

I/203880/2022

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

No. Labr/ 6577/(LC-IR)

Date: 30/06/2022.

**ORDER**

WHEREAS under the Government of West Bengal, Labour Department Order No. Labr/954/(LC-IR)/11L-06/09(pt) dated 17/09/2015 the Industrial Dispute between M/s. C. Ringer & Company, 23, Lalbazar Street, Kolkata - 700001 and its workman C. Ringer & Company Employees' Union, 12A, Netaji Subhash Road, Kolkata - 700001 regarding the issue mentioned in the said order, being a matter specified in the Second / Third Schedule to the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the Judge, Fifth Industrial Tribunal, West Bengal.

AND WHEREAS the Fifth Industrial Tribunal, West Bengal, has submitted to the State Government its award dated 22/06/2022 on the said Industrial Dispute vide memo no. 939 - L.T. dated - 22/06/2022.

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

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652/1(5)

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

Date: 30/06/2022.

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

1. M/s. C. Ringer & Company, 23, Lalbazar Street, Kolkata - 700001.
2. C. Ringer & Company Employees' Union, 12A, Netaji Subhash Road, Kolkata - 700001.
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, 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.



Joint Secretary

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

Date: . . . . . /2022.

Copy forwarded for information to:

1. The Judge, Fifth Industrial Tribunal, West Bengal with reference to his Memo No. 939- L.T. dated – 22/06/2022.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata -700001.

Joint Secretary



In the matter of an industrial dispute between the Employers i.e. M/S. C. Ringer & Company, 23, Lalbazar Street, Kolkata – 700 001 and their Workman represented by C. Ringer & Company Employees' Union (Regd. No. 8704) Situated at 12A, Netaji Subhash Road, Kolkata – 700 001, referred to this Tribunal Vide G. O. No. 954-IR/IR/11L-06/09(Pt.) dated 17/09/2015 and Notification No. 803-IR/IR/3A-2/57, dated 11/03/1957.

**(Case No. VIII-41/2015)**

Before the Fifth Industrial Tribunal: West Bengal

Present Sri Kamal Sarkar,  
Judge, Fifth Industrial Tribunal,  
West Bengal.

**A W A R D**

An industrial dispute between the Employer i.e. Employers i.e. M/S. C. Ringer & Company, 23, Lalbazar Street, Kolkata – 700 001 and their Workman represented by C. Ringer & Company Employees' Union (Regd. No. 8704) Situated at 12A, Netaji Subhash Road, Kolkata – 700 001, referred to this Tribunal Vide G. O. No. 954-IR/IR/11L-06/09(Pt.) dated 17/09/2015 and Notification No. 803-IR/IR/3A-2/57, dated 11/03/1957, to this Tribunal for adjudication on the following issues:-

**ISSUE(S)**

1. Whether the act of refusal of employment to Sri Ajoy Malakar and 5 (five) other workmen as mentioned in the Annexure in the disguise of transfer on the part of the management of M/s. C. Ringer & Co. is justified ?
2. If not, what relief are they entitled to ?

The case record is taken up for passing order.

On perusal the case record it appears that both the parties were show caused by this Tribunal since 29/12/2021 but surprisingly none of the parties appears before this Tribunal till last date i.e. on 15/06/2022. It is further reveals from the case record that inspite of several attempts took by this Tribunal to send show cause notices by registered post with A/D but none of the parties accepted those show cause notice reasons known best to them. None appears before this Tribunal since 27/12/2021.

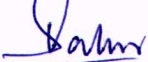
Considering the above facts and circumstances, it is clear that both the parties i.e. the petitioner C. Ringer & Co. Employees' Union and OP M/s. C. Ringer & Company and the added party No. 2) Sri Sailendra Nath Mukherjee, Partner of M/s. C. Ringer & Co., are not interested to proceed with the hearing of this case. Therefore 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,

**ORDERED**

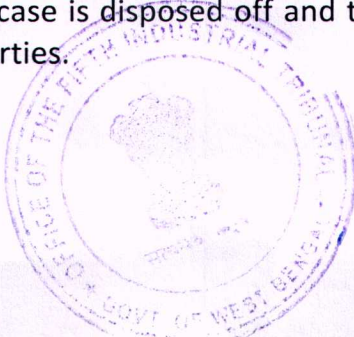
that Industrial Dispute under reference Vide G. O. No. 954-IR/IR/11L-06/09(Pt.) dated 17/09/2015 and Notification No. 803-IR/IR/3A-2/57, dated 11/03/1957, is no longer in-existence and accordingly the case is disposed off and this order is to be treated as No Dispute Award between the parties.

Dictated & Corrected by me



Judge

5th Industrial Tribunal  
Govt. of West Bengal



Kamal Sarkar

Judge 22.06.2022

Fifth Industrial Tribunal  
Kolkata

5th Industrial Tribunal  
Govt. of West Bengal