

**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. 21 OF 2020

PARTIES: Manasa Hansda
Vs.
Management of Food Corporation of India

REPRESENTATIVES:

For the Union/Workman: Mr. Gouranga Mukherjee, Adv.

For the Management of FCI: Mr. Anirban Mukherjee, Adv.

INDUSTRY: Food and Public Distribution.

STATE: West Bengal.

Dated: 03.11.2023

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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-22011/5/2020-IR(CM-II)** dated 10.09.2020 has been pleased to refer the following dispute between the employer, that is the Management of Food Corporation of India, Burdwan and their workman for adjudication by this Tribunal.

THE SCHEDULE

“ Whether the action of the management of Food Corporation of India in dismissal of Sri Manasa Hansda, Watchman is correct? If not, what relief the workman is entitled to? ”

- 1.** On receiving Order **No. L-22011/5/2020-IR(CM-II)** dated 10.09.2020 from the Government of India, Ministry of Labour, New Delhi for adjudication of an Industrial Dispute, a **Reference case No. 21 of 2020** was registered on 17.06.2021 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. Anirban Mukherjee, learned advocate for the management of Food Corporation of India is present. On call Manasa Hansda is found present. The record reveals that sufficient opportunity was given to Manasa Hansda to adduce evidence and finally on 07.06.2023 for ends of justice the case was adjourned to this date (03.11.2023) for steps by Manasa Hansda, in default, the case is to be disposed of in accordance with law.
- 3.** It is an usual practise of Manasa Hansda to change his advocate on every date.

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Previously Mr. Somnath De, learned advocate was representing the workman. Mr. Gouranga Mukherjee, learned advocate appeared and filed a fresh Vokatnama today along with application praying for adjournment on the ground that the conducting lawyer for the workman resides at Kolkata. Learned advocate has not named the advocate who was supposed to represent the workman from Kolkata. It transpires from the record that on earlier occasion adjournment had been sought for on the ground of one Mr. Somnath De, advocate, who is absent today. Strong objection is raised by Mr. Anirban Mukherjee, learned advocate for Food Corporation of India. To my mind petitioner, Manasa Hansda is trying to drag this case by changing advocates on dates fixed. Prayer for adjournment is considered rejected and parties are directed to get ready after half an hour.

4. On call at 1.00 pm Mr. Anirban Mukherjee is found present for the management of Food Corporation of India. Mr. Gouranga Mukherjee, learned advocate for the dismissed workman, Manasa Hansda. For the ends of justice, the case has been fixed today for adducing evidence. After providing accommodation of nearly one hour the workman is still found not ready and disinclined to proceed. No evidence is adduced. Under such circumstance 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.