

**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 2022

PARTIES: Bani Parida
(Dependant daughter of Mahantar Parida)

Vs.

Management of Parasea Colliery of ECL

REPRESENTATIVES:

For the Union/Workman: Mr. Rakesh Kumar, President, Koyala Mazdoor Congress.

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

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 18.10.2024.

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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-22012/51/2022-IR(CM-II)** dated 02.06.2022 has been pleased to refer the following dispute between the employer, that is the Management of Parasea Colliery under Kunustoria Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

THE SCHEDULE

“ Whether the demand raised by Union i.e. Koyla Mazdoor Congress vide representation dated 29/10/2019 (copy enclosed) against the action of the management of Parasea Colliery under Kunustoria Area of M/s. Eastern Coalfields Ltd. I not providing employment under the provisions of National Coal Wage Agreement – VI (NCWA- VI) in spite of Memorandum of Settlement No. 1(82)/2015/E.2 dated 27/9/2016 (copy enclosed) to Ms. Bani Parida dependent daughter of Late Mahantar Parida, Ex- UG Loader of Parasea 6/7 Incline, who expired on 31/01/2000 while in service, is legal and justified? If not, to what relief she is entitled to? ”

1. On receiving Order **No. L-22012/51/2022-IR(CM-II)** dated 02.06.2022 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 26 of 2022** was registered on 02.06.2022 / 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 appeared for Eastern Coalfields Limited. The case is fixed up today as special chance for appearance and evidence of Bani Parida, petitioner

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in default, the case is to be disposed of. It is 12.35 pm now. Petitioner has not turned up. Mr. Rakesh Kumar, union representative of Koyala Mazdoor Congress filed a petition stating that Bani Parida has not appeared and the case may be disposed of. No reason has been cited. Considered. Copy served.

3. I find from the record that written statements have been filed by parties on 13.02.2023. The case was thereafter fixed up for evidence of workman witness on 17.04.2023, 07.08.2023, 24.01.2024, 18.06.2024 and today i.e., 18.10.2024 as a special chance. The aggrieved dependent of the workman, claiming employment has not turned up after reasonable opportunities was given to her. Today the union confirmed that Bani Parida is not inclined to proceed with this case any further. Accordingly, the Industrial Dispute raised by the union over the issue of not providing employment to Bani Parida, dependent daughter of Late Mahantar Parida who expired on 31.01.2000 is dismissed for non-prosecution. Let a No Dispute Award be drawn up.

Hence,

ORDERED

that the Industrial Dispute is dismissed for non-prosecution. Let 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.