

**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.

REFERENCE CASE NO. 03 OF 2018

PARTIES: Abdhesh Kumar Sharma
Vs.
Management of Chapui Khas Colliery of ECL

REPRESENTATIVES:

For the Union/Workman: Mr. Asit Mukherjee, Advocate.

For the Management of ECL: Mr. P. K. Das, Advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 23.09.2024

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A W A R D

In exercise of powers conferred under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Government of India through the Ministry of Labour, vide its Order **No. L-22012/120/2017-IR(CM-II)** dated 22.12.2017 has been pleased to refer the following dispute between the employer, that is the Management of Chapui Khas Colliery of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

THE SCHEDULE

“ Whether the action of the Management of M/s. Eastern Coalfields Ltd. in relation to its Chapui Khas Colliery under Satgram Area in not extending increment @ 3% w.e.f. 24.08.2010 and not promoting the working Sri Abdhesh Kumar Sharma w.e.f. 27.09.2013 are just and legal? If not, to what relief the workman is entitled to? ”

1. On receiving Order **No. L-22012/120/2017-IR(CM-II)** dated 22.12.2017 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 03 of 2018** was registered on 09.01.2018 and an order was passed for issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses.

2. The case is fixed up today for evidence of the workman as special chance. Mr. P. K. Das, learned advocate appeared for the management of Eastern Coalfields Limited. Abdhesh Kumar Sharma, the workman appeared and filed a petition, informing that he is not interested to proceed further with this case and the case may be dismissed for non-prosecution. Application is considered.

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3. After issuing Notice under registered post, written statements were filed by both parties. Abdhesh Kumar Sharma filed his affidavit-in-chief on 13.03.2023. This case relates to his objection against not extending the benefit of increment @ 3 % w.e.f. 24.08.2010 and for promotion w.e.f. 27.09.2013. Since the workman has not inclined to proceed further with the case, the Industrial Dispute is dismissed for non-prosecution. Let a No Dispute award be drawn up.

Hence,

ORDERED

that a No Dispute Award be drawn up in the above Reference case. 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.

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