

**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. 39 OF 2007

PARTIES: Mannan Sharif
Vs.
Management of Kumardihi "A" Colliery of ECL

REPRESENTATIVES:

For the Union/Workman: Sushil Banerjee, Union representative.

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

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 11.10.2023

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-22012/6/2007-IR(CM-II)** dated 29.06.2007 has been pleased to refer the following dispute between the employer, that is the Management of Kumardihi "A" 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 Kumardihi A Colliery under Bankola Area of M/s. Eastern Coalfields Limited in deducting the attendance bonus paid for the period from 19.6.2005 to 23.8.2005 from the monthly wages of Sri Manan Sarif is legal and justified? If not, to what relief is the workman entitled? ”

1. On receiving Order **No. L-22012/6/2007-IR(CM-II)** dated 29.06.2007 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 39 of 2007** was registered on 03.05.2007 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. Goswami, learned advocate for Eastern Coalfields Limited is present. The case is fixed up today for evidence of workman witness. Notice was issued to Mannan Sharif, aggrieved workman under registered post but on repeated calls at 12.40 pm none appeared for the workman. The General Secretary, Ukhra Colliery Mazdoor Union (INTUC) is not available.

--: 3 :--

3. After registration of this case on 03.05.2007 written statement was submitted by the union on behalf of the workman on 19.11.2015 and the management also filed their written statement on 06.12.2016. After several opportunities granted to the workman, no evidence has been adduced till date. In my considered view the workman is disinclined to proceed for which he has not appeared after issuance of Notice on different dates. 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 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.