

**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 2019

PARTIES: Sunil Majhi
Vs.
Management of Madhabpur Colliery of ECL

REPRESENTATIVES:

For the Union/Workman: Mr. Rakesh Kumar, President, Koyala Mazdoor Congress.
For the Management of ECL: Mr. P. K. Das, Adv.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 20.05.2024

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-22012/27/2019-IR(CM-II)** dated 05.03.2019 has been pleased to refer the following dispute between the employer, that is the Management of Madhabpur Colliery under Kajora 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 dismissing Sri Sunil Majhi, Ex- General Mazdoor of Madhavpur Colliery of Eastern Coalfields Ltd. vide Office Order No. KA: APM(IC): C-6: Dismissal: 10/2382 dated 13.3.2015 is legal and justified? If not, what relief Sri Sunil Majhi, Ex- General Mazdoor is entitled to? ”

1. On receiving Order **No. L-22012/27/2019-IR(CM-II)** dated 05.03.2019 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 18 of 2019** was registered on 26.03.2019 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 dismissed workman filed his written statement through the workman's union on 13.12.2022. The management of Eastern Coalfields Limited (hereinafter referred to as ECL) contested the case by filing their written statement on 26.04.2023. The fact of the workman's case is that Sunil Majhi was a General

Mazdoor at Madhabpur Colliery under Kajora Area of ECL, having U.M. No. 109553. On 25.11.2014 the management issued a Charge Sheet against Sunil Majhi on a charge of attempt to commit suicide in Pit No. 2 of Madhabpur Colliery in the night of 25.11.2014 at 11.00 p.m. The workman submitted his reply denying the allegation. According to him he was going to attend a nature's call in the premises of the Mine. Due to dearth of light, he suddenly fell down in Shaft No. 2 of Madhabpur Colliery but caught hold of Winding Rope to save his life. The workman denied the charge of attempt to commit suicide levelled against him and prayed for withdrawing the charge and allow him to join his duty. The management suspended him from work and initiated an enquiry against him by appointing an Enquiry Officer. The workman attended the Enquiry Proceeding where he disclosed that he fell down in the shaft but Enquiry Officer did not pay heed to his statement and awarded him the highest punishment of dismissal by order No. KA:APM(IC):C-6:Dismissal:10/2382 dated 13.03.2015.

3. The dismissed workman urged that the punishment awarded against him is disproportionate to the nature of alleged misconduct and that the management instead of issuing any 2nd Show Cause Notice, dismissed him from the service without complying with the mandate of the Hon'ble Supreme Court of India as well as the Circular issued by the Director (P & IR), Coal India Limited, regarding issuance of 2nd Show Cause Notice to the charged employee, seeking his representation on the findings of the Enquiry Officer.

4. According to the workman the order of dismissal is liable to be set aside and the workman should be reinstated in his service. Further case of the workman is that he has no source of income for his livelihood and he submitted a Mercy Petition before the management of the colliery as well as the Headquarters of ECL for considering his prayer for reinstatement but no decision has been taken on his application so far. The aggrieved workman contended that on the

instruction of the local management he was compelled to admit the charge and undertook that in future he shall not commit any mistake or repeat such misconduct. It is contended that the management could not prove the charge on the basis of any independent evidence. According to the workman the occurrence was an accident. The workman has not been paid the sustenance allowance during the period of his suspension until his dismissal. It is also asserted that management could not prove the charge against him of violation of the Coal Mines Regulations, 1957.

5. The management contested the case by filing written statement through the Agent of Madhabpur Colliery. According to the management the Industrial Dispute raised by the workman is not sustainable under the law. It is their case that Sunil Majhi had attempted to commit suicide by jumping into pit shaft No. 2 of Madhabpur Colliery by crossing the pit fence from the southern side. Such act of the workman is a misconduct under Clause 26.3, 26.15, 26.22, and 26.26 of the Certified Standing Order of the company. The management chargesheeted the workman and Charge Sheet No. Madh/Mgr./suspension/14/1339 dated 25.11.2014 was issued. A Departmental Enquiry was initiated and the workman participated in the enquiry. In course of the Enquiry Proceeding charge was levelled under Clause 26.3 for wilful insubordination or disobedience, whether alone or in conjunction with another or others of any lawful or reasonable order of a superior. Charge was also levelled under 26.15 for breach of Mines Act, 1952 or any Rules, Regulations or by-laws thereunder. Furthermore, charge was levelled under Clause 26.22 for sabotage or causing wilful damage to work in progress or to the property of the company as well as under Clause 26.26 for his misconduct within the mines premises or its precincts which endangered the life or safety of any person. In course of enquiry the charges were established against the workman. The findings of the Enquiry Officer was communicated to the General Manager, Kajora Area. Ample opportunity was given to the workman to

defend himself. Complying all the formalities and observing the principles of natural justice the workman was dismissed from his service and the question of wrongful dismissal does not arise. An order of dismissal was passed against the workman but the same was not challenged in any appeal within 45 days from the date of issuance of the order. It is further stated that the workman was awarded punishment on earlier occasion with stoppage of 3 SPRA (Special Peace Rate Allowance) with cumulative effect for his absence from duty from 14.04.1997 to 29.08.1997. On another instance in the year 2007 he was allowed to resume his duty after stoppage of 1 SPRA for his unauthorized absence from duty. Management relied upon the Hon'ble High Court at Calcutta in the case of **Some Majhi Vs. Coal India Limited & Others [W.P. No. 800 of 2014]**, wherein it was held that :

“An employee must take his duties seriously. He must perform his functions with honesty and sincerity. He cannot take his employment for granted. He must follow the rules and regulations of the employer company. He must conduct himself in a disciplined manner. He must perform his duty with responsibility.”

The management of the company urged that the action of the management in dismissing Sunil Majhi was justified and the Industrial Dispute raised by the union has no merit and the case is liable to be dismissed.

6. Sunil Majhi filed an affidavit-in-chief and examined himself as Workman Witness – 1. He has reiterated the case disclosed in the written statement. It has been stated in the affidavit-in-chief that the workman participated in the Enquiry Proceeding and explained the situation as to how he fell down the shaft and how he saved his life. He asserted that he never attempted to commit suicide but instead of paying heed to that, the management of the colliery assured that if he accepted the charge and testified that would not commit such act in future, he would be allowed to join his duty. The workman misled by such persuasion stated that he committed the mistake and the Enquiry Officer held him guilty and

submitted a report proposing the highest punishment of dismissal. It is asserted that the management without issuing any 2nd Show Cause Notice and without supplying copy Enquiry Proceeding and findings of the Enquiry Officer, issued the order of dismissal in violation of the mandate of the Hon'ble Supreme Court of India and Circular of the Director (P & IR), Coal India Limited. The management without considering all these aspects, issued an order of dismissal of Sunil Majhi. A mercy petition was filed by the workman for his reinstatement. The management of the Area sent the proposal to the Headquarters but no action was taken. Till date the management has not considered the mercy petition. The workman denied having attempted to commit suicide and asserted that the management failed to prove the charge against him. It is urged that there has been no violation of the Coal Mines Regulations, 1957 by the charged employee. The incident was an accident and there had been no deliberate attempt to jump into the shaft. In course of his evidence the witness has produced the following documents:

- (i) Photocopy of the Identity Card of the workman issued by the management has been marked as Exhibit W-1.
- (ii) Photocopy of the Charge Sheet dated 25.11.2014, as Exhibit W-2.
- (iii) Photocopy of the reply submitted by the workman dated 12.12.2014 against the Charge Sheet, as Exhibit W-3.
- (iv) Photocopy of the order of dismissal dated 13.03.2015, as Exhibit W-4.
- (v) Photocopy of the Mercy Petition of the workman dated 29.07.2016, as Exhibit W-5.
- (vi) Photocopy of the letter dated 21.02.2017 issued by the Senior Manager (Personnel) of Kajora Area for reinstatement of the Sunil Majhi along with others, as Exhibit W-6.

7. In course of cross-examination the workman witness deposed that he did

not know that D. B. Chakraborty, a co-worker who was nominated to provide assistance to him. Workman admitted that he stated before the Enquiry Officer that due to mental illness and depression he had jumped into the mining pit. The workman witness stated that he recovered after 1 and ½ hours from the time he fell into the pit. The witness did not inform as to who were the persons who rescued him. In cross-examination he stated that he was taken straight to the Andal Police Station at the instance of the Manager. It may be derived from the cross-examination of workman witness – 1 that he did not sustain any injury due to the fall and that there was no fence around the pit, where he had fallen. He also denied the suggestion that he had jumped into the pit by crossing the fence. According to the workman he went to attend nature's call on the night and had slipped into the pit.

8. Mr. Proloy Dasgupta, Manager (Personnel), Khas Kajora Group of Mines of Madhabpur Colliery adduced evidence for the management. He has been examined as Management Witness – 1. The witness stated that Sunil Majhi was dismissed from his service for his attempt to commit suicide in the night of 22.11.2014 and also for his wilful insubordination and disobedience in complying the rules of the company and his superior officers and that he caused damage to the property of the management and endangered life and safety of other co-workers. After the Charge Sheet was served, Sunil Majhi submitted his reply and when the Enquiry Proceeding was initiated the workman participated in the Enquiry Proceeding. Md. Arif, Senior Manager / Safety Officer of Madhabpur Colliery held the enquiry and Mr. Mohit Kumar Nandi, Manager (M)/ Assistant Manager of Madhabpur Colliery represented the management. In course of his evidence the management witness has produced the following documents :

- (i) Photocopy of the Charge Sheet dated 25.11.2014 has been produced as Exhibit M-1.
- (ii) Photocopy of the reply of the workman dated 12.12.2014 submitted against the Charge Sheet, as Exhibit M-2.

- (iii) Photocopy of the office order dated 11.01.2015, appointing Md. Arif as Enquiry Officer and Mr. Mohit Kumar Nandi, as Management Representative for the enquiry has been produced as Exhibit M-3.
- (iv) Photocopy of the Notice of enquiry dated 12.01.2015, as Exhibit M-4.
- (v) Photocopy of the Enquiry Proceeding in eight pages collectively, as Exhibit M-5.
- (vi) Photocopy of the findings of the Enquiry Officer dated 13.01.2015, as Exhibit M-6.
- (vii) Photocopy of the letter dated 14.01.2015 by which the enquiry report along with Enquiry Proceeding and findings were submitted before the Chief Manager (M)/ Agent of Madhabpur Colliery, as Exhibit M-7.
- (viii) Photocopy of the Note Sheet dated 14.01.2015 / 17.01.2015 whereby the Senior Manager (Mining) proposed a strong disciplinary action against the employee, as Exhibit M-8.
- (ix) Photocopy of the order of dismissal of Sunil Majhi dated 13.03.2015, as Exhibit M-9.

9. In cross-examination the management witness deposed that no 2nd Show Cause Notice was issued to the workman and the workman filed a mercy petition after more than 1 year and 3 months from the date of dismissal. The same was forwarded to the headquarters but till date no decision on the mercy petition has been communicated by the headquarters. The witness admitted that no person was injured due to the occurrence. But the company sustained loss due to stoppage of work. The witness denied that the punishment was disproportionate to the nature of misconduct.

10. The point for consideration is whether dismissal of Sunil Majhi from the service of ECL is legal and justified and to what relief the dismissed workman is entitled to?

11. Mr. Rakesh Kumar, Union representative arguing the case on behalf of the workman submitted that Sunil Majhi was attending the night-shift duty on 22.11.2014 and when he went to attend nature's call, he accidentally fell in the shaft of the Pit No. 2 of Madhabpur Colliery. The management of the company instead of treating the matter sympathetically issued a Charge Sheet against the workman on 25.11.2014 accusing him of attempt to commit suicide. Sunil Majhi was suspended from service and he participated in the Enquiry Proceeding. Though there was no charge of previous absence from duty, the Enquiry Officer in course of the Departmental Proceeding had considered extraneous material and proposed his dismissal. It is strenuously argued that after receiving a copy of the Charge Sheet (Exhibit W-2), Sunil Majhi submitted his reply dated 12.12.2014 (Exhibit W-3) where he stated that he went to attend nature's call and suddenly fell down into the pit. He denied the charge of attempt to commit suicide or being responsible for endangering the life of co-workers or liable for the loss of any production but the management decided to initiate a Departmental Proceeding against the workman where on the instruction and assurance of the management that if he admitted the charge he would be reinstated in service, Sunil Majhi admitted the charge levelled against him. The Enquiry Officer recorded the statement of Sunil Majhi that he has committed a blunder and would never repeat such type of misconduct and insubordination in future. It is urged that the contents of the reply submitted by Sunil Majhi against the Charge Sheet and the statement appeared to have been recorded by the Enquiry Officer are contradictory and diametrically opposite in nature. It is argued that charged employee was misled during the course of Enquiry Proceeding leading to such anomalous situation. It is vehemently argued that the charge of attempt to suicide has not been proved by any independent evidence of any management representative. It is further argued that the occurrence took place suddenly and there was no occasion for the workman to act in insubordinate manner to the instruction of superior officer in that part of the night. No management

representative has been examined in course of Enquiry Proceeding to establish the charge against the workman. Mr. Rakesh Kumar asserted that after completion of enquiry by the Enquiry Officer no 2nd Show Cause Notice was issued to the workman seeking his representation in respect of the Enquiry Proceeding and the findings made against him. Non-issuance of 2nd Show Cause Notice and non-service of Enquiry Proceeding to the workman it is contended would vitiate the management's finding and dismissal of the workman. It is urged that the Enquiry Proceeding held against Sunil Majhi is arbitrary, in violation of natural justice and the order of dismissal is liable to be set aside and the workman is entitled to be reinstated in his service.

12. Mr. P. K. Das, learned advocate for the management of ECL, in reply argued that the Coal Mines Regulations, 1957 has to be complied by the employees and any breach of the said Regulation 38(1)(a), 38(1)(b), and 38(3)(a) would make him liable for punishment. It is submitted that every person in the mines is required to adhere to the provisions of the Mines Act and regulations and orders made thereunder, and to any order or direction issued by the Manager or any Official for the safety or convenience of, nor shall they neglect or refuse to obey such order or directions. It is argued that according to Regulation 38(3)(a) no person shall, except with the authority of an official, remove or pass through any fence, barrier or gate, or remove or pass any danger signal. Mr. P. K. Das argued that the charged employee had crossed the fence and jumped into Pit No. 2 of the colliery with an object to commit suicide and he willfully disobeyed the instruction of his co-workers and superiors when they tried to rescue him. According to learned advocate for the management the charged employee participated in the Enquiry Proceeding and admitted his guilt. The Enquiry Officer in his findings (Exhibit M-6), stated that a fair and impartial enquiry was conducted against Sunil Majhi, who attempted to commit suicide by jumping into the pit due to personal problems. Workman admitted the charge levelled against him and that he

endangered his own safety as well as of other workers of the colliery, affecting the production of sixty tons of coal, causing a loss of Rs. 2,40,000/-. Learned advocate for the management referred to the order of dismissal and the Note Sheet of the General Manager of Kajora Area, whereby the controlling authority had taken a decision to dismiss the workman for his misconduct. It is argued that the punishment imposed by the management is proportionate to the misconduct and there is no valid reason for interfering with the same.

13. I have considered the facts and circumstances involved in this case as well as argument advanced by the rival parties. The Charge Sheet issued against the workman on 25.11.2014 (Exhibit W-2 or M-1) disclosed that on the night of 22.11.2014, Sunil Majhi attempted to commit suicide by jumping into the Pit No. 2 of Madhabpur Colliery from southern side, by crossing the fence and endangered his life as well as other persons working at top and below ground. It is further disclosed that such suicidal act interrupted the winding operation in Pit No. 2 in the 2nd shift, affecting production up to 4.00 a.m. The workman was hanging by holding the winding-rope about 15 feet below the surface, in the pit. When he was asked by the co-worker and management, he ignored their request to come out. By such act the charged employee deliberately violated the Regulation 38(1)(a), 38(1)(b), and 38(3)(a) of the Coal Mines Regulations, 1957 and acted in insubordinate manner and caused wilful damage to work in progress and to the property of the company. Charges under Clause 26.3, 26.15, 26.22, 26.26 of the Certified Standing Order were levelled against the workman. He was directed to submit a written reply, otherwise a disciplinary action would be initiated against him. The workman in his reply dated 12.12.2014 (Exhibit W-3) denied the charges and categorically stated that he went to attend nature's call beside the pit and suddenly fell down the pit, but was luckily saved. He denied the allegation of any attempt to commit suicide by him or that his act endangered the life of persons or loss of any property. The management of ECL has not been

able to disclose the decision taken on the reply of Sunil Majhi against the Charge Sheet and without assigning any reason of non-acceptance of the reply, initiated a Departmental Proceeding. The workman participated in the Enquiry Proceeding and appears to have admitted the charge. In his affidavit-in-chief the workman witness categorically stated that during the enquiry he did not attempt to commit suicide but the Enquiry Officer and the management representative did not pay heed to him. In Paragraph 6 of the affidavit-in-chief he stated that the management of the colliery assured him that if he accepts the charge and promised that in future, he will not repeat such type of act then he will be allowed to join his duty. Relying upon such commitment of management he made statement before the Enquiry Officer that in future he will not commit such mistake. The Enquiry Officer then submitted his report awarding the highest punishment of dismissal. In cross-examination the witness denied that he made any statement before the Enquiry Officer that due to mental illness and depression he had jumped into the mining pit or that he made statement before the Enquiry Officer that he shall not jump into the pit in future. The cross-examination of WW-1 reveals that he did not suffer any injury due to fall and he was taken right away to the Police Station, Andal at the instance of the Manager. The workman further stated that when he slipped into the pit, he held the winding engine rope to avoid injury. His statement reveals that there was no fence around the pit, in which he has fallen.

14. Mr. Proloy Dasgupta, management witness filed an affidavit-in-chief. In Paragraph 3 of the affidavit-in-chief he stated that Sunil Majhi attempted to commit suicide by jumping into the pit no. 2 of Madhabpur Colliery by crossing the pit fence. In course of enquiry the Enquiry Officer has named 6 MR witnesses namely, Mr. Ajay Kumar Singh, Mr. Subodh Kumar Roy, Mr. Kailash Ch. Besai, Mr. Robin Bouri, Mr. Bipul Mondal, Mr. Sanyasi Bouri. On careful scrutiny of Enquiry Proceeding, I find that the Enquiry Officer did not record any statement

of these six persons in first person. It appears from Page 7 of the Enquiry Proceeding (Exhibit M-5) that without recording the statement of the six Management Representative witnesses the Enquiry Officer set out to assess their statements. From the four corners of the Enquiry Proceeding, I am unable to find any material statement of any person that the concerned workman had cross-examination the fence to jump into the pit or that there was any occasion to disobey any statement of any superior officer, or any senior officer was present at the place of occurrence. No management representative was examined by the Enquiry Officer in support of the charge that the workman acted in insubordinate manner. From the facts and circumstances of the case it is crystal clear that Sunil Majhi fell into the mining pit and he tried to save himself by holding the winding rope fifteen feet below the surface, in the pit. Later on, he managed to reach the bottom of the pit without sustaining any injury or causing injury to other co-workers. The workman denied that there was any fence around the pit. No management evidence has been adduced to establish that adequate care and protection had been taken by the management to encircle the pit either with fence or by wall. Therefore, it cannot be assumed that the pit of the colliery is safeguarded with any fence. The question of violating the Regulation 38 of Coal Mines Regulations, 1957 therefore does not arise. I also find that there is dearth of evidence to establish the charges under Clause 26.3, 26.15, and 26.22 of Certified Standing Order applicable to the employer and employee of the coal mines. Admittedly, workman had fallen into the shaft but no injury of the workman or his co-employees was reported that night.

15. Mining activity and operations are inherently dangerous in nature and for the purpose of ensuring safety, different safety measures have been recommended and regulations have been promulgated, necessitating strict adherence to the provisions of the Act and Regulations and orders are made by the Manager and Officials for the purpose of safety. Despite such regulation and vigilant activity of

the management, accidents do occur. To make good the loss, laws have been enacted for providing compensation to workman for such loss suffered by them arising out of and in course of their employment. In a similar situation when the charged employee meets with an accident in the mine, the management needs to consider the case in a pragmatic manner instead of being bent upon to disown the responsibility by making the unfortunate workman a scapegoat. The conduct of the workman has to be considered as a whole. At one stage he denied the charge levelled against him and disclosed that he fell into the pit as an accident. The contrary statement recorded by the Enquiry Officer in course of Departmental Proceeding thereafter cannot be sustained in the light of the initial statement made by the workman in his reply to the Charge Sheet.

16. Having considered the facts and materials in the Enquiry Proceeding, except an admission on the part of the charged employee there is no material to establish that there had been any violation of safety rules under the Coal Mines Regulations, 1957 or insubordination on the part of the concerned workman. No independent evidence nor any material has transpired in the Enquiry Proceeding to establish any loss of life or property of co-workers or management. On a holistic consideration of the Enquiry Proceeding, I do not find it sustainable under the law.

17. The second contention in this case is non-issuance of 2nd Show Cause Notice and non-supply of Enquiry Proceeding and findings of the Enquiry Officer to the charged employee. The Hon'ble Supreme Court of India in the case of **Union of India and Others Vs. Mohd. Ramzan Khan [AIR (1991) SC 471]**, laid down the law as follows:

“ When the Inquiry Officer is not the Disciplinary Authority, the delinquent employee has a right to receive a copy of the inquiry officer's report before the Disciplinary Authority arrives at its conclusion with regard to the charges levelled against him.

A denial of the inquiry officer's report before the Disciplinary Authority takes its decision on the charges, is denial of opportunity to the employee to prove his innocence and is a breach of principles of natural justice."

The principle laid down by the Hon'ble Supreme Court of India was enforced by the Coal India Limited by way of issuing a Circular bearing No. CIL C-5A(vi)/50774/28 dated 12.05.1994, wherein it has been clearly laid down that the charged employee had to be supplied with Enquiry Proceeding and Enquiry Report and a 2nd Show Cause Notice had to be issued to him before taking any final decision of removing him from service. In the instant case a Note Sheet (Exhibit M-8), issued by the Senior Manager (Mining), Madhabpur Colliery has been produced before this Tribunal to show that the General Manager of Kajora Area having found no extenuating circumstance to take any lenient view decided to award the punishment of dismissing Sunil Majhi from the service of the company. On the basis of such decision Assistant Personnel Manager (IC) of Kajora Area issued an office order dated 13.03.2015 (Exhibit M-9), dismissing Sunil Majhi from service of the company w.e.f. 13.03.2015. It goes without saying that not having issued any 2nd Show Cause Notice to the workman, seeking his representation against the findings and possible punishment, there was no scope for the Disciplinary Authority to make any observation as to non-existence of extenuating circumstance. In my considered view the management having failed to issue 2nd Show Cause Notice has committed yet another lapse in the Enquiry Proceeding. I therefore hold that due to such lapse in the Enquiry Proceeding, dismissal of Sunil Majhi from service is not found sustainable in law and fact.

18. In view of my aforesaid discussion, I hold that order of dismissal dated 13.03.2015 issued against Sunil Majhi for his removal from service from 13.03.2015 is unreasonable, improper, arbitrary, passed in violation of natural justice and is not tenable under the facts and circumstances. The order of

dismissal dated 13.03.2015 passed by the Assistant Personnel Manager (IC) of Kajora Area is set aside. Management is directed to reinstate the workman within one (1) month from the date of communication of the Award. Since the workman has not adduced any evidence that he did not work for gain after his dismissal and that he did not render service for the company since March, 2015 he shall not be entitled to any back wages. His only relief in this case is his reinstatement in service within one month from communication of the Award. He shall also be entitled to all consequential benefits, treating the period of his absence as dies non.

Hence,

ORDERED

that the Industrial Dispute is allowed on contest against management of ECL. The order of dismissal dated 13.03.2015 issued by the Assistant Personnel Manager (IC) of Kajora Area, ECL on approval of the General Manager of Kajora Area is hereby set aside. The management of ECL is directed to reinstate Sunil Majhi in the service of the company within one (1) month from the date of communication of the Award. Let an award be drawn up in the light of my above findings. Let copies of the Award in duplicate be sent to the Ministry of Labour, Government of India, New Delhi for information and Notification.

Sd/-

(ANANDA KUMAR MUKHERJEE)

Presiding Officer,
C.G.I.T.-cum-L.C., Asansol.