

1/473000/2024

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

No. Labr/. 40. / (LC-IR)/22015(16)/2/24 Date: 10/01/2024

ORDER

WHEREAS an industrial dispute existed between M/s. Jadob Electric Co.(P) Limited, 9/A, Mahendra Srimani Street, Kolkata - 700009 and Sri Bimal Halder, 1, Harinath Dey Street, Kolkata - 700009 regarding the issue, being a matter specified in the Second schedule to the Industrial Dispute Act, 1947 (14 of 1947);

AND WHEREAS the workman has filed an application under section 10(1B) (d) of the Industrial Dispute Act, 1947 (14of 1947) to the Seventh Industrial Tribunal specified for this purpose under this Deptt.'s Notification No. 1085-IR/12L-9/95 dated 25.07.1997.

AND WHEREAS, the Seventh Industrial Tribunal heard the parties under section 10(1B) (d) of the I.D. Act, 1947 (14of 1947) and framed the following issue dismissal of the workman as the "issue" of the dispute.

AND WHEREAS the Seventh Industrial Tribunal has submitted to the State Government its Award dated 27/12/2023 in Case No. 04/2013 U/s10(1B) (d) of the I.D. Act, 1947 (14of 1947) on the said Industrial Dispute vide memo no. Dte/7th IT/007/2024 dated 03/01/2024.

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/-
Assistant Secretary
to the Government of West Bengal

/473000/2024

:2:

No. Labr/. 40. 1/(5)/(LC-IR)

Date: 10/01/2024

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

1. M/s Jadob Electric Co.(P) Limited, 9/A, Mahendra Srimani Street, Kolkata - 700009.
2. Sri Bimal Halder, 1, Harinath Dey Street, Kolkata - 700009.
3. The Asstt. Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The O.S.D. & E.O. 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

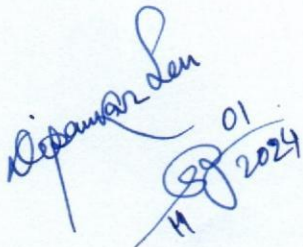
No. Labr/. 40. .2/(2)/(LC-IR)

Date : 10/01/2024

Copy forwarded for information to:-

1. The Judge, Seventh Industrial Tribunal, Govt. of West Bengal, N.S. Building, 1, K.S. Roy Road, Kolkata - 700001 with respect to his Memo No. Dte/7th IT/007/2024 dated 03/01/2024.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata - 700001.

Assistant Secretary



10/01/2024

Before The Seventh Industrial Tribunal, West Bengal

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

Case No. 04 of 2013

Under Section 10(1B)(d)

Shri Bimal Halder , 1, Harinath Dey Street, Kolkata – 700 009

.....Applicant

-VS-

M/s Jadob Electric Co. (P) Limited, 9/A, Mahendra Srimani Street, Kolkata –
700 009..... Opposite Party

A W A R D

Dated 27.12.2023

Applicant Shri Bimal Halder is absent without steps.

O.P. /Company is absent.

Today is fixed for passing no dispute award in view of order no. 83 dt.
08.08.2023.

Case record is taken up for passing order.

This case has been filed by the applicant/workman Shri Bimal Halder under Section 10(1B)(d) of the Industrial Disputes Act, 1947 against his employer M/s Jadob Electric Co. Pvt. Limited in connection with termination of service of the applicant illegally with a prayer to reinstate him in service with full back wages and other consequential benefits.

Perused the case record wherefrom it appears that since 10.02.2022 the applicant is absent. As a result, a notice was issued on 30.11.2021 upon him directing to file show cause on 18.05.2022 against the applicant directing him to file show cause on 08.07.2022 as to why no dispute award shall not be passed in the instant case.

Contd....P/2



(2)

On 26.06.2023 a fresh notice was issued upon the applicant fixing 08.08.2023 for S/R, appearance and filing show cause by the applicant. On 08.08.2023 it appeared from the postal track report that the notice sent to the applicant is delivered which is a good service and the applicant was absent on that day also on repeated calls. Therefore, it is clear 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.

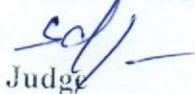
Hence, it is

O r d e r e d

that the case being No. 04 of 2013 u/S 10(1B)(d) 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.

Dictated & corrected by me.


Judge

Judge
Seventh Industrial Tribunal




(Yogita Gaurisaria)
Judge
7th Industrial Tribunal
Kolkata
27.12.2023

Judge
Seventh Industrial Tribunal