

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

No. Labr/ 549 /(LC-IR)/ 22015(16)/611/2018

Date: 20/05/2025

ORDER

WHEREAS an industrial dispute existed between M/s. ITD Cementation Ltd., Kolkata Area Depot (KAD), Vill. Jangalpur, P.O. Argari, P.S. – Sankrail, Dist. Howrah, Pin. 711302, and their workman Sri Satya Ranjan Majumder, residing at Vivekanandpally, P.O. & P.S. Gangnapur, Dist. Naida, PIN. 741238, West Bengal, regarding the issues, being a matter specified in the second schedule of the Industrial Dispute Act, 1947 (14 of 1947);

AND WHEREAS the 2nd Industrial Tribunal, Kolkata has submitted to the State Government its Award dated 17.04.2025 in Case No. 15/2019 on the said Industrial Dispute Vide e-mail dated 14.05.2025 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/ 549 /1(5)/(LC-IR)/ 22015(16)/611/2018

Date: 20/05/2025

Copy forwarded for information and necessary action to:-

1. M/s. ITD Cementation Ltd., Kolkata Area Depot (KAD), Vill. Jangalpur, P.O. Argari, P.S. – Sankrail, Dist. Howrah, Pin. 711302.
2. Sri Satya Ranjan Majumder, residing at Vivekanandpally, P.O. & P.S. Gangnapur, Dist. Naida, PIN. 741238, West Bengal.
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 request to cast the Award in the Department's website.



Assistant Secretary

to the Government of West Bengal

No. Labr/ 549 /2(3)/(LC-IR)/ 22015(16)/611/2018

Date: 20/05/2025

Copy forwarded for information to:

1. The Judge, 2nd Industrial Tribunal, N. S. Building, 1, K.S. Roy Road, Kolkata - 700001 with reference to his e-mail dated 14.05.2025.
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 filed by the workman Sri Satya Ranjan Majumder, residing at Vivekanandpally, P.O. & P.S. Gangnapur, Dist. Naida, PIN. 741238, West Bengal against M/s. ITD Cementation Ltd., Kolkata Area Depot (KAD), Vill. Jangalpur, P.O. Argari, P.S. – Sankrail, Dist. Howrah, Pin. 711302 U/s. 2A(2) of the Industrial Disputes Act, 1947.

(Case No. 15/2019)

**Present : Sri Bibekananda Sur,
Judge,
5th Industrial Tribunal, Kolkata &
In charge of 2nd Industrial Tribunal, Kolkata**

A W A R D
DATED, 17/04/2025

An industrial dispute between the workman filed by the workman Sri Satya Ranjan Majumder, residing at Vivekanandpally, P.O. & P.S. Gangnapur, Dist. Naida, PIN. 741238, West Bengal against M/s. ITD Cementation Ltd., Kolkata Area Depot (KAD), Vill. Jangalpur, P.O. Argari, P.S. – Sankrail, Dist. Howrah, Pin. 711302 U/s. 2A(2) of the Industrial Disputes Act, 1947. On the basis of both the written statements this Tribunal has framed the following issues on 14.08.2023 for the purpose of adjudication of the case.

I S S U E S

- (1) Is the case maintainable in its present form and law?
- (2) Has the petitioner any cause of action to file this case against the O.P. Company?
- (3) Is the termination order of the O.P. Company dated 07.06.2019 by the O.P. Company legal and justified?
- (4) To what other relief or relieves is the petitioner entitled?

The case record shows that both the parties after filing their respective written statements the workman has been examined and cross-examined and also the Company has been examined and cross-examined by the Advocates of their respective opposite sides. In the meantime on 02.04.2025 Ld. Advocates of both the parties, workman and Company representatives intended to settle the matter by a fact to fact meeting in between the worker and the company representatives and accordingly on 17.04.2025 the date was fixed for settlement.

In the meantime on 07.04.2025 the record has been put up by a put up petition along with a petition for settlement together with the memorandum of settlement. Both the workman and the representative of the management adduced evidence in this case on 07.04.2025. 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 ITD Cementation Ltd., 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 07.04.2025 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 07.04.2025. The Signature of the workman and the representative of the company are respectively marked as Exhibit 3 and Exhibit 4 on the memorandum of settlement.

On the contrary Rabindranath Gopal Setty, Senior Senior Vice President of the company M/s. ITD Cementation Ltd. duly authorized by the Board of directors examined himself as OP W-1 and he has categorically stated about the settlement by and between the parties has been amicably settled on 07.04.2025. He also stated that the management M/s. ITD Cementation Ltd has no objection if the present case is disposed off as per terms and conditions of the settlement petition and practically the management of M/s. ITD Cementation Ltd also prayed for disposal of the case on the basis of the terms and condition of the settlement petition dated 07.04.2025.

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 ITD Cementation Limited duly authorized vide resolution dated 07.04.2025 to empower the Senior Vice President to sign and execute the terms of settlement between the parties and accordingly the Senior Vice President of the company ITD Cementation Limited put his signatures upon the same. It further reveals that the management has arranged for making payment of Rs. 8,00,000/- (Rupees Eight Lakh only) to the Petitioner Sri Satya Ranjan Majumder through Banker's Cheque of State Bank of India, Gangnapur Branch for the amount of Rs. 8,00,000/-(Rupees Eight Lakh only) in favour of the workman Satya Ranjan Majumder and the same has been admitted by the workman in his examination-in-chief. Accordingly, 17.04.2025 has been fixed for intimation to the Tribunal about encashment of Bank Draft by the workman and thereafter necessary order was scheduled to be passed and accordingly, on 17.04.2025 the Petitioner Sri Satya Ranjan Majumder filed a petition stating that in terms of the settlement, a demand draft being No. 23897 of Rs. 8,00,000/- was handed over to the workman

which has since been credited to his Bank Account. In support of that the workman granted the money receipt and thereby acknowledged the same.

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 07.04.2025 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 07.04.2025, 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 07.04.2025 is accepted and the said memorandum of settlement is made part of this award.

This is the Award of this Tribunal.

Dictated & corrected by me.

Judge

Judge
5th Industrial Tribunal
& I/C of 2nd Industrial Tribunal
Kolkata
17.04.2025

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./2nd I.T./11/2025

Dated Kolkata, 14.05.2025

From: Shri Bibekananda Sur,
Judge, 5th Industrial Tribunal &
I/c. 2nd 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 Satya Ranjan Majumder & M/s. **ITD Cementation Ltd.** Vide being **Case No. - 05/2008 U/s. 10 U/s. 2A(2) of the Industrial Disputes Act, 1947.**

Sir,

I am sending herewith the Award passed in the matter of an industrial dispute between workman Shri Satya Ranjan Majumder, residing at Vivekanand pally, P.O. & P.S. Gangnapur, Dist. Naida, PIN. 741238, West Bengal and M/s. **ITD Cementation Ltd.**, Kolkata Area Depot (KAD), Vill. Jangalpur, P.O. Argari, P.S. – Sankrail, Dist. Howrah, Pin. 711302 U/s. 2A(2) of the Industrial Disputes Act, 1947 being **Case No.VIII-05/2008 U/s. 2A(2) of the Industrial Disputes Act, 1947** for information and necessary action.

Encl: As stated above.

Yours faithfully,

Judge,
Fifth Industrial Tribunal &
I/c. of Second Industrial Tribunal,
Kolkata
17.04.2025