

**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. 13 OF 2023

PARTIES: 1. Shahjad Ansari,
2. Prahalad Nunia (workmen)

Vs.

Management of Narsamuda Colliery, ECL

REPRESENTATIVES:

For the Union/Workmen: None.

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

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 13.01.2025

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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-22012/11/2023-IR(CM-II)** dated 06.02.2023 has been pleased to refer the following dispute between the employer, that is the Management of Narsamuda Colliery under Dhemomain Group of Eastern Coalfields Limited and their workmen for adjudication by this Tribunal.

THE SCHEDULE

“ Whether the demand of the Union i.e. Colliery Mazdoor Sabha of India vide letter dated 10/07/2017 (copy enclosed) against the management of Narsamuda Colliery under Dhemomain Group of M/s Eastern Coalfields Limited over the issue of illegal recovery of HRA, against non-standard quarters under the provisions of NCWA, from the salary of Shri Sahajad Ansari, CCM Helper, UM No. 131277 and Shri Prahalad Nunia, S.F. Pump Operator, UM No. 131392, is proper, legal and justified? If yes, to what relief the concerned both workmen are entitled and what directions are necessary to the management in this respect? ”

1. On receiving Order **No. L-22012/11/2023-IR(CM-II)** dated 06.02.2023 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a Reference case was registered on 14.02.2023 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 Eastern Coalfields Limited appeared along with Mr. Rahul Singh, Management Representative. The case is fixed up today for ex-parte

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hearing. On repeated calls at 12.40 PM, Shahjad Ansari and Prahlad Nunia, the two aggrieved workmen are found absent. None appeared on behalf of Colliery Mazdoor Sabha of India (CITU).

3. Contention of the workmen is that House Rent Allowance was deducted from salary against non-standard quarter and they have challenged the action of the management. After registration of this case on 14.02.2023 Notice under registered post were issued to parties. Management appeared through Mr. P. K. Das, learned advocate and Mr. Asit Kumar Mukherjee, learned advocate appeared for Shahjad Ansari and Prahlad Nunia by filing Vokatnama. The case was fixed up on several dates i.e., on 11.04.2023, 04.08.2023, 20.12.2023, 05.02.2024 and ultimately fixed for ex-parte hearing on 26.06.2024, 25.10.2024 and 13.01.2025 i.e., today. On compliance with order dated 25.10.2024 fresh Notice under registered post was issued to both the workmen but they did not appear. Considered.

4. It appears to me that neither the union nor the concerned workmen are inclined to proceed any further with this case. It is futile to examine the Management Witness without the Industrial Dispute being represented and contested by the workmen. The Industrial Dispute is therefore dismissed in the form of No Dispute Award.

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.

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