

'187643/2022

Government of West Bengal
Labour Department, I. R . Branch
N.S. Buildings, 12th Floor
1, K.S. Roy Road, Kolkata - 700001

No. Labr/ 391 / (LC-IR)/22015(15)/15/2018 Date: 13/04/2022.

ORDER

WHEREAS under the Government of West Bengal, Labour Department Order No. Labr/763/I.R/IR/10L-26/2004 dated 02/08/2013 the Industrial Dispute between M/s. Tirupati Stampings(P) Ltd. 1A, Nanda Mallick Lane, Kolkata - 700006 and its workmen Sri Swapan Manna & Others representing the Employees of M/s. Tirupati Stampings(P) Ltd., C/o. Sri Swapan Manna, 16, Ram Kumar Ganguly Lane, P. O. B. Garden, Howrah - 711103 regarding the issue 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 Judge, Second Industrial Tribunal, West Bengal.

AND WHEREAS the Second Industrial Tribunal, West Bengal, has submitted to the State Government its award dated 25/03/2022 on the said Industrial Dispute vide memo no. 408 - L. T. dated. 01/04/2022.

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,

sd/-

Joint Secretary
to the Government of West Bengal

No. Labr/ / (LC-IR) / 22015(15) / 15 / 2018 Date: / 2022
with of the a for information and necessary action to:

No. Labr/..... 391 / (LC-IR)

Date: 13/04/2022.

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

1. M/s. Tirupati Stampings(P) Ltd. 1A, Nanda Mallick Lane, Kolkata - 700006
2. Sri Swapan Manna & Others representing the Employees of M/s. Tirupati Stampings(P) Ltd., C/o. Sri Swapan Manna, 16, Ram Kumar Ganguly Lane, P. O. B. Garden, Howrah - 711103.
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The O.S.D. & E.O. Labour Commissioner, W.B. New Secretariate Buildings, 1, K. S. Roy Road, 11th Floor, Kolkata- 700001.
- ✓ 5. The Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website

No. Labr/..... 391 / (LC-IR)

Joint Secretary
Date: 13/04/2022.

Copy forwarded for information to:

1. The Judge, Second Industrial Tribunal, West Bengal with reference to his Memo No. 408 – L. T. dated. 01/04/2022.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata - 700001.

Joint Secretary

Before the Second Industrial Tribunal, Kolkata

Present : Shri Partha Sarathi Mukhopadhyay, Judge

2nd Industrial Tribunal, Kolkata

Case No. VIII-45 of 2013

Under Section 10(2A) of The Industrial Disputes Act, 1947

M/s. Tirupati Stampings (P) Limited

-Vs-

Sri Swapan Manna & Others representing the Employees of
M/s. Tirupati Stampings (P) Limited

Dated, 25.03.2022

J U D G E M E N T

This is a case under Section 10(2A) of The Industrial Disputes Act, 1947 and the case has been referred to this Tribunal by the Govt. of West Bengal, Labour Department for adjudication and two issues have been framed by the Govt. of West Bengal, Labour Department and the issues framed are as follows:-

1. Whether closure declared by the management in their factory w.e.f. 07.10.2002 is justified.
2. To what relief, if any, are the workers entitled ?

Contd....2/-

In order to prove the case the petitioners have examined two witnesses and proved some documents and the O.P. company has examined one witness as the OPW-I and proved some documents but his examination was not completed as the OPW-I did not attend this Tribunal for his further cross-examination after 06.01.2020.

Record shows that thereafter many dates were given to the O.P. company to produce the OPW-I for completion of his further cross-examination but OPW-I did not appear and then on 26.03.2021 the case was closed and fixed for hearing argument but thereafter both parties did not appear for hearing of argument though sufficient opportunities were given to both parties for hearing argument and accordingly I hold in view of Section 22 of The West Bengal Industrial Disputes Rules, 1958 that the industrial dispute under reference is no longer in existence.

Hence, it is

ORDERED

that the Case No. VIII-45 of 2013 under Section 10(2A) of The Industrial Disputes Act, 1947 is dismissed under Rule 22 of The West Bengal Industrial Disputes Rules, 1958 as the industrial dispute under reference is no longer in existence.

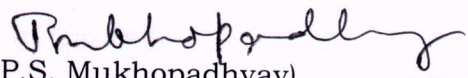
Let this judgement and order be treated as an Award.

According to Section 17AA of The Industrial Disputes Act, 1947, let a certified copy of this Award be sent to the Principal Secretary to the Government of West Bengal, Labour Department, New Secretariat Buildings, 1, K.S. Roy Road, Kolkata 700 001 for information, and let a certified copy of this Award be supplied to each of both the parties of this case free of cost forthwith for information.

The case is disposed of today.


Dictated & corrected by me.

Judge


(P.S. Mukhopadhyay)
Judge
2nd Industrial Tribunal