

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

No. Labr/ 184 /(LC-IR)/ 22015(16)/26/2025

Date : 10/02/25


ORDER

WHEREAS an industrial dispute existed between M/s. Onkar Bearing Company, 13/B, Bidhan Sarani, Kolkata – 700006 and their workman Shri Balaram Behara, C/o Krista Ch. Behara, Thanthania, Kalibari, Kolkata – 700006, regarding the issues, being a matter specified in the second schedule to the Industrial Dispute Act, 1947 (14 of 1947);

AND WHEREAS the 7th Industrial Tribunal, Kolkata has submitted to the State Government its Award dated 11.12.2024 in Case No. 30 of 2019 on the said Industrial Dispute Vide e-mail dated 29.01.2025 in compliance of u/s 10(2A) of the I.D. Act, 1947.

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 in the Labour Department's official website i.e - wblabour.gov.in

By order of the Governor,


Assistant Secretary


to the Government of West Bengal

No. Labr/ 184 /1(5)/(LC-IR)/ 22015(16)/26/2025

Date : 10/02/25

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

1. M/S. Onkar Bearing Company, 13/B, Bidhan Sarani, Kolkata – 700006.
2. Shri Balaram Behara, C/o Krista Ch. Behara, Thanthania, Kalibari, Kolkata – 700006.
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/ 184 /2(3)/(LC-IR)/ 22015(16)/26/2025

Date : 10/02/25

Copy forwarded for information to :-

2. The Judge, 7th Industrial Tribunal, N. S. Building, 1, K.S. Roy Road, Kolkata - 700001 with respect to his e-mail dated 29.01.2025.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata - 700001.
3. Office Copy.


Assistant Secretary

In The Seventh Industrial Tribunal, West Bengal

Present: Ms. Yogita Gaurisaria, Judge, Seventh Industrial Tribunal.

Case No. 30 of 2019

Under Section 2A(2)

**Shri Balaram Behara, C/o Krista Ch. Behara, Thanthania, Kalibari, Kolkata
– 700 006.**

.....Applicant

-VS-

M/s Onkar Bearing Company, 13/B, Bidhan Sarani, Kolkata – 700 006.

.....Opposite Party

A W A R D

Dated 11.12.2024

This case has been filed by the applicant/workman Sri Balaram Behara under Section 2A(2) of the Industrial Disputes Act, 1947 against opposite party in connection with termination of his service with effect from 04.11.2018 illegally with a prayer to reinstate him in service with full back wages and other consequential benefits and also costs and interests thereto.

Perused the case record wherefrom it appears that upon receiving notice the O.P./Company appeared on 06.08.2019 , but did not file written statement and thereafter the O.P./Company stopped appearing before this Tribunal.

It further appears from the case record that on 08.02.2023 this Tribunal passed an order to issue notice fixing 05.04.2023 for appearance of the parties and for filing written statement by the O.P. It further appears from the order dated 22.06.2023 that the notice sent to the applicant was received back to this Tribunal with a postal remark ‘ insufficient address RTS’ and further show cause notice was issued on that date upon the applicant directing him to appear before this Tribunal on 25.08.2023 and file show cause as to why no dispute award shall not be passed in the instant case. From the order dated 22.03.2024 it appears that the show cause

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(2)

notice sent to the applicant was received back with the postal remark ‘ No such person in this address’. On 22.03.2024 again a show cause notice was issued upon the applicant directing to appear on 06.05.2024 and file show cause as to why no dispute award shall not be passed in the instant case. It appears from the order dated 11.11.2024 that the notice sent to the applicant was received back to this Tribunal with the postal remark “ ACBL...../insufficient address”.

It appears from the order sheets that the workman is not appearing before this Tribunal more than 3 years. Therefore, it is clear from the conduct of the applicant that the applicant is not willing to proceed with his present case further.

In view of the aforesaid conduct of the applicant, this Tribunal holds that no industrial disputes exist in between the parties. So, I am inclined to pass a ‘No Dispute’ Award on the footings that Industrial Disputes under Rule 22 under West Bengal Industrial Dispute Rules, 1958 is no longer in existence.

Hence, it is

O r d e r e d

that the case being No. 30 of 2019 U/s 2A(2) of the Industrial Disputes Act, 1947 be and the same is dismissed for non existence of any Industrial Dispute. This is to be treated as ‘ No Dispute Award ‘.

This is my award.

Let a copy of this award be sent to the appropriate authority as envisaged under the law.

Dictated & corrected by me.

Judge

(Yogita Gaurisaria)
Judge
7thIndustrial Tribunal
Kolkata
11.12.2024