

I/336969/2022

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

No. Labr/977/(LC-IR)/8L-01/17

Date: 10-11-2022.

ORDER

WHEREAS under the Government of West Bengal, Labour Department Order No. Labr/123-IR/I.R./8L-04/2004 dated 03.09.2009 the Industrial Dispute between M/s. Kesoram Rayon, P.O. - Nayasarai, Dist. - Hooghly, Pin - 712513 and its workman Sri Nand Kishor Pashi, Quarter Line No. SL. No. 10, P.O. - Nayasarai, Dist. - Hooghly, Pin - 712513 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, First Industrial Tribunal, West Bengal.

AND WHEREAS the First Industrial Tribunal, West Bengal, has submitted to the State Government its award dated 22/09/2022 on the said Industrial Dispute vide memo no. 1501 - L. T. dated. 27/09/2022.

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.

ANNEXUR

(Attached herewith)

By order of the Governor,

sdt
Joint Secretary
to the Government of West Bengal

I/336969/2022

No. Labr/977/1(5)/(LC-IR)

Date: 10-11- /2022.

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

1. M/s. Kesoram Rayon, P.O. - Nayasarai, Dist. - Hooghly, Pin - 712513.
2. Sri Nand Kishor Pashi, Quarter Line No. SL. No. 10, P.O. - Nayasarai, Dist. - Hooghly, Pin - 712513.
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The O.S.D. & E.O. Labour Commissioner, W.B. New Secretariate Building, 1, K. S. Roy Road, 11th Floor, Kolkata- 700001.
5. The Sr. Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.


Joint Secretary

No. Labr/977/2022/(LC-IR)

Date: 10-11- /2022.

Copy forwarded for information to:

1. The Judge, First Industrial Tribunal, West Bengal with reference to his Memo No. 1501 - L. T. dated. 27/09/2022.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata -700001.

Joint Secretary

In the matter of an Industrial Disputes exists between Shri M/s Kesoram Rayon, P.O. – Nayasarai, Dist. – Hooghly, Pin – 712513 and their workman Shri Nand Kishor Pashi, Quarter Line No. SL. No. 10, P.O. – Nayasari, Dist. – Hooghly.

Government order of reference No. 123-IR/IR/8L-04/04 dated 03.02.2009 of the Labour Department, Government of West Bengal.

BEFORE THE FIRST INDUSTRIAL TRIBUNAL: WEST BENGAL

PRESENT

**SHRI UTTAM KUMAR NANDY, JUDGE
FIRST INDUSTRIAL TRIBUNAL, KOLKATA**

Date of Order: 22.09.2022

Case No.: VIII – 05/2009

The instant case has been initiated on receipt of copy of Government Order of reference No. 123-IR/IR/8L-04/04 dated 03.02.2009 of the Labour Department, Government of West Bengal referring an industrial dispute between M/s Kesoram Rayon, P.O. – Nayasarai, Dist. – Hooghly, Pin – 712513 and their workman Shri Nand Kishor Pashi, Quarter Line No. SL. No. 10, P.O. – Nayasari, Dist. – Hooghly.

Accordingly, notice was issued upon both the parties.

On 26.03.2009 notice upon the Workman was returned with postal remark “not claimed”. So, fresh notice was issued through Police Station upon the Workman.

Thereafter, on 30.09.2009/ 04.05.2009 an Advocate’s letter was received stating inter-alia that Company files Writ Petition being No. WP No. 6321(W) of 2009 between Kesoram Rayon vs. State of West Bengal & Others, wherein Hon’ble Court was pleased to stay the operation of reference made by the State of West Bengal for limited period till 22.05.2009 but no supporting order has been filed. Even then the case remains stayed for awaiting order from the Hon’ble High Court at Kolkata till 15.03.2021 when notice was issued upon the both parties for S/R and appearance and for filing order of Hon’ble High Court at Kolkata.

Even then till 27.06.2022 no steps are taken by the parties.

Considering the situation this Tribunal has decided to pass necessary order.



Accordingly, the record is taken up for passing "No Dispute Award" being it is a fit case for passing such Award.

In this circumstance 'No Dispute Award' is passed on the footings of the present industrial dispute raised by the Workman named Nand Kishore Pashi being referred vide Government Order of reference No. 123-IR/IR/8L-04/04 dated 03.02.2009 of the Labour Department, Government of West Bengal is no longer in existence.

This is my Award.

The Award be sent to the Government.

Dictated & corrected by me

Sd/-

(Uttam Kumar Nandy)
Judge

JUDGE
FIRST INDUSTRIAL TRIBUNAL
WEST BENGAL

Sd/-

(Uttam Kumar Nandy)
Judge
First Industrial Tribunal
Kolkata

JUDGE
FIRST INDUSTRIAL TRIBUNAL
WEST BENGAL

