. N. Nalesan.

Ticket Canvasser: Mainly performing work of manual nature.

Pandian Road Corporation Ltd., West Madurai v. Labour Court, Madurai.

Time Deposit Agent: Not an independent contractor.

Management of Indian Bank v. Presiding Officer, Industrial Tribunal.

Tiny Deposit Agents: Collecting deposits from door to door without any supervisory work.

Management of Indian Bank v. Presiding Officer, Industrial Tribunal, Madras.

Trainee: Trainee/apprentice covered under the Act.

1. Tungabhadra Sugar Works v. Labour Court.
2. Madras Aluminium Co. Ltd., Salem District v. Labour Court, Coimbatore.
3. H. B. Vinobha v. Managing Director, Hindustan Photo Films, Indu Nagar, Oatacamund.
4. Maria Thomas Gonsalvies v. Concept Pharmaceuticals (P) Ltd.

**IN DECISIONS OF HON'BLE COURT,
FOLLOWING ARE HELD NOT TO BE A WORKMAN**

Accounts Officers: Performing supervisory duties.

1. Umakant S. Deshpandey v. G.E.B.
2. S. Sreenivasan v. Presiding Officer, Labour Court, Tiruchirapalli.

Acting Manager: Performing managerial nature of duties.

Christi Sahitya Prasarak v. Bhaskar S. Gaikawad.

Administrative Officer: Not a workman.

Exhibition Society, Exhibition Grounds, Nampally, Hyderabad vs. Labour Court-II, Nampally, Hyderabad & Ors.

Advertisement Manager: Right from his appointment till termination, holding administrative, ministerial and the supervisory post, will not be a 'workman'.

Kedareswar Mohapatra v. Presiding Officer, Labour Court, Bhubaneswar.

Advertisement Manager of a Magazine: Doing managerial administrative work even though occasionally he was called upon to do work which is merely clerical.

Radio & Television v. Sharma.

Advocate/ Legal advisor: Engaged by a cooperative bank on monthly retainership basis to advise the conduct the cases.

Sonepat Central Co-operative Bank Ltd. vs. Presiding Officer, Industrial Tribunal-cum-Labour Court, Rohtak and Anr.

Resigned Employee: After tendering resignation and receiving the entire terminal benefits, ceases to be a 'workman' under I. D. Act.

K. Jayapal v. Union of India.

Manager: Performing managerial functions, not to be a workman.

1. Anita Mathur v. Idea Cellular Ltd.

2. K. Hanumantharayappa vs. Management of India Express (P) Ltd., Chennai & Anr.

An Incharge: Empowered to sanction leave and take disciplinary action will not be a workman.

Dhruba Kumar Changkakoti v. Travel Corporation of India Ltd.

Anganwadi Helper: Appointed on payment of honorarium is not a workman.

Patdi Taluka Panchayat & Ors. vs. Zebunnisha Nathumiya.

Apprentice : An apprentice, who is engaged under the Apprentices Act, 1961 will not be a workman and not to be covered by, other labour laws including under section 2(s) of the Industrial Disputes Act, 1947 (Section 18).

1. Hanuman Prasad Chaudhary v. Rajasthan State Electricity Board, Jaipur.
2. U.P. Sugar Company Ltd., Deoria v. Ram Nath Prasad.
3. Kamal Kumar v. J. P.S. Malik, Presiding Officer, Labour Court.
4. Sugar Works v. P. O., Labour Court.
5. Uttar Pradesh State Sugar Corporation Ltd. v. Presiding Officer, Labour Court, Gorakhpur.
6. Maria Thomas Gonsalves v. Concept Pharmaceuticals (P.) Ltd.
7. State of Gujarat v. Chauhan Ramjibhai Karsanbhai.
8. Dhampur Sugar Mills Ltd. v. Bhola Singh.
9. Superintending Engineer v. Dattatraya Mahadev Badarkhe.
10. Chauhan Mehbub Osman v. State of Gujrat.

Area Sales Manager : Getting above Rs. 1600 per month or so.

Samat Kumar v. Parke Davis (India) Ltd.

An Area Manager has also been held not to be a 'workman; since he has been discharging supervisory duties.

Vinesh Kumar Mehta v. Presiding Officer, Labour Court.

Artist : Engaged for production of drama or theatre.

Bharat Bhawan Trust v. Bharat Bhawan Artist Association.

Assistant Engineer : Not a Workman.

Exhibition Society, Exhibition Grounds, Nampally, Hydrebad vs. Labour Court-II, Nampally , Hydrebad & Ors.

Assistant Manager (Marketing):

Management, Eiko Computers (P) Ltd., Chennai v. C. K. Jayachandran.

Assistant Personnel Manager : Being in managerial category, carrying out managerial functions and appearing in industrial disputes on behalf of management.

British Paints India Ltd. v. Fifth Industrial Tribunal.

Assistant Purchase Officer: The Assistant Purchase Officer, engaged in supervisory capacity with a power to recommend, assess and verify the work of the subordinate staff has been rightly held to be not a workman.

Vijay Dattatraya Kale v. Peico Electronics & Electricals Ltd., Pune.

Assistant Security Officer-cum-Fire Officer: Discharging supervisory functions..

1. Madan Mohan Marwaha v. Management of Delhi Cloth and General Mills Co. Ltd.
2. G.S. Khairkar v. Camlin Ltd.

Balsewika : Working for honorarium in Child Welfare Council not being an employee.

Devinder Kaur (Smt.) vs. Child Welfare Council, Punjab & Ors.

Branch Manager of a Bank: Discharging duties of managerial nature.

1. A.K. Dass Gupta v. United Industrial Bank Ltd.
2. Gauri Charan v. Industrial Tribunal.
3. Karnataka Bank Ltd. v. Sunita B. Vatsaraj (Smt.).

Branch Manager of a Cooperative Bank: Discharging duties and functions mainly of managerial nature.

1. Medical Services Cooperative Bank Ltd. v. Labour Court, Kozhicode.
2. Vinesh Kumar Mehta v. Presiding Officer, Labour Court (I) Kanpur.

Casual Workers engaged for distribution of prasada in a temple:

K. Krishnayya v. Assistant Commissioner of Labour, Tirumala Tirupathi.

Catering Supervisor: Since she has been watching the work of cooks.

Young Women's Christian Association of India v. Jyotsna Paul.

Chowkidar : When engaged in a Mess Committee which is not an industry.

Ganga Parshad Tiwari v. Khyber Pass Mess Hostel Committee.

Circulation Manager: Discharging supervisory duty and having control over employees.

K. Hanumantharayappa vs. Management of Indian Express (P) Ltd., Chennai and another.

Commission Agent: Collecting milk on commission basis.

Nestle India Ltd. v. Presiding Officer, Labour Court, Bhatinda.

Craft Instructor or Instructress: Being a teacher.

Nongthombam Mangoljao Singh v. State of Manipur.

Depot Superintendent: Major work to supervise the subordinates working in a depot.

Burmashell Oil Storage & Distributing Co. of India v. Burmashell Mgt. Ass.

District & Zonal Manager: Performing managerial jobs.

Subir Guha Thakurta v. M/s. Johnson & Johnson Ltd.

Doctor: Employed and rendering professional services.

1. M.M. Wadia Charitable Hospital v. Dr. Umakant Ramchandra Warekar.
2. M ar Baselios Medical Mission Hospital v. Dr. Joseph Babu.
3. Management of Multan Sewa Samiti Charitable Eye Hospital vs. P. O., Labour Court-II & Ors.

Doctor being paid for visits: Visiting to the Dental Clinic of the Corporation on visit basis.

Ahmedabad Municipal Corporation. v. Virendra Kumar Jayantibhai Patel.

Driver of Chief Engineer:

Dilip Singh v. Union Bank of India.

Employees having resigned and accepted Voluntary Retirement:

Are not covered under the expression 'workman' as defined in clause (s) of section 2 of the Industrial Dispute Act.

1. CEAT Ltd. v. Anand Abasaheb Hawaldar.
2. Hindustan Lever Limited v. Fourth Industrial Tribunal.

Engineer: Advising and guiding others and also performing supervisory and not technical duties.

Burmashell Oil Storage & Distributing Co. of India v. Burmashell Mgt. Ass.

Engineering graduate: Working as a Scientist carrying out research in the process engineering field.

Divyash Pandit vs. The Management of National Council for Cement and Building Materials.

Evangelist: Evangelist, whose activities are dedicated not by contract but by conscience, will not be a 'workman'.

Diocese of Amritsar of the Church of North India v. Buta Anayat Masih.

Extra Departmental Head: Sub-Division Inspector of Post.

Vaikam v. Theyyam Joseph.

Foreman: Performing supervisory duties such as checking of material, recommending leave applications, appraisal of work and determining suitability of employees' promotion.

Kant Vishnu Palwanar v. Presiding Officer of First Labour Court.

Factory Manager: Performing supervisory duties, sanctioning leave and also initiating disciplinary action against factory employees' inspite of technical qualification.

Murugali Estate v. Industrial Tribunal.

Head Clerk in the State Transport Authority: Supervising other employees' work.

Bihar State Road Transport Corpn. v. State of Bihar.

Hostel Supervisor: Employed in the clerical cadre.

Reserve Bank of India v. Woman Balurao Shinde.

Industrial Relations Executive: His work, in totality, being managerial.

Glaxo India Limited v. C. Gupta.

Insurance Inspector: Equivalent to development officer where principal duty being to organize and develop the business of the company.

G. L. Pawha v. Chairman, New India Assurance Co. Ltd.

Jewel Appraiser: Engaged by bank for advancement of loan will not qualify to be an employee.

Indian Overseas Bank v. Workmen, All India Overseas Bank Employees Union.

Labour Welfare Officer: Performing supervisory job.

B.A. Sahakari v. Government of Goa.

Legal Assistant: Since he has not been performing stereo-type work and his job involved creativity.

Management of Sonapat Cooperative Sugar Mills Ltd. v. Ajit Singh.

Manager: Duties not clerical and also salary not the decisive factor.

1. C. Channaiah v. Presiding Officer, Labour Court.
2. Central Bank of India, Lucknow v. Assistant Labour Commissioner, Kanpur.

Cinema manager: Not a 'workman' irrespective of Rs 350 per month salary, since salary not the sole determining factor.

C. Narayana Reddy v. Management of Ajantha Theatre.

Manager: A Manager, discharging the functions of a supervisor when over 18 canteen workers were working under him will not be a 'workman'.

V. K. Sharma v. Government of NCT of Delhi.

Maintenance Supervisor: Delegated with supervisory functions mainly of managerial nature.

Union Carbide (India) Ltd. v. D. Samuel.

Medical Consultant: Treating employees of a factory on retainership basis, not visiting daily, not marking attendance and no fixed duty hours.

Universal Tyres Ltd. v. K. G. Srivastava.

Medical Officer: Having general duties and also employees' working under him.

1. Management of Heavy Engineering Corporation. Ltd. v. Presiding Officer, Labour Court.
2. State of Maharashtra v. Shaligram, Son of Dhondhaji Charjan.

Medical Officer (Part-time) in the dispensary of a mill: He was supervising the work of nurses and sweepers etc. and also running his own hospital.

Dr. Suresh Pal Singh v. Labour Court UP, Agra.

Operation Supervisor: Neither the appellation to the post, nor the salary, would decide as to whether the employee is covered within the definition of 'workman'. Courts have to look beyond glorified designations assigned by Managements and to examine the nature of duties.

Muralidharan K. v. Management of M/s. Circle Freight Intl. (India) Pvt. Ltd.

Part-time Junior Executive: Assigned with the administrative functions.

G. I.C Housing Finance Ltd., Hydrebad and Another vs. Presiding Officer, Labour Court-I, A.P., Hydrebad and Another.

Personal Financial Officer : Personal Financial Officer of the Bank cannot be 'workman' since the dominant criterion for determination as to whether an employee is a 'workman' or not depends upon the nature of his duties.

Standard Chartered Bank v. Vandana Joshi.

Personnel Manager: Performing duties of advising, guiding and checking work of others.

Pabbojan Tea Co. v. Labour Court.

Persons Authorised to Assign Duties and Distribute work in a Bank: Duties being of administrative nature.

All India Reserve Bank Employees Association v. Reserve Bank of India.

Physical Education Teacher: Duties being academic in nature.

Management, Sacred Heart Convent High School, South Arcot v. State of Tamil Nadu.

Practising Advocate: Engaged by the company only on retainership basis and not on salary.

1. Indian Sulphacid Industries Ltd. v. Labour Court, Rohtak.
2. Peter Ramesh Kumar v. Executive Director, Marchalls Power & Communication India (P) Ltd.

Pujari of a Temple: Not performing any manual, clerical or supervisory work.

Sai Bhakta Samaj (Regd) v. Durga Prasad.

Purchase Officer: Purchase Officer functioning in the managerial capacity will not be a 'workman'.

Twenty-first Century Printers Ltd., Mumbai v. K. P. Abraham.

Research & Development Manager: Enjoying certain privileges and exercise of administrative powers.

Management of Chem. Crown (India) Ltd., Madras v. (1) Presiding Officer, First Additional Labour Court, Madras, (2) Dr. K. J. Kediaya.

Research Scholars and Teachers: Functions being purely academic in nature.

Jamia Hamdard v. Delhi Administration.

Resident Medical Officer: Duties being of supervisory nature.

Ardeshir Dalal Memorial Hospital v. State of Bihar.

Retired Employees: Being not existing employees.

Hindustan Lever Ltd. v. Fourth Industrial Tribunal.

Sales Representative of an Establishment: Sales promotion of books/other products.

1. Jugal Kishore Mittal v. State Sahitya Mandal.
2. B.S. Kurup v. National Bicycle Corporation. Of India Ltd.

Salesman: Looking after sales promotion.

T. P. Srivastava v. National Tobacco Company India Ltd.

Scientist:

Divyash Pandit vs. The Management of National Council for Cement and Building Materials.

Secretary of the Association: Sanctioning leave of the staff, as such not a 'workman'.

S. Ramnath Rao v. Foreign Exchange Dealers Association of India.

Secretary of Society: Has been discharging managerial functions.

Naganath v. Common Cadre Society, Bidar.

Senior Engineer/ Shift Engineer: As supervising subordinate will not be a 'workmen'.

A.K. Patel v. The Indian Hotels Co. Ltd.

Senior Foreman: Dominant work being supervisory in nature.

Instrumentation Employees Union v. Labour Court, Kozhikode.

Senior Foreman Working as Shop Incharge : Marking attendance of workers, signing material issue slips, signing confidential reports.

1. Instrumentation Employees' Union v. Labour Court, Kozhikode.
2. Ram Naresh Singh Parihar v. U. P. State Sugar Corpn. Ltd.

Senior Manager: Performing managerial duties and not the clerical duties.

Anita Mathur vs. Idea Cellular Ltd.

Senior Officer: Labour Court has rightly come to the conclusion that the petitioner – a senior officer -- was not a 'workman' since he has been permitting extra distribution of work, recommending leave of his subordinate and approving the work in the supervisory category.

Bishwa Ram Ojha v. Management of M/s. Tata Iron & Steel Company Ltd.

Senior Personal Assistant: Joined as a Clerk but promoted as Senior Personal Assistant, drawing salary more than Rs. 500.

Vilas Dumale v. Siporex India Ltd.

Service Engineers on retainership basis: They were attending after-sales service having no employer-employee relationship.

Electronics Corporation of India Ltd. v. Electronics Corporation of India Service Engineers Union.

Shift Supervisor: Being of supervisory nature of duties.

P. B. Sivasankaran vs. The Presiding Officer, First Additional Labour Court, Chennai and Anr.

Shop Manager: Working in a small shop discharging all the functions of the shop manager.

1. S. K. Maini v. Carona Sahu Co. Ltd.
2. Bata (India) Ltd. v. S. K. Chawala.

Site Engineer: By virtue of his functions mainly of supervisory nature.

Mamraj v. Management of Shanti Developers & Promoters India Ltd.

Staff Officer:

Hongkong & Shanghai Banking Corp. Ltd. v. Central Govt. Industrial Tribunal at Calcutta.

Lady Social Worker: Imparting information and knowledge of family planning.

Family Planning Association of India v. Presiding Officer, Labour Court (3) Uttar Pradesh.

Superintendent Quality Control: Working as supervisor, drawing salary exceeding Rs. 1600 p.m.

G. M. Pillai v. A. P. Lakhanikar, Judge, 3rd Labour Court.

Supervisor: Performing duties of supervisory nature.

1. Harish Ghularam Zode v. Managing Director, Vacuum Plant and Instruments Manufacturing Co. (P) Ltd.
2. German Remedies Ltd. v. Michael Gabriel Lopes.
Supervisor drawing salary more than Rs. 1600 p.m. not a workman.
3. John Joseph Khokar v. B. S. Bhadange.
4. Sagari Leathers (P) Ltd. v. Presiding Officer, Industrial Tribunal (4), Agra.
5. Bennett Coleman & Co. Limited v. Shri Yadeshwar Kumar.
6. D. C. M. Sriram v. A. R. Dial.

Supervisor: The nature of duties/functions performed by the appellant revealed that he has been supervising the work of over 175 weavers, helpers and misries in his shift.

1. A. R. Dial Dced. Thr. Rajan Kumar v. DCM Shriram Consolidated Ltd.
2. H. Rama Murthy v. K. R.D. Technologies Limited.
3. S. Kalyankrishnan v. Blue Star Limited.
4. Ramen Chandra Ghosh v. State of West Bengal & Ors.

Teacher: A teacher, in an educational institution, will not be a workman merely because he is a Physical Education Teacher.

Amar Jyoti School v. Government of National Capital Territory of Delhi.

Teacher in a School: Imparting of education cannot be considered as a skilled, unskilled, manual, supervisory or clerical work but is in the nature of mission or noble vocation and not a profession.

1. A. Sundrambai v. Govt. of Goa.
2. Kumkum Chopra v. R. N. Jindal.
3. Venkitaraman v. Labour Court.
4. Management, Sacred Heart Convent High School, Panruti South Acrot v. State of Tamil Nadu.
5. Haryana Unrecognised Schools Assn. v. State of Haryana.

6. Bhavnapur Nagarpalika v. P. O. Labour Court, Rajkot. (Even if he works in a laboratory or workshop, it will not be treated technical).
7. Karthiynai v. Union of India.
8. Bokaro Steel Plant of Steel Authority of India Ltd., Bokaro v. Presiding Officer, Labour Court, Bokaro Steel City, Bokaro.
9. Lady Irwin College Society v. Sushila Devi.
10. Lemos Cement Ltd. v. State of Bihar (now Jharkhand).

Technical Officer: Employed mainly in the administrative capacity and clerical work done by him was only incidental.

Narsinha Anand Joshi v. Century Shipping.

Trade Trainee: Getting stipend and not wages.

1. Management of Otis Elevator Co. (India) Ltd. v. Presiding Officer, Industrial Tribunal III.
2. R. Kartik Ram Chandran v. Presiding Officer, Labour Court.

Traffic Inspector: Duties being predominantly supervisory and not of an artisan.

Mohd. Ismail v. Government of Andhra Pradesh.

Trainee: To be a workman as defined in section 2(s) of Industrial Disputes Act there should be a separate order conforming a trainee as workman on completion of training. Merely because a trainee has undergone 3 years training and a wage slip mentioned him to be confirmed employee will not make him a 'workman'.

Vijay Kumar v. Presiding Judge, Labour Court.

Transport Engineer: Work being neither manual nor clerical or technical but supervisory.

Burmashell Oil Storage & Disturbing Co. of India v. Burmashell Mgt. Association.

Workman who sought Voluntary Retirement: Taking voluntary retirement from service and accepting the benefits.

1. Everestee v. District Labour Officer.
2. CEAT Ltd. v. Anand Abasaheb Hawaldar.

Zonal Manager: He was performing duties to organize and do business in the allotted area.

Johnson and Johnson Ltd. v. Third Industrial Tribunal, West Bengal.