

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

No. Labr/ 678 /(LC-IR)/ 22015(12)/31/2019

Date : 16-6-2025


ORDER

WHEREAS an industrial dispute existed between M/s Jagatdal Jute & Industry Ltd., P.O.- Jagatdal, Dist. – North 24 Parganas, Pin - 743125, and their workman Shri Dipak Ram, Holding, No. 05, Purani Bazar, P.O. – Jagatdal, Dist. – North 24 Parganas, Pin – 743125. regarding the issues, being a matter specified in the second schedule of the Industrial Dispute Act' 1947 (14 of 1947);

AND WHEREAS the 1st Industrial Tribunal, Kolkata has submitted to the State Government its Award dated 10.06.2025 in Case No. VIII – 13 of 2023 on the said Industrial Dispute Vide e-mail dated 12.06.2025 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 hereby pleased 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/ 678 /1(5)/(LC-IR)/ 22015(12)/31/2019

Date: 16-6-2025

Copy forwarded for information and necessary action to :-

1. M/s Jagatdal Jute & Industry Ltd., P.O.- Jagatdal, Dist. – North 24 Parganas, Pin – 743125.
2. Shri Dipak Ram, Holding, No. 05, Purani Bazar, P.O. – Jagatdal, Dist. – North 24 Parganas, Pin – 743125.
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/ 678 /2(3)/(LC-IR)/ 22015(12)/31/2019

Date: 16-6-2025

Copy forwarded for information to:

1. The Judge, 1st Industrial Tribunal, N. S. Building, 1, K.S. Roy Road, Kolkata - 700001 with reference to his e-mail dated 12.06.2025.
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 Jagatdal Jute & Industry Ltd., P.O. – Jagatdal, Dist. – North 24 Parganas, Pin - 743125 and their workman Shri Dipak Ram, Holding No. 05, Purani Bazar, P.O. – Jagatdal, Dist. – North 24 Parganas, Pin – 743125.

[Case No.: VIII – 13 of 2023]

G. O. No.: Labr/471(LC-IR)/22015(12)/31/2019 dated 09.06.2023

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: 10th June, 2025.

This purported industrial dispute existing between M/s Jagatdal Jute & Industry Ltd., P.O. – Jagatdal, Dist. – North 24 Parganas, Pin - 743125 and their workman Shri Dipak Ram, Holding No. 05, Purani Bazar, P.O. – Jagatdal, Dist. – North 24 Parganas, Pin – 743125 emanates out of an order of reference vide G.O. No. **Labr/471(LC-IR)/22015(12)/31/2019 dated 09.06.2023** 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 termination of service of Shri Dipak Ram by way of refusal of employment by his employer M/s Jagatdal Jute & Industry Ltd., P.O. – Jagatdal, Dist. – North 24 Parganas, Pin – 743125 w.e.f. 27.09.2020 was justified?
2. What relief, if any, the workman is entitled to?

On receipt of copy of order of reference vide G. O. No. Labr/471(LC-IR)/22015(12)/31/2019 dated 09.06.2023, the instant case was initiated at this Tribunal and accordingly notices were issued to the concerned parties for appearance and taking steps.

Parties to the instant case have made their appearances before this Tribunal through their Ld. Counsels.

Ld. Counsel representing the applicant/workman has filed Written Statement, List of Documents and documents along with copies thereof on 09.11.2023 and the next date i.e. 13.12.2023 was fixed for filing Written Statement by the OP/Company.

Thereafter due to non appointment of regular Presiding Officer this 1st Industrial Tribunal was lying vacant for some months.

In view of the Labour Department, IT, EC& EIC Cell, Government of West Bengal's Notification No. LABR/562/23099/17/2023(LITECEIC), dated 19.11.2024, Ld. Presiding Officer, 4th Industrial Tribunal, Kolkata has taken over the charge of 1st Industrial Tribunal and is acting as in-charge of 1st Industrial Tribunal and is taking up regular hearing of the cases of the 1st Industrial Tribunal.

Thereafter OP/Company has appeared through their Ld. Counsel on 28.02.2025 but it is revealed from the record that the applicant is not attending the Tribunal without taking any steps since long.

That on 30.04.2025 OP/Company has filed their Written Statement along with two copies of the same but none appear and moved on behalf of the applicant/workman. Considering such conduct of the applicant/workman a show cause notice was issued on 30.04.2025 as per Order dated 30.04.2025 to file show cause by the next date i.e. on 10.06.2025 "as to why order shall not be passed by holding that there is no industrial dispute is in existence" i.d. necessary order of 'No Dispute Award' will be passed.

Record goes to show that in compliance with the said order notice was duly issued by registered post upon the concerned applicant/workman on 30.04.2025.

On perusal of the Postal Track Consignment Report of the Postal Department, Govt. of India it is revealed that the show cause Notice dated 30.04.2025 was delivered to the addressee i.e. applicant/workman Shri Dipak Ram on 06.05.2025. But today i.e. on 10.06.2025, the applicant/workman is still absent without taking any steps and none appear and moved on behalf of the applicant/workman.

So, considering such conduct of the parties particularly of the applicant/ workman clearly it is established that the workman is not 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.
10.06.2025