

**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 2019**

**PARTIES:** Jamshed Alam Ansari  
**Vs.**  
Management of Shyamsundarpur Colliery of ECL

**REPRESENTATIVES:**

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

For the Management of ECL: Mr. P. K. Goswami, Adv.

**INDUSTRY:** Coal

**STATE:** West Bengal.

**Dated:** 06.02.2024

(Contd. Page – 2)

**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-22012/73/2019-IR(CM-II)** dated 04.09.2019 has been pleased to refer the following dispute between the employer, that is the Management of Shyamsundarpur Colliery under Bankola Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

**THE SCHEDULE**

*“ Whether the action of the management of Shyamsundarpur Colliery of Eastern Coalfields Ltd by not regularising Sri Jamshed Alam Ansari, General Mazdoor in surface job is justified or not. If, not what relief the workman is entitled to? ”*

1. On receiving Order **No. L-22012/73/2019-IR(CM-II)** dated 04.09.2019 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 32 of 2019** was registered on 18.09.2019 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. Jamshed Alam Ansari, the workman appeared assisted by Mr. Rakesh Kumar, union representative. The case is fixed up today for appearance of the Agent, Shyamsundarpur colliery for having filed a written statement on a letter head of Eastern Coalfields Limited instead of addressing it to CGIT-cum-LC, Asansol. Written statement does not bear the signature of employer company's advocate.

--: 3 :--

3. Jaynarayan Halder, Agent, Shyamsundarpur Colliery appeared in person and submitted an explanation that in future he will be careful in filing a proper written statement. Same is kept with the record. Personal attendance of Mr. Haldar is dispensed with. Mr. P. K. Goswami, learned advocate for Eastern Coalfields Limited is directed to be cautious and careful in future so that proper written statements are filed before the Tribunal and not on the letter head of Eastern Coalfields Limited. Such conduct is unacceptable.

4. Mr. Rakesh Kumar filed an application stating that the workman, Jamshed Alam Ansari who raised this Industrial Dispute for non-regularisation as General Mazdoor in surface job is not inclined to proceed. Copy served upon the learned advocate for Eastern Coalfields Limited. In view of application the scheduled Industrial Dispute is dismissed for non-prosecution. Let a No Dispute Award be drawn up.

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.