

Government of West Bengal  
Labour Department, I. R. Branch  
N.S. Building, 12<sup>th</sup> Floor, 1, K.S. Roy Road, Kolkata – 700001

No. Labr/ 101 / (LC-IR)/22015/34/2019

Date : 21-01-2025

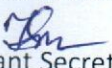
ORDER

WHEREAS under reference of Labour Department's Order No. 322-IR/IR/11L-29/16 dated 11.04.2016 reference of the Industrial Dispute between M/s. B.E. Pumps Pvt. Ltd., 16B, R.N. Mukherjee Road, Post Box No. 2550, Kolkata – 700001 and their workmen represented by British Electrical & Pumps (P) Ltd. Workers' Union (Registration No. 6924), 40A, Hide Road, Jain Kunj, Kolkata – 700088, regarding the issues mentioned in the said order, being a matter specified in the Second Schedule to the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the Eighth Industrial Tribunal, Kolkata.

AND WHEREAS the said Eighth Industrial Tribunal, Kolkata, has submitted to the State Government its Award dated 26.09.2024 in Case No. VIII-19/2016 on the said Industrial Dispute Vide e-mail dated 09.01.2025 in compliance of u/s 10(2A) of the I.D. Act, 1947.

NOW, THEREFORE, in pursuance of the provisions of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Governor is pleased hereby to publish the said award as shown in the Annexure hereto.

ANNEXURE  
(Attached herewith)

By order of the Governor,  
  
Assistant Secretary  
to the Government of West Bengal

No. Labr/ 101 /1(5)/(LC-IR)/ 22015/34/2019

Date : 21-01-2025

Copy, with a copy of the Award, forwarded for information and necessary action to:

1. M/s. B.E. Pumps Pvt. Ltd., 16B, R.N. Mukherjee Road, Post Box No. 2550, Kolkata – 700001.
2. British Electrical & Pumps (P) Ltd. Workers' Union (Registration No. 6924), 40A, Hide Road, Jain Kunj, Kolkata – 700088.
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The O.S.D. & E.O. Labour Commissioner, W.B. New Secretariat Building, 1, K. S. Roy Road, 11<sup>th</sup> Floor, Kolkata- 700001.
5. The Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.

  
Assistant Secretary

No. Labr/ 101 /2(3)/(LC-IR)/ 22015/34/2019

Date : 21-01-2025

Copy forwarded for information to :

1. The Judge, 8<sup>th</sup> Industrial Tribunal, Kolkata, N.S. Building, 1, K.S. Roy Road, Kolkata-700001 with reference to his E-mail dated 09.01.2025.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata -700001.
3. Office Copy.

  
Assistant Secretary

In the matter of an industrial dispute between M/s. B.E. Pumps Pvt. Ltd., 1 6B, R.N. Mukherjee Road, Post Box No. 2550, Kolkata – 700001 and its workmen represented by British Electrical & Pumps (P) Ltd. Workers' Union (Registration No. 6924), 40A, Hide Road, Jain Kunj, Kolkata – 700088 Vide G. O. No. 322-IR/IR/11L-29/16 dated 11.04.2016 and reference no. 3115-IR/IR/3A-6/59, dated 21/06/1960.

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**Before the Eighth Industrial Tribunal: West Bengal**

**Case No. VIII-19/2016**

**Under Section 10 of the Industrial Disputes Act, 1947**

**Present Sri Amit Chattopadhyay  
Judge  
Eighth Industrial Tribunal,  
West Bengal**

**British Electrical & Pumps (P) Ltd. Workers' Union .....Applicant / workman  
Vs.**

**M/s. B.E. Pumps Pvt. Ltd..... O.P. Company**

**A W A R D**

**Dated 26.09.2024**

An industrial dispute between M/s. B.E. Pumps Pvt. Ltd., 1 6B, R.N. Mukherjee Road, Post Box No. 2550, Kolkata – 700001 and its workmen represented by British Electrical & Pumps (P) Ltd. Workers' Union (Registration No. 6924), 40A, Hide Road, Jain Kunj, Kolkata – 700088 Vide G. O. No. 322-IR/IR/11L-29/16 dated 11.04.2016 and reference no. 3115-IR/IR/3A-6/59, dated 21/06/1960.

The said Seventh Industrial Tribunal shall submit its award to the State Government within a period of three months from the date of receipt of this order by the said Seventh Industrial Tribunal in terms of Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), subject to the other provision or provisions of the said Act.

The said Seventh Industrial Tribunal shall meet at such places and on such dates as it may direct.

**I S S U E (S)**

1. Whether refusing the demands raised by the Union and subsequent declaration of suspension of work w.e.f. 29.07.2015 by the Management is justified ?
2. To what relief, if any, are the workman entitled ?

In view of G.O. No. Labr./700/(LC-IR)/23099/15/2019 dated 26.07.2019 this case has been withdrawn from the file of Seventh Industrial Tribunal and has been transferred to this Tribunal i.e. Eighth Industrial Tribunal, Kolkata for disposal.

The case record is taken up for passing order.

On scrutiny of the entire record I find that after completion of argument by the Union without hearing the argument of the Company the date for award had been fixed as the company did not turned up for a long period. On 20.07.2022 the then P.O.-in-Charge again fixed for a fresh argument by the Union and accordingly notice was issued to the Union. As the Court had

been lying vacant for three years, after joining the regular P.O. on 29.04.2024 although the Ld. Advocate for the workman and also the workman were present but none appeared for the Company and accordingly notices were issued to the directing to show cause and appearance of both the parties. Thereafter from 20.05.2024 in spite of repeated issuance of show cause notices to both the parties neither any S/R is received nor both the parties appeared before this Tribunal.

Therefore, it is crystal clear from the above conduct of the Union as well as the Company that they are not interested to proceed with the instant case any further. In view of the aforesaid conduct of the Union Hajra by British Electrical & Pumps (P) Ltd. Workers' Union and the Company M/s. B.E. Pumps Pvt. Ltd., this Tribunal has no hesitation to hold that there is no dispute exists at present between the parties and as such the case is liable to be disposed off in view of Rule 22 of the West Bengal Industrial Dispute Rule, 1958.

Hence, it is

### **ORDERED**

that the industrial dispute being No. VIII-19 of 2016 of the Industrial Disputes Act, 1947 under reference no. 3115-IR/IR/3A-6/59, dated 21/06/1960 and also vide reference order no. 322-IR/IR/11L-29/16 dated 11.04.2016 is no longer in-existence and accordingly the case is disposed off and this order is to be treated as No Dispute Award between the parties.

Dictated & Corrected by me

Judge

Judge  
Eighth Industrial Tribunal  
Kolkata  
26.09.2024

GOVERNMENT OF WEST BENGAL  
 DIRECTORATE OF INDUSTRIAL TRIBUNALS  
 NEW SECRETARIAT BUILDINGS  
 BLOCK – 'A', 2<sup>ND</sup> FLOOR  
 1, KIRAN SANKAR ROY ROAD  
KOLKATA – 700001

Memo No. Dte./8<sup>th</sup> IT/002/2025

Dated Kolkata, the 09.01.2025

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From: Shri Amit Chattopadhyay,  
 Judge,  
 8<sup>th</sup> Industrial Tribunal,  
 Kolkata – 1.

To : The Secretary to the  
 Govt. of West Bengal,  
 Labour Department,  
 New Secretariat Buildings, 12<sup>th</sup> Floor,  
 1, Kiran Sankar Roy Road,  
 Kolkata – 700 001.

Sir,

I am sending herewith the Award passed in the matter of an industrial dispute between M/s. B.E. Pumps Pvt. Ltd., 6B, R.N. Mukherjee Road, Post Box No. 2550, Kolkata – 700001 and its workmen represented by British Electrical & Pumps (P) Ltd. Workers' Union (Registration No. 6924), 40A, Hide Road, Jain Kunj, Kolkata – 700088 being case No. **Case No.VIII-19/2016 of the I.D. Act, 1947** Vide G. O. No. 322-IR/IR/11L-29/16 dated 11.04.2016 for information and necessary action.

Encl: As stated above.

Yours faithfully,

Judge,  
 Third Industrial Tribunal,  
 Kolkata  
 09.01.2025