

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

No. Labr/ 432 /LC-IR/ 22015(13)/1/2025

Date : 17/04/2025

ORDER

WHEREAS under Labour Department's Order No. 42-I.R dated 15/01/2008 with reference to the Industrial Dispute between M/s. Sri Annapurna Cotton Mills & Industries Ltd., Feeder Road, Shyamnagar, North 24 Parganas, New Howrah Bridge Approach Road, 2nd Floor, Kolkata – 700001 and their workman Shri Prakash Chandra Roy, 53/5, Central Road, P.O. Shyamnagar North 24 Parganas, regarding the issues mentioned in the said order, being a matter specified in the Second Schedule of the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the 8th Industrial Tribunal, Kolkata.

AND WHEREAS the 8th Industrial Tribunal, Kolkata, has submitted to the State Government its Award dated 07.03.2025 in Case No. VIII - 05 of 2008 on the said Industrial Dispute Vide e-mail dated 09.04.2025 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/ 432 /1(5)/LC-IR/ 22015(13)/1/2025

Date : 17/04/2025

Copy forwarded for information and necessary action to:

1. M/s. Sri Annapurna Cotton Mills & Industries Ltd., Feeder Road, Shyamnagar, North 24 Parganas, New Howrah Bridge Approach Road, 2nd Floor, Kolkata – 700001.
2. Shri Prakash Chandra Roy, 53/5, Central Road, P.O. Shyamnagar North 24 Parganas.
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The O.S.D. & E.O. Labour Commissioner, W.B. New Secretariat Building, 1, K. S. Roy Road, 11th Floor, Kolkata- 700001.
5. The Deputy Secretary, IT Cell, Labour Department with request to cast the Award in the Department's website.



Assistant Secretary
to the Government of West Bengal

No. Labr/ 432 /2(3)/LC-IR/ 22015(13)/1/2025

Date : 17/04/2025

Copy forwarded for information to :

2. The Judge, 8th Industrial Tribunal, Kolkata, N.S. Building, 1, K.S. Roy Road, Kolkata-700001 with reference to his e-mail dated 09.04.2025.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata -700001.
3. Office Copy.



Assistant Secretary
to the Government of West Bengal

in the matter of an industrial dispute between the workman Shri Prakash Chandra Roy, 53/5, Central Road, P.O. Shyamnagar North 24 Parganas and M/s. Sri Annapurna Cotton Mills & Industries Ltd., Feeder Road, Shyamnagar, North 24 Parganas, New Howrah Bridge Approach Road, 2nd Floor, Kolkata – 700 001 vide G.O. No. 42-I.R. dated 15th January, 2008.

**Case No. VIII-05 of 2008
Under Section 10 of the Industrial Disputes Act, 1947**

**Present : Sri Bibekananda Sur,
Judge,
5th Industrial Tribunal, Kolkata &
In charge of 8th Industrial Tribunal, Kolkata**

A W A R D D A T E D , 07/03/2025

An industrial dispute between the workman Shri Prakash Chandra Roy, 53/5, Central Road, P.O. Shyamnagar North 24 Parganas and M/s. Sri Annapurna Cotton Mills & Industries Ltd., Feeder Road, Shyamnagar, North 24 Parganas, New Howrah Bridge Approach Road, 2nd Floor, Kolkata – 700 001 has been referred by the Labour Department, I. R. Branch, Writers' Buildings, Kolkata – 700001, to the 7th Industrial Tribunal Vide No. 42-I.R. dated 15th January, 2008 communicated under No. 42-I.R. dated 15th January, 2008 for adjudication upon the under-mentioned following issues. Thereafter, the case record again transferred before the 8th Industrial Tribunal for the purpose of adjudication.

I S S U E S

- (1) Whether the dismissal of Shri Prakash Chandra Roy from his service w.e.f 22.4.2006 by the management is justified ?
- (2) To what relief, if any, the workman is entitled?

Originally the case record is fixed for negotiation for settlement and both the parties filed a joint petition and submitted that both the parties have agreed among themselves to settle the disputes and to that effect they like to file a memorandum of settlement before this Tribunal.

Both the workman and the representative of the management adduced evidence in this case. Accordingly, the matter is proceeded for hearing of the same.

The memorandum of settlement duly signed by both the parties supported by verification and also prayed for disposed of the case as per terms and conditions of the Memorandum of Settlement. Both the parties are present along-with their Ld. Advocates and Ld. Advocate for ANNAPURNA COTTON MILLS AND INDUSTRIES LIMITED and the workman submitted that they have no objection if the instant case is disposed of on the basis of the terms and conditions of the Memorandum of Settlement.

Both the Ld. Advocates of the parties jointly submitted that the dispute between the parties in the present case has been amicably settled out of Court / Tribunal and to that effect a memorandum of settlement dated 05.03.2025 has been prepared by both the parties and the parties also finalized their disputes in terms of the memorandum of the settlement. In view of the above facts and circumstances both the parties prayed for disposal of the case in terms of memorandum of settlement dated 05.03.2025.

In support of their contention the workman Shri Prakash Chandra Roy examined himself as PW-1, who is the workman of **ANNAPURNA COTTON MILLS AND INDUSTRIES LIMITED** and the memorandum of settlement is marked as Exhibit-1. He also admitted and agreed with the terms and condition of the Memorandum of Settlement and prays for disposal of the case in view of the Terms and Conditions of the Memorandum of settlement and his cross examination revealed that there is no due from the company.

On the contrary Anupam Ghosh Senior Accountant of the company duly authorized by the Board of directors examined himself as MW-1 and the photocopy of resolution dated 05.03.2025 of **ANNAPURNA COTTON MILLS AND INDUSTRIES LIMITED** and its workman **SHRI PRAKASH CHANDRA ROY** is marked as Exhibit-A and the authorization made in favour of the MW1 is marked as Exhibit- A and he has categorically stated about the settlement by and between the parties has been amicably settled and he also stated that the management Annapurna Cotton Mills and Industries Limited has no objection if the present case is disposed off as per terms and conditions of the settlement petition and practically the management of Annapurna Cotton Mills and Industries Limited also prayed for disposal of the case on the basis of the terms and condition of the settlement petition dated 05.03.2025.

This Tribunal has carefully examined the terms and condition of the memorandum of settlement and also has scrutinized the signatures appeared in the memorandum of settlement by both the parties.

It reveals that the management of Annapurna Cotton Mills and Industries Limited duly authorized vide resolution dated 05.03.2025 to empower the CEO to sign and execute the terms of settlement between the parties and accordingly CEO of the company Annapurna Cotton Mills and Industries Limited put his signatures upon the same. It further reveals that the management has arranged for making payment of Rs. 9,00,000/- (Rupees Nine Lakh only) to the Petitioner Shri Prakash Chandra Roy through Banker's Cheque of Tamilnad Mercantile Bank, Kolkata Branch for the amount of Rs. 9,00,000/-

in favour of the workman Shri Prakash Chandra Roy and the same has been admitted by the workman in his examination in chief.

Having regard to the facts and circumstances and considering the materials on records and the terms of the settlement, this Tribunal is of the opinion that the terms and conditions of the settlement dated 05.03.2025 by and between the parties of this case are legally valid and proper.

There is no legal impediment to accept the terms and condition of the settlement and to dispose of the case between the parties.

Hence,

ORDERED

that the application dated 05.03.2025, filed by both the parties are allowed in presence of both the parties of this proceeding along-with their advocates.

Accordingly the terms of the memorandum of settlement dated 05.03.2025 is accepted subject to encashment of the cheque drawn in favour of the workman Prakash Chandra Roy on TMB Kolkata Branch and the said memorandum of settlement be made part of this award.

This is the Award of this Tribunal.

Dictated & corrected by me.

Judge

Judge
5th Industrial Tribunal
& I/C of 8th Industrial Tribunal
Kolkata
07.03.2025

GOVERNMENT OF WEST BENGAL
DIRECTORATE OF INDUSTRIAL TRIBUNALS
NEW SECRETARIAT BUILDINGS
BLOCK – 'A', 2ND FLOOR
1, KIRAN SANKAR ROY ROAD
KOLKATA – 700001

Memo No. Dte./8th I.T./013/2025

Dated Kolkata, 07.03.2025/04.04.2025

From: Shri Bibekananda Sur,
Judge, 5th Industrial Tribunal &
I/c. 8th Industrial Tribunal,
Kolkata – 1.

To : The Secretary to the
Govt. of West Bengal,
Labour Department,
New Secretariat Buildings, 12th Floor,
1, Kiran Sankar Roy Road,
Kolkata – 700 001.

Sub: An industrial dispute between workman Shri Prakash
Chandra Roy & M/s. Sri Annapurna Cotton Mills & Industries Ltd.
Vide being **Case No.VIII-05/2008 U/s. 10 of the I.D. Act, 1947.**

Sir,

I am sending herewith the Award passed in the matter of an industrial dispute between workman Shri Prakash Chandra Roy, 53/5, Central Road, P.O. Shyamnagar North 24 Parganas and M/s. Sri Annapurna Cotton Mills & Industries Ltd., Feeder Road, Shyamnagar, North 24 Parganas, New Howrah Bridge Approach Road, 2nd Floor, Kolkata – 700 001 Vide G. O. No. **42-I.R. dated 15th January, 2008** and reference no. 3115-IR/IR/3A-6/59, dated 21/06/1960 being **Case No.VIII-05/2008 U/s. 10 of the I.D. Act, 1947** for information and necessary action.

Encl: As stated above.

Yours faithfully,

Judge,
Fifth Industrial Tribunal & I/c. of
Eighth Industrial Tribunal,
Kolkata
07.03.2025/
04.04.2025

