

Government of West Bengal  
Labour Department, I. R. Branch

N.S. Building, 12<sup>th</sup> Floor, 1, K.S. Roy Road, Kolkata – 700001

No. Labr/ 677 /LC-IR)/22015(16)/665/2019

Date : 12/7/2024

**ORDER**

WHEREAS under reference of Labour Department's Order No. Labr./975/(LC-IR)/ 22015(16) / 665 /2019 dated 20.11.2019 the Industrial Dispute between M/s. Pacific Cotspin Limited, Sector IV, Falta Industrial Growth Centre, P.S. – Ramnagar, South 24 Parganas, Pin – 743504 and its workmen represented by Pacific Cotspin Ltd. Permanent Sangrami Sramik Union (Regd. No. 28617) Kalatalahat, Ramnagar, South 24 Parganas, Pin – 743504 regarding the issues mentioned in the said order, being a matter specified in the Second Schedule to the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the Eighth Industrial Tribunal, Kolkata.

AND WHEREAS the said Eighth Industrial Tribunal, Kolkata, has submitted to the State Government its Award dated 27.06.2024 in case No. VIII-13/2019 u/s 10 of the I. D. Act, 1947 on the said Industrial Dispute vide Memo No. Dte./8th IT/076/2024 dated 08.07.2024.

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 as shown in the Annexure hereto.

**ANNEXURE**

(Attached herewith)

By order of the Governor,

*Sdt.*  
Assistant Secretary

to the Government of West Bengal

No. Labr/ 677 /1(6)/(LC-IR)

Date : 12/7/2024

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

1. M/s Pacific Cotspin Limited, Sector IV, Falta Industrial Growth Centre, P.S. – Ramnagar, South 24 Parganas, Pin – 743504.
2. Pacific Cotspin Ltd. Permanent Sangrami Sramik Union (Regd. No. 28617) Kalatalahat, Ramnagar, South 24 Parganas, Pin – 743504.
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, 11<sup>th</sup> Floor, Kolkata- 700001.
- ✓ 5. The Deputy Secretary, IT Cell, Labour Department, with the request to cast the Award in the Department's website.

*Sdt.*  
Assistant Secretary

No. Labr/ 677 /2(3)/(LC-IR)

Date : 12/7/2024

Copy forwarded for information to :

1. The Judge, Eighth Industrial Tribunal, Kolkata, N.S. Building, 2nd Floor, 1, K.S. Roy Road, Kolkata-700001 with reference to his Memo No. Dte./8th IT/076/2024 dated 08.07.2024.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata -700001.
3. Office Copy.

*Sdt.*  
Assistant Secretary

*Sdt.*  
15/07/24



In the matter of an industrial dispute between M/s. Pacific Cotspin Limited, Sector IV, Falta Industrial Growth Centre, P.S. – Ramnagar, South 24 Parganas, Pin – 743504 and their workmen represented by Pacific Cotspin Ltd. Permanent Sangrami Sramik Union (Regd. No. 28617) Kalatalahat, Ramnagar, South 24 Parganas, Pin - 743504 referred to this Tribunal Vide G. O. No. Labr./975/(LC-IR )22015(16)/665/2019 dated 20.11.2019 and reference no. 3115-IR/IR/3A-6/59, dated 21/06/1960.

**(Case No. VIII-13/2019)**

Before the Eighth Industrial Tribunal: West Bengal  
Present Sri Amit Chattopadhyay,  
Judge, Eighth Industrial Tribunal,  
West Bengal.

**A W A R D**

**Dated 27.06.2024**

An industrial dispute between M/s. Pacific Cotspin Limited, Sector IV, Falta Industrial Growth Centre, P.S. – Ramnagar, South 24 Parganas, Pin – 743504 and their workmen represented by Pacific Cotspin Ltd. Permanent Sangrami Sramik Union (Regd. No. 28617) Kalatalahat, Ramnagar, South 24 Parganas, Pin - 743504 Vide G. O. No. Labr./975/(LC-IR )22015(16)/665/2019 dated 20.11.2019 and reference no. 3115-IR/IR/3A-6/59, dated 21/06/1960 referred to this Tribunal for adjudication on the following issues:-

**I S S U E (S)**

1. Whether temporary suspension of work in M/s. Pacific Cotspin Limited. w.e.f. 12.08.2016 by the management is justified ?
2. What relief(s), if any, workmen are entitled to ?

The case record is taken up for passing order.

Perused the case record wherefrom it appears that 11.06.2024 was fixed for hearing the petition dated 22.06.2024 filed by the Ld. Advocate for the company where he prayed to stay the instant proceedings till completion of the corporate insolvency resolution which was still in process in N.C.L.T. and objection if in the mean time. At this stage Ld. Advocate for the workmen files objection petition along with order copy of N.C.L.T.

After that 27.06.2024 was fixed for filing the current status of N.C.L.T. by the Company and also hearing petition dated 11.06.2022.

Accordingly, the order dated 27.06.2024 is as follows:-

“Today is fixed for filing the current status of NCLT by the Company and also hearing petition dated 11.06.2022.

Both the Ld. Advocates are present.

Today the Ld. Advocate appearing on behalf of the Company has filed a judgement passed by the NCLT, Kolkata Branch, Court No. 2, Kolkata in respect of the above Company.

The Ld. Advocate further draws my attention to the letter dated 17.06.2022 addressed to the Judge-in-charge, Industrial Tribunals by C.A. Perveen Bansal, Insolvency Professional, Registered Valuer, Chartered Accountant and submits that the above Company i.e. Pacific Cotspin Ltd. has already gone to liquidation and Mr. Perveen Bansal has been appointed as interim resolution professional and moratorium and prays for passing necessary order.

Contd. ...2





The Ld. Advocate appearing on behalf of the workman candidly submits that this Court has got no jurisdiction to proceed with the case further because the Company has already gone to liquidation and liquidator has already been appointed and the workmen may kindly be given a liberty to file appropriate application before the liquidator.

The Ld. Advocate appearing on behalf of the Company raised no objection rather he supported the submission advanced by the Ld. Advocate for the workmen.

Having heard submission of both sides and in view of the judgement passed by the NCLT dated 25.01.2024 and also the letter dated 14.06.2024 sent by Perveen Bansal, this Court has got no jurisdiction to draw the case further.

Hence,

The case is dropped with a liberty to the workman to file appropriate application before the official liquidator."

Dictated & corrected by me.

-Sd-  
Judge

*Judge*  
8th Industrial Tribunal  
Govt. of West Bengal

-Sd-  
Judge  
8<sup>th</sup> Industrial Tribunal  
27.06.2024

*Judge*  
8th Industrial Tribunal  
Govt. of West Bengal

