

**Government of West Bengal
Labour Department
I.R. Branch
N. S. Buildings, Block-A, 12th floor,
1, K. S. Roy Road, Kolkata – 700 001.**

No.Labr./115/(LC-IR)

Dated, Kolkata, the 4th Feb. 2019

ORDER

WHEREAS under the Government of West Bengal, Labour Department Order No. 1484-I.R. dated 28.11.2005 the Industrial Dispute between M/s. Neelam Roller Flour Mills(P) Ltd., Narayanpur, , Malda, and their workman Shri Bishwanath Guha, President, I.N.T.U.C. District Committee, Malda, Indira Smriti Bhawan, Rathbari, Malda regarding the issue mentioned in the said Order, being a matter specified in the Third Schedule to the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the Judge, Sixth Industrial Tribunal, West Bengal.

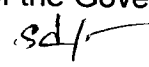
AND WHEREAS, the Judge of the said Sixth Industrial Tribunal, West Bengal, has submitted to the State Government its award on the said Industrial Dispute

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


Deputy Secretary to the
Government of West Bengal

No.Labr./115/1(5)/(LC-IR)

Dated, Kolkata, the 4th Feb. 2019

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

1. M/s Neelam Roller Flour Mills (P) Ltd., Narayanpur, Maldal.
2. Shri Bishwanath Guha, President, I.N.T.U.C. District Committee, Malda, Indira Smriti Bhawan, Rathbari, Malda.
3. The Assistant Labour Commissioner, West Bengal, In-Charge, Labour Gazette.
4. The Labour Commissioner, West Bengal, New Secretariat Buildings, 1, K. S. Roy Road, 11th Floor, Kolkata – 700 001
- ✓ 5. The O.S.D. , IT Cell, Labour Department, with the request to cast the Award in the Department's Website.


Deputy Secretary.

(2)

No.Labr./115/2(2)/(LC-IR)

Dated, Kolkata, the 4th Feb. 2019

Copy forwarded for information to :-

1. The Judge, Sixth Industrial Tribunal, West Bengal, with respect to his Memo No. 74/I.T dtd. 04.12.2018.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6 Church Lane, Kolkata – 700 001.

Deputy Secretary

Um/4.2.19.

Before the Judge, Sixth Industrial Tribunal
North Bengal Region at Jalpaiguri
Nawab Bari Judicial Complex
Jalpaiguri.

Case No. VIII-06/2005 (VI)

Present: Sri B. N. Bhaduri, Judge,
Sixth Industrial Tribunal, North Bengal Region at Jalpaiguri
Nawab Bari Judicial Complex, Jalpaiguri.

M/s. Neelam Roller Flour Mills (P) Ltd.,
Narayanpur, Malda.

.....Employer.

-VS-

Their Workman represented by
Shri Bishwanath Guha, President, I.N.T.U.C.
District Committee, Malda, Indira Smriti Bhawan,
Rathbari, Malda.

.....Workman.

Order No.45 dt. 30/11/2018

The employee and the employer have not taken any steps today. Today is fixed for passing necessary order. None appeared on repeated calls.

On careful perusal of the record it is found that a copy of Order No. 1484-IR/IR/11L-116/2005 dt. 28/11/2005 of the Govt. of West Bengal, Labour Department, I. R. Branch, Writers' Buildings, Kolkata-700001, was received on 12.12.2005. Accordingly, the case was started and notices were issued in Form No.D2 fixing 15/03/2006 for SR, appearance and for further order. It is found that notices were served and both the parties appeared. It is also found that several chances have been given to the employee to file written case along with list of documents but till today no step has been taken by the employee for filing written case and list of documents. It is clear that more than 13 years elapsed but the petitioner has failed to file written case and list of documents. Since last few dates and no step has been taken by the employee and employer. Therefore, it is clear that the petitioner has no interest in the further proceeding of this case and there is also no reasonable ground to keep this case pending any more.

Under such circumstances, I have no other alternative but to hold that the Industrial Disputes raised in between the parties to this case is no longer in existence and accordingly the case is to be disposed of as per provision of Rule-22 of the West Bengal Industrial Disputes Rules, 1958. Hence it is

ORDERED

That this Industrial Dispute between the parties to this case is no longer in existence and accordingly no award is passed. The case is disposed of accordingly.

Copy of this "No Dispute Award " be sent to the Assistant Secretary, Labour Department, I.R. Branch, Govt. of West Bengal, New Secretariat Buildings, Block-A, 12th Floor, 1, K.S. Ray Road, Kolkata-700001, for his information with a request to publish the same in the Calcutta Gazette within 30 days from the date of its receipt.

Sd/-

(Baidya Nath Bhaduri)
Judge,
Sixth Industrial Tribunal
Jalpaiguri.



Sd/-

(Baidya Nath Bhalduri)
Judge,
Sixth Industrial Tribunal
Jalpaiguri.

True Copy
JUDGE
Sixth Industrial Tribunal
Jalpaiguri