

**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. 14 OF 2017

PARTIES: Muslim Mia
Vs.
Management of Satgram Incline of ECL and Another.

REPRESENTATIVES:

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

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 10.04.2024

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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-22012/81/2017-IR(CM-II)** dated 09.11.2017 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 not paying the applicable House Rent Allowance to Sri Muslim Mia from February 2008 is just and legal? if not, to what relief the workman is entitled to? ”

1. On receiving Order **No. L-22012/81/2017-IR(CM-II)** dated 09.11.2017 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 14 of 2017** was registered on 21.11.2017 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 of Eastern Coalfields Limited is present. The case is fixed up today for ex-parte hearing. On call at 12.45 p.m. Muslim Mia, the aggrieved workman as well as representative of Koyala Khadan Sharamik Congress, Union are found absent without representation.
3. On a perusal of the record, I find that management filed their written statement

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on 10.02.2023, after a period of six years, wherein it is stated that Muslim Mia was allotted quarters at New Satgram Colliery prior to January 2008 and he handed over the quarters to the company in November 2007 vide office order No. ECL/SP/PER/Housing/Allotment/2007/2736 dated 28/30.11.2007. Said quarters was therefore allotted to Shri Krishna Behera, another employee of the company. It has been ascertained that according to circular issued by Eastern Coalfields Limited (Headquarters) bearing No. ECL/CMO/C-6/WBE-1/489 dated 28.06.2006 which was reissued vide No. ECL/CMD/C-6E/10/613 on 16.07.2012, Muslim Mia is not entitled to House Rent Allowance. Notice was issued to Muslim Mia at his given address but same were returned on two occasions with endorsement that he left for his home. In my considered view sufficient opportunity was given to the aggrieved workman and union but they failed to file written statement and did not turn up for adducing necessary evidence. Without going into the merits and validity of the circular issued from the Headquarters of Eastern Coalfields Limited for disallowing the House Rent Allowance, this case is disposed of in the form of a No Dispute Award on default of the workman. Let a No Dispute Award be drawn up accordingly.

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.