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HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4099 of 2017**

Kanhaiya Lal Jaiswal S/o Sukhru Lal Jaiswal, Aged About 42 Years R/o MQ 6/75, Bagdeva Colony, Dhelwadih (S. E. C. L.), P. O. Dhelwadih (Katghora), District Korba, Chhattisgarh.

---- Petitioner**Versus**

1. South Eastern Coalfields Limited Through Its Chairman- Cum Managing Director, Head Office, Basant Vihar, Seepat Road, Bilaspur, Chhattisgarh.
2. Chief General Manager, S. E. C. L. Dipka Project, District Korba (Chhattisgarh).
3. Senior Manager (Mining), South Eastern Coalfields Limited, Dipka Project, Korba, District Korba (Chhattisgarh).
4. Senior Officer, (Ka/ Pra.), Bagdeva Bhoomigat Khan, S. E. C. L. Korba, District Korba, Chhattisgarh.

---- Respondents**And****WPS No. 1575 Of 2017**

1. Deshraj S/o Udainath, Aged About 63 Years R/o Near I C I C I Bank, Ward No. 06, Katghora Road Dipika, Korba, District Korba (Chhattisgarh).

---- Petitioner**Vs**

1. South Eastern Coalfields Limited Through Its Chairman-Cum Managing Director, Head Office, Basant Vihar, Seepat Road, Bilaspur (Chhattisgarh).
2. Chief General Manager, S. E. C. L. Dipka Project, District Korba (Chhattisgarh).
3. Senior Manager (Mining), South Eastern Coalfields Limited, Dipka Project, Korba, District Korba (Chhattisgarh).

---- Respondents**And****WPS No. 1579 Of 2017**

1. Manoj Kumar Jaiswal S/o Balkrishna Jaiswal, Aged About 49 Years R/o Village Jhingatpur, Post Chainpur, Tahsil And District Korba (Chhattisgarh)

---- Petitioner

Vs

1. South Eastern Coalfields Limited Through Its Chairman- Cum- Managing Director, Head Office, Basant Vihar, Seepat Road, Bilaspur (Chhattisgarh)
2. Chief General Manager, S. E. C. L. Dipka Project, District Korba (Chhattisgarh)
3. Senior Manager (Mining), South Eastern Coalfields Limited, Dipka Project, Korba, District Korba (Chhattisgarh)

--- Respondents

And

WPS No. 4297 Of 2017

1. Mritunjay S/o Late Parmatma Prasad Aged About 46 Years, R/o Jangal Side, Banki Mongara, Dist. Korba (CG)

---- Petitioner

Vs

1. South Eastern Coal Fields Limited Through Its Chairman Cum Managing Director, Head Office, Basant Vihar, Seepat Road, Bilaspur, Chhattisgarh.
2. Chief General Manager, S.E.C.L Dipka Project District Korba (Chhattisgarh)
3. Senior Manager (Mining), South Eastern Coalfields Limited Dipka Project Korba District Korba (Chhattisgarh)
4. Senior Officer (Ka/pra.) Singhali Underground Mines S.E.C.L Korba District Korba (Chhattisgarh)

---- Respondents

And

WPS No. 4410 Of 2017

1. Manoj Kumar S/o Shri Mitthulal, Aged About 47 Years Working As Pay Loader Operator, At S. E. C. L. Kusmunda, District Korba, Chhattisgarh R/o Quarter No. M- 164, Vikas Nagar, Kusmunda Colony, P. S. And P. O. Kusmunda, Tahsil Katghora, District Korba, Chhattisgarh.

---- Petitioner

Vs

1. South Eastern Coalfields Limited Through Its Chairman-Cum- Managing Director, S E C L, Seepat Road Bilaspur, District Bilaspur, Chhattisgarh.
2. General Manager, S E C L, Kusmunda Project, District Korba, Chhattisgarh.

3. General Manager/ Colliery Manager (Mining), S E C L, Kusmunda Project, District Korba, Chhattisgarh.

--- Respondents

And

WPS No. 4485 Of 2017

Pranay Kumar Sahu, S/o Ram Swaroop Sahu, aged about 55 yrs., presently working as Senior Overman at Charcha West Colery, R/o Village & Post Nagpur, Thana: Pondi, Dist. Korea (CG)

---- Petitioner

Vs

1. South Eastern Coalfields Limited Through Its Chairman-Cum- Managing Director, Seepat Road Bilaspur, Chhattisgarh.
2. General Manager, South Eastern Coalfield Ltd.,, Baikunthpur, Korea (CG)
3. Sub/Deputy Area Manager, South Eastern Coalfield Ltd., Charcha West Colliery, Baikunthpur Korea (CG)
4. Deputy Chief Personnal Manager, South Eastern Coalfield Ltd., Charcha West Colliery Baikunthpur Korea (CG)

---- Respondents

And

WPS No. 4475 Of 2017

1. Bhaskar Mohanty S/o Trinath Mohanty, Aged About 67 Years Occupation Suport Mistry, R/o Amanala No. 4, Dafai, Haldibadi, Chirmiri, District Korea, Chhattisgarh.

---- Petitioner

Vs

1. South Eastern Coal Field Limited Through Managing Director, Head Office, Seepat Road, Bilaspur, District Bilaspur, Chhattisgarh.
2. Sub Regional Manager, N.C.P.H. Colliery, Sub Area Haldibadi, District Korea, Chhattisgarh.

--- Respondents

And

WPS No. 4646 Of 2017

Jagdish S/o Late Ram Singh, Aged About 52 Years Presently Working As Senior Head Chainmen At Charcha Mine Aro, R/o Q. N. 368, V P C Colony

Carcha, Baikunthpur District Korea Chhattisgarh.

---- **Petitioner**

Vs

1. South Eastern Coalfields Ltd. Through Its Chairman Cum Managing Director, Seepat Road Bilaspur Chhattisgarh
2. General Manager, South Eastern Coalfields Limited, Baikunthpur, Koriya Chhattisgarh.
3. Sub/Deputy Area Manager, South Eastern Coalfield Ltd. Charcha Mines Aro, Baikunthpur Korea Chhattisgarh.
4. Deputy Chief Personnal Manger, Sourth Eastern Coalfields Limited, Carcha Mines Aro, Baikunthpur , District- Korea, Chhattisgarh.

--- **Respondents**

And

WPS No. 4959 Of 2017

1. Maheswar S/o Shri Raghu, Aged About 50 Years Working As Support Mistri, Caterogy - 06, R/o Ward No. 34, Near Radha Krishna Mandir, Godripara, Post And Police Station Chirmiri, Korasiya Colliery, Chirmiri, District Koria Chhattisgarh.

---- **Petitioner**

Vs

1. South Eastern Coalfields Limited Through Its Chairman - Cum Managing Director, S E C L, Seepat Road Bilaspur, District Bilaspur Chhattisgarh.
2. General Manager, Chirmiri Area, Kurasa Sub - Area, S E C L, District Koria Chhattisgarh.
3. Senior Manager (Mining), Kurasiya Colliery, Chirmiri, District Koria Chhattisgarh.

---- **Respondents**

And

WPS No. 5054 Of 2017

1. Ramoo S/o Shri Sanchano Aged About 56 Years R/o Ward No. 32 New Mines Post Office Line Godripara Post And Police Station Chirmiri Korasiya Colliery Chirmiri District Koria Chhattisgarh.

---- **Petitioner**

Vs

1. South Eastern Coalfields Limited Through Its Chairman Cum Managing Director S E C L Seepat Road Bilaspur District Bilaspur Chhattisgarh.
2. General Manager, Chimir Area, Kurasa Sub Area S E C L District Koriya Chhattisgarh.
3. Senior Manager (Mining), Kurasiya Colliery Chirmiri District Korla Chhattisgarh.

---- Respondents

And

WPS No. 5302 Of 2017

1. Maheshwar S/o Ramoo, Aged About 46 Years Presently Working As Mechanical Helper At N. C. P. H. Colliery, R/o Quarter No. 106, Aamanala, N. C. P. H., Chirimiri Tehsil Manendragarh, Korea District Korea Chhattisgarh.

---- Petitioner

Vs

1. South Eastern Coalfield Ltd. Through Its Chairman Cum Managing Director, Seepat Road, Bilaspur Chhattisgarh.
2. General Manager, South Eastern Coalfield Ltd., Malviya Nagar, West Chirimiri Colliery, District Korea Chhattisgarh.
3. Sub / Deputy Area Manager, South Eastern Coalfield Ltd., N. C. P. H. Colliery, Chirimiri District Korea Chhattisgarh.
4. Deputy Chief Personnal Manager, South Eastern Coalfield Ltd., N. C.P.H. Colliery, Chirimiri District Korea Chhattisgarh.

---- Respondents

And

WPS No. 6279 Of 2016

1. Banshi Lal S/o Bal Krishna, Aged About 46 Years R/o Hardi Bazar Chowk, Near Rim Tower, Hardi Bazar, District Korba, (Chhattisgarh)

---- Petitioner

Vs

1. South Eastern Coalfields Ltd. Through: Its Chairman And Managing Director, Head Office, Basant Vihar, Seepat Road, Bilaspur, District Bilaspur, (Chhattisgarh)
2. Chief General Manager, S.E.C.L., Dipka Project, District Korba, (Chhattisgarh)
3. Senior Manager (Mining), S E C L, Dipka Project, District Korba,

(Chhattisgarh)

---- Respondents

And

WPS No. 6450 Of 2016

Ramkyas S/o Shri Balkrishna, Aged About 46 Years Dozer Operator Trainee,
R/o Quarter No. M D 779 D, Deepka Colony, Post Office Gevra, District
Korba, (Chhattisgarh)

---- Petitioner

Vs

1. South Eastern Coalfield Limited Through Its Chairman Cum Managing Director, S E C L, Seepat Road, Bilaspur, Distt. Bilaspur, (Chhattisgarh)
2. General Manager, S E C L, Gevra Project, District Korba, (Chhattisgarh)
3. Deputy General Manager/ Colliery Manager (M), S E C L, Gevra Project, District Korba, (Chhattisgarh)

---- Respondents

And

WPS No. 6663 Of 2016

1. Surendra Kumar Jaiswal S/o Seeta Ram Jaiswal Aged About 48 Years R/o Qtr. No. Md-33, Dipka Colony, P.S. Dipka, District- Korba, Chhattisgarh

---- Petitioner

Vs

1. South Eastern Coalfields Ltd. Through- Its Chairman And Managing Director, Head Office, Basant Vihar, Seepat Road, Bilaspur, District- Bilaspur, Chhattisgarh
2. Chief General Manager, S.E.C.L. Dipka Project, District Korba, Chhattisgarh
3. Senior Manager (Mining), SECL, Dipka Project, District Korba, Chhattisgarh

---- Respondents

And

WPS No. 5590 of 2017

Ramu S/o Shri Dandashi, Aged About 57 Years Presently Working As Support Mistry At Barthunga, Chirmiri, R/o Pani Miners Quarters, Barthunga Hill. Chirmiri District Koriya Chhattisgarh.

---- Petitioner

Versus

1. Chairman- Cum Managing Director South Eastern Coal Field Limited, Seepat Road Bilaspur Chhattisgarh.
 2. General Manager SECL Malviya Nagar, Chirmiri, District Koriya Chhattisgarh.
 3. Sub Area Manager, SECL Barthunga Hills, Chirmiri, District Koriya Chhattisgarh.
 4. Area Personnel Manager, SECL, Barthunga Hills, Chirmiri District Koriya Chhattisgarh.
- ...Respondents**

For respective Petitioners	:	Mr. Govind Ram Miri with Mr. Basant Kaiwartya, Mr. S.P. Kale, Mr. Rajkumar Gupta, Mr. Awadh Tripathi, Mr. Waquar Naiyer, Advocates
For respective Respondents	:	Mr. H.B. Agrawal, Senior Advocate with Mr. Vinod Deshmukh, Mr. V.R. Tiwari, Mr. Sudhir Bajpai, Mr. K.K. Shrivastava, Mr. Chandradeep Prasad, Advocate on behalf of Mr. Vaibhav Shukla, Advocate and Ms. S. Harshita, Advocate on behalf of Mr. Abhishek Sinha, Advocates

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30.10.2017

Heard.

1. The challenge to the impugned notice in these petitions is mainly on the ground that the notice is absolutely vague and does not contain any detail. There are no list of document, list of witnesses and it cannot be said to be a charge-sheet against the petitioners and with this kind of notice, the petitioners cannot be subjected to departmental enquiry.
2. At the outset, learned counsel for respondent-SECL appearing in these cases submitted that the respondent-SECL would be issuing a detailed charge-sheet with the articles of charges, statement of allegations, list of documents and witnesses, by which, the charges are proposed to be proved and only on the basis of the impugned charge-sheet, further proceeding shall

not be drawn.

3. In the considered opinion of this Court, this statement made, at the bar, by the counsel for respondent-SECL is sufficient to protect the petitioners against an arbitrary action of holding departmental enquiry on undisclosed charges under the notice impugned in these petitions.
4. In that view of the matter, all these petitions are disposed off placing on record the statement of the respondent-SECL with the clear direction that if the respondent-SECL intend to proceed in departmental enquiry against the petitioners, then shall issue a proper charge-sheet along with list of document and witnesses.
5. In WPS No.5590 of 2017, counsel for SECL taken objection that the petitioner has submitted a complaint before the Regional Labour Commissioner towards drawal of conciliation proceeding and thereafter, he filed this petition without disclosing this fact of this Court.
6. In view of the consideration, on which, this Court granted indulgence to in other cases, this petition is also required to be disposed off on the similar terms and is accordingly disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge