

**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. 20 OF 2022

PARTIES: Kalyan Prasad Tewari
Vs.
Management of Barmondia (A) Colliery of ECL

REPRESENTATIVES:

For the Union/Workman: Mr. Chandi Banerjee, Union representative

For the Management of ECL: Mr. P. K. Das, Adv.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 06.02.2024

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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-22012/47/2022-IR(CM-II)** dated 18.05.2022 has been pleased to refer the following dispute between the employer, that is the Management of Barmondia (A) Colliery under Salanpur 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 Barmondia (A) Colliery (under Salanpur Area) in non-payment of the arrear wages in respect of Sundays and paid Holidays to Shri Kalyan Prasad Tewari, Ex-Foreman Incharge, UM No. 545215, of Barmondia Colliery on his reversion from Executive Cadre vide order dated 18/10/2013, is just and legal? if not, to what relief Shri Kalyan Prasad Tewari is entitled to? ”

1. On receiving Order **No. L-22012/47/2022-IR(CM-II)** dated 18.05.2022 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 20 of 2022** was registered on 24.05.2022 / 01.07.2022 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 ECL is present. Industrial Dispute relates to claim of arrear of wages in respect of Sundays and paid holidays of Kalyan Prasad Tewari, Ex-Foreman Incharge of Barmondia Colliery on his reversion from Executive cadre to Non-Executive cadre. On repeated calls at 1.30 pm Kalyan Prasad Tewari, aggrieved

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workman and Mr. Chandi Banerjee, union representative are not found available. This is the third consecutive date on which both, the workman and union representative are found absent. The record reveals that today is the fourth day fixed for evidence of workman witness but the concerned person is not inclined to proceed. Accordingly, the Industrial Dispute is dismissed in the form of a No Dispute Award.

Hence,

ORDERED

that a No Dispute Award be drawn up in respect of 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.