

**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. 13 OF 2013

PARTIES: Ranbir Singh
Vs.
Management of S.S.I Colliery of 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: 10.09.2024

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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-22012/126/2013-IR(CM-II)** dated 18.09.2013 has been pleased to refer the following dispute between the employer, that is the Management of S.S.I. Colliery under Sripur Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

THE SCHEDULE

“ Whether the action of the regarding stoppage of two increments of Sri Ranbir Singh was fair, just while the Nandlal Chatterjee who was also responsible exempted from the charges without any enquiry, if not, so what relief management can provide to Sri Ranbir Singh? ”

1. On receiving Order **No. L-22012/126/2013-IR(CM-II)** dated 18.09.2013 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 13 of 2013** was registered on 14.02.2014 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 Eastern Coalfields Limited is present. Mr. Rakesh Kumar, union representative appeared on behalf of Ranbir Singh, the petitioner. The case is fixed up today for appearance of workman and evidence. On repeated calls at 12.40 pm the aggrieved workman is not found available.

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3. On a perusal of record, I find that the workman has not appeared on consecutive dates and for ends of justice the case was fixed for evidence of workman witness on 03.05.2024, in default, evidence was to be closed. On 03.05.2024 another opportunity was granted to the workman, fixing the case today for evidence. Dispute relates to an issue as to whether stoppage of two increments of Ranbir Singh without enquiry is fair or not. Mr. Rakesh Kumar submits that Ranbir Singh has already superannuated from service and has not contacted him thereafter. Till date no evidence has been adduced by any party. The Charge Sheet and Enquiry Proceeding are lying in the record. Since workman has not taken any initiative to assert his case, there is no point in keeping the matter pending. Under such circumstances Industrial Dispute is dismissed for default. 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.