

02-01-2024
ct no. 13
sl. 270
pk

WPA 26161 of 2023

Indian National Mineworkers' Federation (INMF) and
others

-Versus-

Union of India and others

Mr. Soumya Majumdar,
Mr. Victor Chatterjee,
Mr. B. Basak

... for the petitioners

Mr. Asok Kumar Chakraborti, Ld. A.S.G.I.
... for the Union of India.

Mr. Shiv Shankar Banerjee
... for the respondent nos. 2 to 4.

1. Affidavit of service filed in Court is taken on record.

2. The writ petitioner No. 1 is a Trade Union and claims to represent 53 per cent of the total number of workers employed under various collieries and subsidiaries of the Coal India Limited.

3. Pursuant to an order dated 10.02.2023 passed in MAT 623 of 2021, the petitioners were allowed to participate and represent the interest of the workman before Coal Companies, at the Joint Bipartite Committee for Coal Industry (JBCCI) in its 11th meeting.

4. The petitioners seek an order from this Court to now permit the petitioner No. 1 to participate in ancillary negotiations with coal companies, arising

out of the JBCCI. Such negotiations are conducted through committees. Two such committees have been constituted by the CIL, namely, the “Standardisation Committee” and the “Committee of Incentives Scheme”. There are already six persons representing various trade unions in the Standardisation Committee. The petitioner No.1 wants a representation on behalf of the workman in such committees.

5. Mr. Banerjee, counsel for the Coal India would argue that some trade unions affiliated to the petitioners are already members of the aforesaid two committees.

6. This Court is inclined to ascertain the views of the Ministry of Labour of the Central Government. The learned Additional Solicitor General has made submissions and seeks time to obtain further instructions.

7. List the matter on 11.01.2024 when all respondents shall obtain necessary instructions from their respective clients in this regard by the adjourned date.

8. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

