

**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. 26 OF 2021

PARTIES: Suresh Gope
Vs.
Management of Amrit Nagar Colliery, ECL

REPRESENTATIVES:

For the Union/Workman: Mr. Chandi Banerjee, Gen. Secy., Colliery Mazdoor Union.
For the Management of ECL: Mr. P. K. Das, Advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 08.01.2025

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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-22012/60/2021-IR(CM-II)** dated 30.11.2021 has been pleased to refer the scheduled Industrial Dispute between the employer, that is the Management of Amrit Nagar Colliery under Kunustoria 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 Amrit Nagar Colliery under Kunustoria Area in denying the claim for regularization of Shri Suresh Gope, Haulage Operator (UG), UM No. 814887, as S.B. Attendant is just and legal? If not, to what relief the said workman is entitled to? ”

1. On receiving Order **No. L-22012/60/2021-IR(CM-II)** dated 30.11.2021 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 26 of 2021** was registered on 01.12.2021 / 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. Suresh Gope, aggrieved workman is represented by Mr. Chandi Banerjee, union representative. Mr. P. K. Das, learned advocate for the management of Eastern Coalfields Limited is present. The case is fixed up today for hearing of argument. At this stage, a petition is filed by Mr. Chandi Banerjee, General Secretary, Colliery Mazdoor Union, Asansol, stating that the workman who had claimed regularization from Haulage Operator (UG) to S.B. Attendant at Amrit Nagar Colliery under Kunustoria Area of

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Eastern Coalfields Limited, does not want to proceed any further in this case and wants to withdraw the dispute. Copy of the application is served upon Mr. P. K. Das, learned advocate for the management.

3. Parties filed written statement and contested the case. Suresh Gope adduced evidence and was cross-examined on behalf of the management. Mr. Joydeep Barman appeared as Management Witness No. 1 and documents were produced as Exhibits M-1 and M-2. On the date fixed for hearing of argument, the workman through union representative, prayed for granting permission to withdraw the case. A party can withdraw a case at any stage. Prayer of the union is therefore considered and allowed. The Industrial Dispute stands withdrawn. In view of Reference made by the Government of India, the Industrial Dispute is disposed of and a No Dispute Award is 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.

Sd/-

(ANANDA KUMAR MUKHERJEE)

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