

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

No. Labr./1019/(LC-IR)/
22015/11/2018-IR

Date : 28.12.2018.

ORDER

WHEREAS an industrial dispute existed between M/S. Bhatkawa Tea Estate, P.O. Garopara, Dist. Jalpaiguri and Sri Sankar Doshad , represented by West Bengal Cha Shramik Union, Shilpa Samitypara, P.O & Dist. Jalpaiguri regarding the issue, being a matter specified in the third schedule to the Industrial Dispute Act, 1947 (14 of 1947);

AND WHEREAS the workman has filed an application under section 10(2A) of the Industrial Dispute Act, 1947 (14of 1947) to the Judge, Sixth Industrial Tribunal specified for this purpose under this Deptt.'s Notification No. 1085-IR/12L-9/95 dated 25.07.1997.

AND WHEREAS the said Judge Sixth Industrial Tribunal has submitted to the State Government its Award under section 10(2A) of the I.D. Act, 1947 (14of 1947) on the said Industrial Dispute.

Now, THEREFORE, in pursuance of the provisions of Section 17 of the Industrial Dispute Act, 1947 (14of 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/-

Deputy Secretary
to the Government of West Bengal

No. Labr./1019/1(5)/(LC-IR)

Date 28.12.2018.

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

1. M/s: Bhatkawa Tea Estate, P.O. Garopara, Dist. Jalpaiguri .
2. Sri Sankar Doshad , represented by West Bengal Cha Shramik Union, Shilpa Samitypara, P.O & Dist. Jalpaiguri.
3. The Asstt. Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The Labour Commissioner, W.B., New Secretariat Buildings, (11th Floor), 1, Kiran Sankar Roy Road, Kolkata - 700001.
5. The O.S.D., IT Cell, Labour Department, with the request to cast the Award in the Department's website.

Sd/-

Deputy Secretary

No. LABR-1019/2(2)/(LC-1A)
22015/11/2018-IR

Date 28-12-2018

Copy forwarded for information to :-

1. The Judge, Sixth Industrial Tribunal, West Bengal, with respect to his Memo No. 61/I.T.(J) dated 20.11.2018 .
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata - 700001.

Deputy Secretary

418570/2018/ESTT SEC(LABR)

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

Case No. VIII-18/2008 (VI)

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

M/s. Bhatkawa Tea Estate
P.O. Garopara, Dist. Jalpaiguri.
.....Employer.

-VS-

Sri Sankar Doshad represented by West Bengal
Cha Shramik Union, Shilpa Samitypara,
P.O. & Dist. Jalpaiguri.

.....Workman.

Order No.47 dt. 29/10/2018

The employee and the employer have not taken any steps today. Today is fixed for passing necessary order as the employee failed to file written case inspite of giving several chances. Today also none appeared on repeated calls.

On careful perusal of the record it is found that a copy of Order No. 1088-IR/IR/9L-20/08 dt. 20/10/2008 of the Govt. of West Bengal, Labour Department, I. R. Branch, Writers' Buildings, Kolkata-700001, was received on 01.12.2008. Accordingly, the case was started and notices were issued in Form No.D2 fixing 05/01/2009 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 10 years elapsed but the petitioner has failed to file written case and list of documents. Since last few dates no step has been taken by the employee. 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
Baidya Nath
JUDGE
Sixth Industrial Tribunal
Jalpaiguri