

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

No. Labr/ 476 /LC-IR/ 22015(16)/58/2025

Date : 02/5/2025


ORDER

WHEREAS under Labour Department's Order No. 57-I.R./IR/11L-192/2004 dated 17/01/2008 with reference to the Industrial Dispute between M/s Seth Dey & Co., 7/1 Mahatma Gandhi Road, Kolkata – 700009 and their workmen represented by Seth Dey & Company Employees' Union (Sealdah), 19L, Seal Lane, Kolkata – 700015, 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 1st Industrial Tribunal, Kolkata.

AND WHEREAS the 1st Industrial Tribunal, Kolkata, has submitted to the State Government its Award dated 23.04.2025 in Case No. VIII - 06 of 2008 on the said Industrial Dispute Vide e-mail dated 29.04.2025 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/ 476 /1(5)/(LC-IR)/ 22015(16)/58/2025

Date : 02/5/2025

Copy forwarded for information and necessary action to:

1. M/s Seth Dey & Co., 7/1 Mahatma Gandhi Road, Kolkata – 700009.
2. Seth Dey & Company Employees' Union (Sealdah), 19L, Seal Lane, Kolkata – 700015.
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/ 476 /2(3)/(LC-IR)/ 22015(16)/58/2025

Date : 02/5/2025

Copy forwarded for information to :

1. The Judge, 1st Industrial Tribunal, Kolkata, N.S. Building, 1, K.S. Roy Road, Kolkata-700001 with reference to his e-mail dated 29.04.2025.
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 M/s Seth Dey & Co., 7/1 Mahatma Gandhi Road, Kolkata – 700 009 and their workmen represented by Seth Dey & Company Employees' Union (Sealdah), 19L, Seal Lane, Kolkata – 700 015.

[Case No.: VIII – 06 of 2008]

BEFORE THE FIRST INDUSTRIAL TRIBUNAL, WEST BENGAL

P R E S E N T

SHRI NANDAN DEB BARMAN, JUDGE

Fourth Industrial Tribunal
& in-charge of First Industrial Tribunal
Kolkata.

A W A R D

Dated: 23rd April, 2025.

This purported industrial dispute existing between M/s Seth Dey & Co., 7/1 Mahatma Gandhi Road, Kolkata – 700 009 and their workmen represented by Seth Dey & Company Employees' Union (Sealdah), 19L, Seal Lane, Kolkata – 700 015 emanates out of an order of reference vide G.O. No. 57-I.R./IR/11L-192/2004 dated 17th January, 2008 in exercise of the power conferred by Section 10 read with Section 2A of the Industrial Disputes Act, 1947 (14 of 1947) which has been sent to this Tribunal for adjudication on the following issues:-

ISSUES(S)

1. Whether the suspension of works with effect from 17.04.2006 as declared by the management of M/s Seth Dey & Co., 7/1 Mahatma Gandhi Road, Kolkata – 700 009 is justified?
2. To what relief, if any, are the workmen entitled?

After complete proceedings a contested Award was passed by the First Industrial Tribunal on 19.02.2015.

An application dated 12.02.2021 has been filed by a put up petition on 08.03.2021 by the Representative of Union of Workmen along with copy of judgment of Hon'ble High Court at Calcutta passed on June 22, 2020 to hear the matter afresh.

Thereafter proceedings was going on and it is revealed from the record that on and from 21.09.2023 both the parties were not attending the Tribunal without taking any steps.

The record also goes to show that on earlier occasion Notices were issued upon the parties in which the Notice of applicant/Union of Workmen returned unserved with a report that "no such person/company in the address hence returned to the sender". So, considering the prolong non appearance of the parties to this case inspite of repeated caution that due to non appearance this case should be disposed of with a findings that there is no dispute between the parties.

However, considering the facts and circumstances another opportunity was given to the parties to this case to appear on this date and to proceed with this case by filing their respective show-cause i.d. necessary order of 'No Dispute Award' will be passed.

So, considering such conduct of the parties particularly of the applicant/ Union of workmen clearly it is established that none of them are interested to proceed with this case, which gives rise to presume that no such industrial dispute is in existence between the parties.

Hence it is

ORDERED

That there is no industrial dispute is in existence between parties.

This is my Award.

Let a copy of this order be sent on line in PDF form to the Secretary, Labour Department, Government of West Bengal, N.S. Buildings through the dedicated e-mail for information and doing subsequent action as per provision of law.

Dictated & Corrected by me

Sd/-

Judge

Sd/-

Judge
Fourth Industrial Tribunal
& i/c of First Industrial Tribunal,
Kolkata.
23.04.2025