

**OFFICE OF THE LABOUR COMMISSIONER  
LABOUR DEPARTMENT, GNCT OF DELHI  
5- SHAM NATH MARG, DELHI- 110054**

F.No. PA/Addl.LC/ 3238

Dated: 03/09/2021

**ADVISORY**

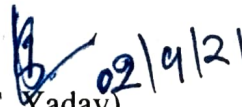
The Hon'ble High Court of Delhi in the matter CM(M) 518/2021 titled as New India Assurance Company V/s Nanak Chand has made following observations on the issue of 'forum shopping' :-

*"The GNCTD would accordingly look into the matter and ensure that appropriate instructions are passed in order to ensure that the claimants and parties who are litigating before the various Commissioners under the Employees Compensation Act, 1923, are not permitted to misuse or abuse the process of law by attempting to file the same cases in different forums of their choice, or by indulging in 'forum shopping'. Mr. Gautam Narayan, Id. ASC submits that he would communicate a copy of this order to the Chief Secretary, GNCTD, in order to ensure that adequate remedial measures are taken in this regard"*

In the light of direction/observation of the Hon'ble Court, a meeting of All Employees Compensation Commissioners was held on 19/08/2021. The matter was discussed with the Employees Compensation Commissioners, who were apprised of the issue. They were advised to ensure that whenever a claim is filed before them, they should take undertaking from the claimant that they have made full disclosure regarding similar claim filed before any other Employees Compensation Commissioner that they should ensure if undertaking so filed is found to be false or incorrect in any material particular, the claim will be dismissed forthwith.

This advisory is being issued in order to obviate attempt at forum shopping/or multiplicity of the proceeding based on the same cause of action.

These issues with the approval of Labour Commissioner.

  
(S.C. Yadav)

Additional Labour Commissioner.

All Employees Compensation Commissioners

Copy to :-

1. P.S. to Labour Commissioner, GNCTD.