

**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. 36 OF 2019

PARTIES: 1. Md. Zahir Khan and
2. Sk. Mohibul Rahaman
Vs.
Management of Shankrapur Colliery of ECL

REPRESENTATIVES:

For the Union/Workmen: Sk. Mohibul Rahaman (in person).
For the Management of ECL: Mr. Mani Padma Banerjee, Adv.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 20.09.2023

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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-22012/84/2019-IR(CM-II)** dated 13.11.2019 has been pleased to refer the following dispute between the employer, that is the Management of Shankarpur Colliery under Bankola Area of Eastern Coalfields Limited and their workmen for adjudication by this Tribunal.

THE SCHEDULE

“ Whether the action of the management of Shankarpur Colliery of M/s. Eastern Coalfields Limited in not regularizing Md. Zahir Khan & Sk. Mohibul Rahaman, SDL Helper in the post of Fitter Helper is justified or not. If not, what relief these two workmen are entitled to? ”

1. On receiving Order **No. L-22012/84/2019-IR(CM-II)** dated 13.11.2019 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 36 of 2019** was registered on 19.11.2019 and an order was passed 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 their list of witnesses.

2. Mr. Mani Padma Banerjee, learned advocate for Eastern Coalfields Limited is present. The case is fixed up today for ex-parte hearing against Md. Zahir Khan and Sk. Mohibul Rahaman for absence after Notice.

3. Sk. Mohibul Rahaman, one of the aggrieved workmen has appeared in person and filed an application signed by the General Secretary, Ukhra Colliery Mazdoor Union on letter head of the union enclosing office order dated 24/25.04.2023. Copy of application is served upon Eastern Coalfields Limited. No objection is raised.

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4. After issuing Notice under registered post, Mr. Mani Padma Banerjee, learned advocate filed written statement on 07.02.2023. No written statement is filed by the union. However, on 12.05.2023 an application enclosing an office order was submitted by the union stating that the aggrieved workmen have been selected to the post of Fitter Helper, Category-II and the Industrial Dispute may be disposed of. It appears from the office order that the both aggrieved persons demanding regularization as Fitter Helper have been selected for such post. They have no grievance against the management of Eastern Coalfields Limited now. The Industrial Dispute is accordingly disposed of in the form of a **No Dispute Award**.

Hence,

ORDERED

that a **No Dispute Award** be drawn up in respect of the above Reference. 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.