

**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
ASANSOL.**

PRESENT: Shri Ananda Kumar Mukherjee,
Presiding Officer,
C.G.I.T-cum-L.C., Asansol.

APPLICATION NO. 04 OF 2019

PARTIES: Pappu Kumar Kewat
Vs.
Management of Naba Kajora Colliery of ECL.

REPRESENTATIVES:

For the Union/Workman: Mr. Rakesh Kumar, President, Koyala Mazdoor Congress.
For the Management of ECL: Mr. P. K. Das, Advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 19.07.2024.

(Contd. Page – 2)

A W A R D

1. The Application under sub-section (2) and (3) of Section 2A of Industrial Disputes (Amendment) Act, 2010 is fixed up today for recording evidence of workman. Mr. Rakesh Kumar, Union representative for the petitioner Pappu Kumar Kewat and Mr. P. K. Das, learned advocate for the management of Eastern Coalfields Limited are present.

2. The said application has been filed before this Tribunal, supported by a Certificate issued by the Conciliation Officer under Section 2A of the Industrial Disputes Act, 1947 dated 20.11.2018, certifying that Mr. Rakesh Kumar, President of Koyala Mazdoor Congress raised an Industrial Dispute under Section 2A of the Industrial Dispute (Amendment) Act, 2010 before the office of the Assistant Labour Commissioner (Central), Raniganj at Durgapur consequent upon the termination of Pappu Kumar Kewat, General Mazdoor, U.M. No. 187970 from the service of the company w.e.f. 01.07.2017 by the management of Naba Kajora Colliery under Kajora Area of Eastern Coalfields Limited. Since no settlement was reached within the mandatory period of forty-five days a Certificate was issued in favour of the Union for the purpose of enabling it to approach the Central Government Industrial Tribunal -cum- Labour Court for adjudication of the said dispute.

3. In this application under sub-section (2) and (3) of Section 2A of Industrial Disputes (Amendment) Act, 2010, the applicant prayed for his reinstatement in service with full back wages and with all other consequential benefits.

4. The case is fixed up today for the fifth time for evidence of the workman witness. On repeated calls at 12.00 noon the workman is not found available. Since filing of the application on 08.04.2019 the workman has not appeared before the Tribunal for once. Mr. Rakesh Kumar, union representative filed an application stating that the workman was informed at his native place but he did not turn up today and could not be traced. He prayed for closing the case. Since the workman is not interested to proceed, the industrial dispute challenging the dismissal of Pappu Kumar Kewat is dismissed for non-prosecution. Let a No Dispute Award be drawn up accordingly.

Hence,

ORDERED

The Application under sub-section (2) and (3) of section 2A of the Industrial Disputes Act, 1947 is dismissed. Let a No Dispute Award be drawn up in respect of the above Industrial Dispute. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

Sd/-
(ANANDA KUMAR MUKHERJEE)
Presiding Officer,
C.G.I.T.-cum-L.C., Asansol.