

THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
JABALPUR

NO. CGIT/LC/R/15/2021

Present: P.K.Srivastava

H.J.S..(Retd)

**Shiv Prasad,
S/o Shri Baratu,
Village : Harra,
P.O. Chhota Nagpur,
Distt. Korea (CG) - 497442**

Workman

Versues

**The Sub Area Manager,
SECL, Kurasia Group,
Chirmiri Area, PO : Kurasia Colliery,
Distt. Korea (CG) - 497553**

Management

(AWARD)

(Passed on this 06th day of February, 2026)

As per letter dated 05.11.2020 by the Government of India, Ministry of Labour, New Delhi, the reference is made to this Tribunal under Section-10 of Industrial Disputes Act, 1947 (in short the 'Act') as per Notification No. **RP-5(1-2)/2020-ES-III** dt. 05.11.2020. The dispute under reference relates to:

"Whether the demand of the Workman for reinstatement of service of workman is justified? If not, what relief the workman is entitled for?"

The workman never appeared and did not file his statement of claim.

The **Management** appeared and filed their statement of defense in which they stated that, Shiv Prasad workman was initially appointed as a casual Mazdoor w.e.f. 09.10.1983, complaint was received in the Office of Management that he obtained employment fraudulently by furnishing false information about his name, father's name, and other details. This complaint was referred to the concerned Superintendent of Police for investigation. He sent his report that the person in employment is Shiv Prasad is in fact Amodh Jaiswal. The workman was issued a charge sheet on 22.03.2016. He

submitted his reply on 19.04.2016. as his reply was not satisfactory, the Management decided to conduct enquiry into the charges which was conducted after notice to workman. He never appeared earlier but appeared on 12.10.2016, thereafter he participated in the enquiry. The enquiry report was filed by the enquiry officer holding the charges proved and after notice to workman on enquiry report, termination order was passed.

Since, there is no pleading of the workman nor is any evidence on record, the burden is on the workman to prove his case, in which he has failed in discharging his this burden. Hence, holding his claim not proved, the reference deserves to be answered against him.

AWARD

Holding the demand of the Workman for reinstatement of service of workman not justified, he is entitled to no relief.

No order as to cost.

DATE:- 06.02.2026



**(P.K.SRIVASTAVA)
PRESIDING OFFICER**