

**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. 18 OF 2010**

**PARTIES:** Kabutari Dhangar  
(wife of Late Puna Dhangar)  
**Vs.**  
Management of Khandra 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:** 05.04.2024.

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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-22012/79/2009-IR(CM-II)** dated 15.06.2010 has been pleased to refer the following dispute between the employer, that is the Management of Khandra 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 M/s. ECL in allegedly not providing employment to Smt. Kabutari Dhangar, wife of Shri Puna Dhangar (ex-workman), on compassionate ground is legal and justified? To what relief is the claimant entitled for? ”*

1. On receiving Order **No. L-22012/79/2009-IR(CM-II)** dated 15.06.2010 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 18 of 2010** was registered on 02.07.2010 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. The case is fixed up today for appearance of Kabutari Dhangar and evidence of management witness. On repeated calls at 12.50 p.m. none appeared for the management of Eastern Coalfields Limited. No management representative of Bankola Area is available.
3. Notice under registered post was issued at the address of Kabutari Dhangar,

petitioner for whom this Industrial Dispute is raised. Postal envelope has been returned with an endorsement "Not found". No union representative turned up on behalf of the petitioner.

4. Kabutari Dhangar filed an affidavit-in-chief in support of her case and was cross-examined by the management on 03.10.2016. Cross-examination reveals that Puna Dhangar, Ex-workman went missing. Photocopy of Death Certificate has been produced by the management indicating that person concerned died on 08.05.1995. In affidavit-in-chief, Kabutari Dhangar stated that her husband went missing from 05.02.1995. She has also denied in paragraph 10 of her affidavit-in-chief that her husband did not go missing or expired on 08.05.1995 as had been claimed by the management.

5. I find substantial discrepancy in the statements of the petitioner wife and documents filed by her in respect of missing of her husband. It is also stated that there was an alleged case of termination of service of her husband on 12.01.1998 and she claimed that such termination was illegal. Be that as it may, due to long absence of Kabutari Dhangar after Notice I am not inclined to proceed further with this Industrial Dispute and the same 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.