

**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. 23 OF 2022

PARTIES: Ratan Kumar Gupta
Vs.
Management of Mahabir OCP / 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: 10.01.2024

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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-22012/50/2022-IR(CM-II)** dated 27.05.2022 has been pleased to refer the following dispute between the employer, that is the Management of Mahabir OCP /Colliery under Kunustoria Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

THE SCHEDULE

“ Whether the demand raised by Colliery Mazdoor Union (INTUC) against the Management of M/s. Eastern Coalfields Ltd. in relation to its Mahabir OCP/Colliery (under Kunustoria Area) for payment of arrear wages in respect of Sundays and Holidays to Shri Ratan Kumar Gupta, Foreman Incharge, UM No. 550822, of Mahabir OCP/Colliery on his reversion from Executive Cadre vide order dated 18/10/2013, is legal and justified? If yes, to what relief Shri Ratan Kumar Gupta is entitled? ”

1. On receiving Order **No. L-22012/50/2022-IR(CM-II)** dated 27.05.2022 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 23 of 2022** was registered on 31.05.2022 / 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 Eastern Coalfields Limited is present. On repeated calls at 1.15 pm none appeared for Ratan Kumar Gupta, the aggrieved workman. Sufficient opportunities have been extended to the workman to take step for evidence in support of the claim. Mr. Chandi Banerjee, union representative who had been conducting the proceeding on behalf of workman is not found available on call.

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3. It appears to me that workman is not inclined to proceed with the case. The Reference case is accordingly dismissed for non-prosecution.

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.

S/d

(ANANDA KUMAR MUKHERJEE)

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