

**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. 28 OF 2022

PARTIES: S. Mahesh Sekhar
Vs.
Management of Satgram Incline of ECL and Another.

REPRESENTATIVES:

For the Union/Workman: Mr. Bipul Banerjee, Advocate.

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

INDUSTRY: Coal

STATE: West Bengal.

Dated: 28.06.2024

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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-22012/59/2022-IR(CM-II)** dated 14.06.2022 has been pleased to refer the following dispute between the employer, that is the Management of Satgram Incline under Satgram Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

THE SCHEDULE

“ Whether the action of the Management of M/s. Eastern Coalfields Ltd. in relation to its Satgram Incline under Satgram Area in non-payment of House Rent Allowance from January, 2021 in respect of Shri S. Mahesh Sekhar, Electric Helper, Man No. 188562 of Satgram Area is proper, legal and justified? If not, what relief the workman concerned is entitled to? ”

1. On receiving Order **No. L-22012/59/2022-IR(CM-II)** dated 14.06.2022 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 28 of 2022** was registered on 14.06.2022 / 01.07.2022 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 the management of Eastern Coalfields Limited is present. Case is fixed up today for appearance and evidence of workman witness. On repeated call at 1.10 p.m. none appears for S. Mahesh Sekhar, Electric Helper who has raised this Industrial Dispute claiming House Rent Allowance from January 2021.

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3. The record reveals that Mr. Bipul Banerjee, learned advocate, appeared for the workman on 21.11.2022 and case was fixed up on 13.02.2023 for filing written statement by workman and for his evidence. On that date, no step was taken by the workman and case was fixed for ex-parte hearing on 25.04.2023. Mr. Bipul Banerjee, learned advocate appeared on 25.04.2023 and filed a written statement along with an application for setting aside order for ex-parte hearing. Prayer was allowed and case was fixed on 23.08.2023 for evidence of workman witness. On 23.08.2023, the workman appeared and prayed for adjournment on the ground of absence of his advocate. Case was once again adjourned to 07.02.2024 for evidence of workman witness. On 07.02.2024 none appeared for the management and for ends of justice the case is fixed up today for appearance and evidence of workman witness. Since no step has been taken by the workman and none appeared today, I am of the considered view that the workman is not diligent in participating in this case. The same is dismissed for default. Let a No Dispute Award is drawn up.

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.

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