

**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. 04 OF 2023

PARTIES: Rajdeep Mukherjee
Vs.
Management of Satgram Incline of ECL and Another

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: 03.07.2024

(Contd. Page – 2)

--: 2 :--

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-22012/116/2022-IR(CM-II)** dated 04.01.2023 has been pleased to refer the following dispute between the employer, that is the Management of Satgram Incline under Satgram Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

THE SCHEDULE

“ Whether the demand raised by Union i.e. Koyala Mazdoor Congress, Asansol to the management of Eastern Coalfields Ltd. to regularize as Survey Mazdoor to Shri Rajdeep Mukherjee, General Mazdoor, UM No. 193321, of Satgram Incline under Satgram Area of M/s. Eastern Coalfields Ltd. is proper, legal and justified? If yes, what relief the concerned workman is entitled to? ”

1. On receiving Order **No. L-22012/116/2022-IR(CM-II)** dated 04.01.2023 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 04 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. Rakesh Kumar, union representative appeared for Rajdeep Mukherjee, the aggrieved workman. Case is fixed up today for the third time for evidence of workman witness. On repeated calls at 01.30 p.m., the workman is not found available. Mr. P. K. Das, learned advocate for the management of Eastern Coalfields Limited is present.

--: 3 :--

3. After registration of the case, Notice under registered post was issued to the parties. Koyala Mazdoor Congress filed a written statement on 22.03.2023 on behalf of the workman through Mr. H. L. Soni, Assistant General Secretary, Koyala Mazdoor Congress, Asansol. The Agent, Satgram (R) Colliery filed written statement on 28.4.2023. Case was thereafter fixed for evidence of workman witness on 30.08.2023, 13.02.2024 and for ends of justice case is fixed up today for appearance and evidence of workman witness, in default the case is to be disposed of.

4. The aggrieved workman has remained absent on three consecutive dates fixed for evidence. The conduct of the workman indicates that he is not inclined to proceed with this case. Accordingly, the matter cannot be kept pending without any reasonable cause. The Industrial Dispute is therefore dismissed for default. Let a No Dispute Award be drawn up. Let the matter be communicated to Ministry for notification.

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.

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