

**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. 06 OF 2023**

**PARTIES:** Kumari Kabutiri Prasad  
**Vs.**  
Management of J. K. Nagar Group (R) Colliery of ECL

**REPRESENTATIVES:**

For the Union/Workman: Mr. Rakesh Kumar, President, Koyala Mazdoor Congress.

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

**INDUSTRY:** Coal.

**STATE:** West Bengal.

**Dated:** 25.09.2023

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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-22012/03/2023-IR(CM-II)** dated 12.01.2023 has been pleased to refer the following dispute between the employer, that is the Management of J. K. Nagar Group (R) Colliery of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

**THE SCHEDULE**

*“ Whether the action of the Management of Eastern Coalfields Ltd. vide letter No. ECL/CMD/C-6B/EMPL/WD/5323/15/96 dated 21/03/2015 (copy enclosed) in denying for providing employment on compassionate ground under the provisions of NCWA to Kumari Kabutiri Prasad, who had submitted the claim for employment vide letter dated 21/09/1999 (copy enclosed), the dependent daughter of late Shri Ganesh Prasad, Ex-Stone Cutter, who expired on 05/02/1999 while in service, is fair, legal and justified? If not, to what relief the dependent of the deceased workman is entitled and what directions are necessary in this respect? ”*

**1.** On receiving Order **No. L-22012/03/2023-IR(CM-II)** dated 12.01.2023 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 06 of 2023** was registered on 20.01.2023 and an order was passed 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 conducting this case on behalf of Kumari Kabutiri Prasad, who had claimed employment as a dependent daughter of late Ganesh

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Prasad, has filed a copy of Death Certificate of Kabutiri Prasad, daughter of late Ganesh Prasad and filed a separate petition for accepting the Death Certificate of Kabutiri Prasad for passing appropriate order. Copy served upon Mr. P. K. Das, learned advocate for Eastern Coalfields Limited.

**3.** After appearance in this case a written statement was filed by the management on 30.05.2023. No written statement was filed on behalf of petitioner/claimant. Since Kumari Kabutiri Prasad, the daughter of the ex-employee has expired, the claim for employment of dependent fails. The Industrial Dispute is accordingly disposed of in the form of a **No Dispute Award**.

Hence,

**ORDERED**

that a **No Dispute Award** be drawn up in respect of the above Reference. 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.