

**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. 10 OF 2018**

**PARTIES:** Smt. Sabita Hari  
**Vs.**  
Management of J. K. Nagar Colliery, Satgram Area of ECL

**REPRESENTATIVES:**

For the Union/Workman: None.  
For the Management of ECL : Mr. P. K. Das, Adv.

**INDUSTRY:** Coal.

**STATE:** West Bengal.

**Dated:** 04.12.2023

(Contd. Page – 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-22012/137/2017-IR(CM-II)** dated 13.03.2018 has been pleased to refer the following dispute between the employer, that is the Management of J. K. Nagar Colliery under Satgram Area of Eastern Coalfields Limited and their employee for adjudication by this Tribunal.

**THE SCHEDULE**

*“ Whether the fixation of wages to Smt. Sabita Hari, deployed under the management of J. K. Nagar Colliery under Satgram Area of ECL as Peon w.e.f. 17.03.2004 is proper, legal and justified. If not, to what relief the concerned workman is entitled to and from which date? ”*

1. On receiving Order **No. L-22012/137/2017-IR(CM-II)** dated 13.03.2018 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 10 of 2018** was registered on 26.03.2018 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. Mr. P. K. Das, learned advocate for the management of J. K. Nagar Colliery under Satgram Area, ECL is present. The case is fixed up today for appearance of Smt. Sabita Hari, aggrieved employee who raised this Industrial Dispute but she has not appeared after Notice was issued to her at her permanent address.

3. After registration of the case Notice was issued to parties. Management appeared and filed written statement in support of their objection. Management produced copy of

--: 3 :--

order Ref. No. SAT/PER/PR to TR/2004/1532 dated 18/20.03.2004 wherein it has been specified that the Competent Authority has accorded his approval for conversion of the following Piece Rate workers into Time Rate category who have completed the requisite attendance in the category in which they are presently being deployed with protection of existing SPRA only as per directive conveyed in this regard vide letter No. 10998 dated 23.04.1993 from ECL/HQ. Their Pay fixation will be done by Associate Finance. Name of Smt. Sabita Hari is entered against serial no. 25 in that order. Subsequently another office order bearing No. SAT/PER/B-24/2013/885 dated 14/15.03.2023 was issued by the Chief Manager (Personnel), Satgram Area wherein it was ordered that deployment of the enlisted employees of different units of Satgram Area as Peon and subsequent recommendation of the D.P.C. for regularization/encadrement, the Competent Authority has been pleased to accord his approval for regularization of the undernoted employees as Peon in Technical & Supervisor Grade - H of NCWA-IX with immediate effect. It was further ordered that regularization will be effective from the date of issue of this order. Name of Smt. Sabita Hari appears against serial no. 5 in that order.

4. In view of such order, it appears to me that the aggrieved employee does not want to proceed further as the purpose has already been served. Industrial Dispute is accordingly dismissed in the form of a **No Dispute Award**.

Hence,

**ORDERED**

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