

I/195395/2022

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

No. Labr/.....⁵²⁶(LC-IR)/22015(16)/20/2022 Date :²⁶⁻⁰⁵/2022

ORDER

WHEREAS an industrial dispute existed between 1. Ms. Ranjit Nandi, Senjyote Apartment, 75/1/B Burnpur Road, P.O.-Asansol – 4, Dist. Paschim Bardhaman, 2. Divisional Manager, Purulia, the West Bengal State Electricity Development Corporation Ltd. New Administrative Bhavan, Purulia Zilla Parishad Bhavan, 5th Floor, Sahib Band Road, Purulia – 722102, 3. Regional Manager, the West Bengal State Electricity Development Corporation Ltd. Purulia Regional, New Zilla Parishad Bhavan, 4th Floor, Purulia - 723101 and Sri Manohar Mudi, S/o. Lat. S. Mudi, 33/11 KV Sub Station, Raghunathpur-Adra Road, P.O. – Raghunathpur, Purulia - 723133 regarding the issue, being a matter specified in the Second schedule to the Industrial Dispute Act, 1947 (14 of 1947);

AND WHEREAS the workman has filed an application under section 10(1B) (d) of the Industrial Dispute Act, 1947 (14 of 1947) to the Second Industrial Tribunal specified for this purpose under this Deptt.'s Notification No. 1085-IR/12L-9/95 dated 25.07.1997.

AND WHEREAS, the Ninth Industrial Tribunal heard the parties under section 10(1B) (d) of the I.D. Act, 1947 (14 of 1947) and framed the following issue dismissal of the workman as the "issue" of the dispute.

AND WHEREAS the Ninth Industrial Tribunal has submitted to the State Government its Award dated 19/04/2022 under section 10(1B) (d) of the I.D. Act, 1947 (14 of 1947) on the said Industrial Dispute vide memo no. 44- I.T.(J) dated 13/05/2022.

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,



Joint Secretary
to the Government of West Bengal

I/195395/2022

: 2 :

No. Labr/.....1/(7)(LC-IR)

Date/2022

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

1. Ms. Ranjit Nandi, Senjyote Apartment, 75/1/B Burnpur Road, P.O.- Asansol – 4, Dist. Paschim Bardhaman.
2. Divisional Manager, Purulia, the West Bengal State Electricity Development Corporation Ltd. New Administrative Bhavan, Purulia Zilla Parishad Bhavan, 5th Floor, Sahib Band Road, Purulia – 722102.
3. Regional Manager, the West Bengal State Electricity Development Corporation Ltd. Purulia Regional, New Zilla Parishad Bhavan, 4th Floor, Purulia – 723101.
4. Sri Manohar Mudi, S/o. Lat. S. Mudi, 33/11 KV Sub Station, Raghunathpur-Adra Road, P.O. – Raghunathpur, Purulia - 723133.
5. The Asstt. Labour Commissioner, W.B. In-Charge, Labour Gazette.
6. The O.S.D. & E.O. Labour Commissioner, W.B., New Secretariat Buildings, (11th Floor), 1, Kiran Sankar Roy Road, Kolkata – 700001.
- ✓ 7. The Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.



Joint Secretary

No. Labr/.....2/(2)(LC-IR)

Date/2022

Copy forwarded for information to:-

1. The Judge, Ninth Industrial Tribunal West Bengal, with respect to his Memo No. 44 - I.T. dated 13/05/2022.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata – 700001.



Joint Secretary

In the matter of an application under Section 10(1B)(d) of the Industrial Disputes Act, 1947 filed by Sri Manohar Mudi, S/o Lt.S.Mudi resident of 33/11 KV Sub-stationb, Raghunathpur-Adra Rd. ,P.O-Raghunathpur, District-Purulia-723133 against (1) Ms. Ranjit Nandi, Senjyote Apartment, 75/1/B Burnpur Road, P.O-Asansol-04,District-Pachim Bardhaman, (2) Divisional Manager, Purulia, the West Bengal State Electricity Development Corporation Ltd., New Administrative Bhavan, Purulia Zilla Parishad Bhavan, 5th floor, Sahib Band Road, District-Purulia-722102, (3) Regional Manager, the West Bengal State Electricity Development Corporation Ltd., Purulia Region, New Zilla Parishad Bhavan, 4th floor, District-Purulia-723101.

Case No. X-1 of 2018 U/S. 10(1B)(d) of the I.D. Act, 1947)

BEFORE THE 9TH INDUSTRIAL TRIBUNAL, WEST BENGAL, KOLKATA.

PRESENT : SHRI SUJIT KUMAR MEHROTRA,

JUDGE, 9th INDUSTRIAL TRIBUNAL,

DURGAPUR.

Case Record is taken up for passing order.

It reveals from the Case Record that the above named workman filed the instant case by preferring an application u/s 10 (1B)(d) of the Industrial Disputes Act,1947 against O.Ps praying for his reinstatement in the job alongwith all service benefits incidental to and connected with his said job from the date of his alleged illegal termination till the date of his reinstatement and other reliefs.

After receiving notice the O.Ps appeared and filed their written statement challenging the claim of the workman on many grounds including the ground of limitation and this court vide its Order No.8 dated 17.7.2018 allowed the workman's petition for condonation of delay. However, during the course of hearing of this case the Ld.Lawyer for the workman informed this tribunal on 11.03.2022 that the above named workman expired on 12.11.2020 and he also filed Xerox copy of the death certificate.

In view of such facts and circumstances, this tribunal directed the Ld.Lawyer for taking necessary steps but the Order No.45 dated 12.4.2022 reveals that the above named workman died as a bachelor and his parents pre-deceased him and there is none to step into his shoe to pursue his case. (contd...)

Having regard to the facts and circumstances, I am of the view that the instant case abets and no industrial disputes exist in between the parties. So, I am inclined to pass a "No dispute" award on the footings that Industrial Disputes under Rule 22 of West Bengal Industrial Dispute Rule, 1958 is no longer in existence.

Hence,

Ordered

that the instant case and the same abets for non-existence of any industrial disputes. This is to be treated as "No Dispute Award".

This is my Award.

Dictated & Corrected by me,

Judge,

Sdf

JUDGE
NINTH INDUSTRIAL TRIBUNAL
DURGAPUR

Sdf

Judge,

9th Industrial Tribunal,
Durgapur
19-04-2022

JUDGE
NINTH INDUSTRIAL TRIBUNAL
DURGAPUR