

I/581076/2024

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

No. Labr/ 1155 /(LC-IR)/22015(16)/356/2018

Date :

03/12/24

ORDER

WHEREAS an industrial dispute existed between M/s. Sanofi India Ltd., 5th Floor, Apeejay House, C Block, 15, Park Street, Kolkata – 700016, H.O. : Sanofi House, CTS No. 117-B, L & T, Business Park, Saki Vihar Road, Powai, Mumbai, Mumbai City, MH, Pin – 400072 and their workman Sri Palash Dutta , S/o - Late Nitai Dutta, Priyambada Apartment, Flat No. 6E, Bangaltuli Lane, Hyderpur P.S. English Bazar, P.O. & District – Maldah, Pin – 732 101, regarding the issues, being a matter specified in the second schedule to the Industrial Dispute Act, 1947 (14 of 1947) ;

AND WHEREAS the parties have filed an application under section 10(1B)(d) of the Industrial Dispute Act, 1947 (14 of 1947) to the Seventh Industrial Tribunal, Kolkata specified for this purpose under this Deptt.'s Notification No. 1085-IR/12L-9/95 dated 21.07.1997 ;


AND WHEREAS the said Seventh Industrial Tribunal, Kolkata has submitted to the State Government its Award dated 05.09.2024 in case No. 35/2023 under section 10(1B)(d) of the I.D. Act, 1947 (14 of 1947) on the said Industrial Dispute vide e-mail dated 03.10.2024 ;

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,


Assistant Secretary

to the Government of West Bengal


No. Labr/ 1155 /1(5)/(LC-IR)/22015(16)/356/2018

Date :

03/12/24

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

1. M/s. Sanofi India Ltd., 5th Floor, Apeejay House, C Block, 15, Park Street, Kolkata – 700016, H.O. : Sanofi House, CTS No. 117-B, L & T, Business Park, Saki Vihar Road, Powai, Mumbai, Mumbai City, MH, Pin – 400072.
2. Sri Palash Dutta , S/o - Late Nitai Dutta, Priyambada Apartment, Flat No. 6E, Bangaltuli Lane, Hyderpur P.S. English Bazar, P.O. & District – Maldah, Pin – 732 101.
3. The Asstt. Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The OSD & EO Labour Commissioner, W.B., New Secretariat Building, 11th Floor, 1, Kiran Sankar Roy Road, Kolkata – 700001.
5. The Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.


Assistant Secretary

No. Labr/ 1155 /1(3)/(LC-IR)/22015(16)/356/2024

Date :

03/12/24

Copy forwarded for information to :-

1. The Judge, Seventh Industrial Tribunal, N. S. Building, 3rd Floor, 1, K.S. Roy Road, Kolkata – 700001 with respect to his e-mail dated 03.10.2024.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata – 700001.
3. Office Copy.


Assistant Secretary

**In the 7th Industrial Tribunal, Kolkata
Case No. 35/2023**

Under Section 10(1B)(d) of the Industrial Disputes Act, 1947

Present : Ms. Yogita Gaurisaria, Judge,

Seventh Industrial Tribunal, Kolkata

Sri Palash Dutta , son of Late Nitai Dutta of Priyambada Apartment, Flat No. 6E, Bangaltuli Lane, Hyderpur P.S. English Bazar, P.O. & District – Maldah, Pin – 732 101.

.....Applicant/workman

Vs.

M/s. Sanofi India Ltd., 5th Floor, Apeejay House, C Block, 15, Park Street, Kolkata – 700 016, H.O : Sanofi House, CTS No. 117-B, L & T, Business Park, Saki Vihar Road, Powai, Mumbai, Mumbai City, MH PIN-400 072

..... O.P./Company

A W A R D

DATED, 05/09/2024

Today is fixed for passing order in respect of Memorandum of Settlement on compromise dated 29.08.2024 , filed by both the parties.

The case record is taken up for passing order.

Perused the Memorandum of Settlement (Exbt. B) dated 29.08.2024, joint petition filed by the parties and petition under Section 10(1B)(d) of the Industrial Disputes Act, 1947 (as amended) as well as evidence of the applicant Sri Palash Dutta (P.W.1) and Mr. Koustubh Pradhan, Lead - Employee Relations & Compliances , authorized representative of the Company namely M/s. Sanofi India Ltd., (O.P.W.1), the Power of Attorney enclosed (Exbt. A) , so adduced in support of said Memorandum of Settlement (Exbt. B) .

It appears from the evidence of P.W.1 and O.P.W.1 that the matter in dispute has already been settled in between the parties in terms of Memorandum of Settlement dated 29.08.2024 (Exbt. B) . I further find from the said joint petition , Memorandum of Settlement as well as from the evidence of both parties that the Company has handed over a demand draft being No. 899609

Contd.....P/2

(2)

dated 22.08.2024 of Rs. 6,40,923/- (Six lakh forty thousand nine hundred twenty three) only drawn on HDFC Bank Ltd., to the applicant as full and final settlement amount and the applicant has issued a receipt of the same, marked as Exbt. B and the said demand draft was handed over to the applicant as full and final settled amount and the applicant (P.W.1) has no grievance against the O.P./Company at present. A xerox copy of the said Demand Draft of full and final settled amount was marked as Exbt. 1. An original money receipt has been filed to that effect . Considered.

The Memorandum of Settlement dated 29.08.2024 and the joint petition dated 29.08.2024 filed by the parties has duly been signed by the applicant, Sri Palash Dutta (P.W.1) and Mr. Koustubh Pradhan (O.P.W.1) representing the O.P./Company voluntarily. Since the matter has already been settled between the parties to the proceedings, I am of the view that this Tribunal should not stand in the way of their such settlement/compromise , which appears to be legal and valid, and so, this Tribunal finds no impediment in allowing such prayer made jointly by the parties voluntarily.

Hence, it is

O r d e r e d

that the settlement between the parties is allowed and accordingly, the proceedings under Section 10(1B)(d) of the Industrial Disputes Act, 1947, as amended , be and the same is disposed of in terms of the Memorandum of Settlement dated 29.08.2024. The Memorandum of Settlement dated 29.08.2024 is made part of the Award.

This is my Award.

Let six (6) copies of the Award be sent to the appropriate authority for information and taking necessary action.

Dictated & corrected by me.

Judge

(Yogita Gaurisaria)
Judge
7th Industrial Tribunal
Kolkata
05.09.2024