

**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. 12 OF 2007

PARTIES: Balrup Yadav
(represented by the dependant son Raj Kumar Yadav)
Vs.
Management of Shankarpur Colliery of ECL

REPRESENTATIVES:

For the Union/Workman: None.
For the Management of ECL: Mr. P. K. Goswami, Advocate.

INDUSTRY: Coal
STATE: West Bengal.
Dated: 04.09.2024

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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-22012/1/2006-IR(CM-II)** dated 19.02.2007 has been pleased to refer the following dispute between the employer, that is the Management of Shankarpur Colliery under Bankola Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

THE SCHEDULE

“ Whether the action of the management of Shankarpur Colliery under Bankola Area of M/s. Eastern Coalfields Limited in denying employment to the dependant of Late Balrup Yadav, Ex.Tyndal, who died while in service, is legal and justified? If not, to what relief the dependant of the deceased workman is entitled? ”

1. On receiving Order **No. L-22012/1/2006-IR(CM-II)** dated 19.02.2007 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 12 of 2007** was registered on 03.05.2007 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. Goswami, learned advocate for Eastern Coalfields Limited is present. The case is fixed up today for appearance of legal representatives of the workman and evidence of workman witness. On repeated calls at 01.10 pm none appeared for the dependent of the deceased workman.

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3. After registration of the case both parties appeared and filed their written statements. Raj Kumar Yadav, Son of Balrup Yadav, claiming employment as dependant in place of his father, who died in harness, had filed an affidavit-in-chief on 29.09.2015. Several dates were fixed for evidence of workman witness from 29.12.2015 till 04.09.2024 i.e. today. The dependant son did not turn up despite fresh Notice was issued at his address directing him to appear before the Tribunal on 29.11.2023. None appeared for the deceased workman on consecutive dates for the third time. Considered.

4. It appears to me that dependants of the deceased workman are not inclined to proceed further and therefore Industrial Dispute referred for adjudication is dismissed for non-prosecution. 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.

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