

**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. 96 OF 2006

PARTIES: Lakhiram Majhi
Vs.
Management of Nimcha Colliery, ECL

REPRESENTATIVES:

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

INDUSTRY: Coal
STATE: West Bengal.
Dated: 05.06.2025

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-22012/177/2006-IR(CM-II)** dated 29.11.2006 has been pleased to refer the following dispute between the employer, that is the Management of Nimcha Colliery under Satgram Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

THE SCHEDULE

“ Whether the action of the management of Nimcha Colliery, Satgram Area under ECL in dismissing Sh. Lakhiram Majhi, from service w.e.f. 29.10.2003 is legal and justified? If not, to what relief the workman is entitled to? ”

1. On receiving Order **No. L-22012/177/2006-IR(CM-II)** dated 29.11.2006 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a Reference case was registered 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.

2. Mr. P. K. Das, learned advocate for Eastern Coalfields Limited is present. On repeated calls at 1.05 PM none appeared for the aggrieved workman. On a perusal of record, I find that an identical Reference was made before this Tribunal in respect of dismissal of Lakhiram Majhi, Underground Loader w.e.f. 29.10.2003 for adjudication as to whether his dismissal was legal and justified. Reference case No. 27 of 2006 was registered on the basis of order No. L-22012/163/2005-IR(CM-II) dated 18.07.2006. Question of dispute are same in both the cases. Record reveals that the earlier case was registered on 14.08.2006. Same was disposed of in the form of a No Dispute Award on

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the basis of settlement in Form 'H' dated 23.11.2018 duly signed by the representative of the employer company and the workman. On the basis of such fact and circumstances present case is also disposed of in terms of the Memorandum of Settlement in Form 'H' dated 23.11.2018, whereby Lakhiram Majhi, Ex-Underground Loader of Nimcha (R) Colliery was reinstated in service in Category-I, General Mazdoor with initial basic. Period from his dismissal till reinstatement in service be treated as diesnon and that the workman will not be entitled to get any back wages. Let Memorandum of Settlement in Form 'H' be made a part of Award.

Hence,

ORDERED

that a No Dispute Award be drawn up in the above Reference case in the light of my above observations treating the Memorandum of Settlement in Form 'H' dated 23.11.2018 as part of Award. Copies of Award be sent to the Ministry for information and Notification.

Sd/-

(ANANDA KUMAR MUKHERJEE)

Presiding Officer,
C.G.I.T.-cum-L.C., Asansol.