

**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 2023

PARTIES: Barun Kumar Mondal
Vs.
Management of Jhanjra Project Colliery 1 and 2 Incline of ECL

REPRESENTATIVES:

For the Union/Workman: Mr. Mahendra Singh, Adv. and Mr. Bipul Banerjee, Adv.
For the Management of ECL: Mr. P. K. Das, Adv.

INDUSTRY: Coal

STATE: West Bengal.

Dated: 04.12.2023

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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-22012/106/2022-IR(CM-II)** dated 19.12.2022 has been pleased to refer the following dispute between the employer, that is the Management of Jhanjra Project Colliery 1 and 2 Incline under Jhanjra Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

THE SCHEDULE

“ Whether the action of the management of Jhanjra Project Colliery 1 and 2 Incline, Jhanjra Area, M/s. E.C.Ltd. in not fixation the pay properly in the regularized post of Mining Sirdar-cum-Shot Firer to Shri Barun Kumar Mondal is fair, legal & justified? If not, what relief the workman concerned is entitled to? ”

1. On receiving Order **No. L-22012/106/2022-IR(CM-II)** dated 19.12.2022 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 03 of 2023** was registered on 05.01.2023 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. Mr. P. K. Das, learned advocate for the management of Jhanjra Project colliery, of Eastern Coalfields Limited is present. For ends of justice, the case is fixed up today for evidence of workman witness. On repeated calls at 12.50 pm none appeared for Barun Kumar Mondal. Mr. Bipul Banerjee and Mr. Mahendra Singh, advocates who filed Vokatnama in this case are found absent.

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3. It appears that on earlier occasions opportunities were given to the workman on two consecutive dates for adducing evidence but they failed to take steps. In my considered view workman is disinclined to proceed further in respect of his claim for regularization to the post of Mining Sirdar -cum- Shot Firer. The Industrial Dispute referred is accordingly dismissed in the form of a **No Dispute Award**.

Hence,

ORDERED

that a **No Dispute Award** be drawn up in this 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.

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