

**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. 32 OF 2006

PARTIES: Batul Dhangar
Vs.
Management of Chora 10 Pits Colliery of ECL

REPRESENTATIVES:

For the Union/Workman: None.
For the Management of ECL: Mr. P. K. Das, Advocate.

INDUSTRY: Coal
STATE: West Bengal.
Dated: 04.09.2024

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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-22012/208/2005-IR(CM-II)** dated 31.07.2006 has been pleased to refer the following dispute between the employer, that is the Management of Chora 10 Pits Colliery, under Kenda Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

THE SCHEDULE

“ Whether the action of the management of Chora 10 Pits Colliery, under Kenda Area of M/s Eastern Coalfields Limited in dismissing Sh. Batul Dhangar, Conveyor operator, U.M. No. 705882 w.e.f. 30.6.04 is legal and justified? If not, to what relief is the workman entitled? ”

1. On receiving Order **No. L-22012/208/2005-IR(CM-II)** dated 31.07.2006 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 32 of 2006** was registered on 14.08.2006 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 the management of Eastern Coalfields Limited is present. The case is fixed up today for cross-examination of workman witness. Batul Dhangar, dismissed workman filed his affidavit-in-chief on 28.03.2017. The case was thereafter fixed for evidence of workman witness. Workman appears to have remained absent since 05.06.2017. Fresh Notice under registered post was issued to the workman

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in compliance with order dated 03.01.2023 but none appeared for the workman on 20.03.2023, 20.06.2023, 28.11.2023, 30.04.2024 and today i.e. 04.09.2024.

3. Both parties appeared and filed their written statements. The case was thereafter fixed for evidence of workman witness but none turned up on behalf of the workman even after a second Notice was issued to him under registered post but the Notice was returned without service. Union representative took no step. In my considered view workman appears to be disinclined in proceeding further with this case. Industrial Dispute is therefore dismissed. Let a No Dispute Award be drawn.

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.

(ANANDA KUMAR MUKHERJEE)
Presiding Officer,
C.G.I.T.-cum-L.C., Asansol.