

**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. 05 OF 2018

PARTIES: Gopal Bhuia
Vs.
Management of Satgram Incline, 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: 07.03.2025.

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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-22012/56/2017-IR(CM-II)** dated 16.01.2018 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 action of the Management of M/s. Eastern Coalfields Ltd. in relation to its Satgram Incline under Satgram Area in imposing a punishment of dismissal on Shri Gopal Bhuia, U G Loader vide order No. SAT/PER/GM/Termination/08/1066 dated 20/21.03.2008 in just and legal? If not, to what relief the workman is entitled to? ”

1. On receiving Order **No. L-22012/56/2017-IR(CM-II)** dated 16.01.2018 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 05 of 2018** was registered on 29.01.2018 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.
2. Mr. P. K. Das, learned advocate appeared for the management of Eastern Coalfields Limited. Mr. Rakesh Kumar, Union representative appeared on behalf of the Koyala Mazdoor Congress. Case is fixed up today for appearance of the workman and evidence, in default, the case is to be disposed of on the basis of materials on record.
3. It is 12.20 PM, on repeated calls Gopal Bhuia, the aggrieved workman is not found available. The Industrial Dispute has been raised by the union challenging the order of

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dismissal of Gopal Bhuia bearing Order No. SAT/PER/GM/Termination/08/1066 dated 20/21.03.2008. The union has filed written statement in this case on 26.06.2018 through Mr. H. L. Soni, Assistant General Secretary, Koyala Mazdoor Congress. Management filed their written statement on 10.02.2023. Several opportunities have been granted to the parties to adduce evidence since 22.05.2023. After fixing the case on seven (7) dates for evidence, the workman has not turned up. Mr. Rakesh Kumar, Union representative submitted that the workman is not inclined to proceed and the same may be disposed of.

4. Considering the submission and materials on record, I find that the workman is not diligent in proceeding with this case. He has not even bothered to turn up for ventilating his grievance. The Reference case is dismissed. 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.

Sd/-

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