

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

No. Labr/ **716** /(LC-IR)/ LABR-22015(16)/85/2025

Date: **23-06-2025**

ORDER

WHEREAS under Labour Department's Order No. 1356-I.R./IR/11L-109/06(PT) dated 23.12.2010 with reference to the Industrial Dispute between M/s Saifee Golden Jubilee English Public School, 9, Park Lane, Kolkata - 700016 and their workmen represented by Saifee Golden Jubilee English Public School Employees Union (Regd. No. 24420), 77/2/1 Lenin Sarani, Kolkata 700013 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 17.06.2025 in Case No. VIII – 56/2010 on the said Industrial Dispute Vide e-mail dated 17.06.2025 in compliance of Section 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/ **716** /1(5)/(LC-IR)/ LABR-22015(16)/85/2025
Copy forwarded for information and necessary action to:

Date: **23-06-2025**

1. M/s. Saifee Golden Jubilee English Public School, 9, Park Lane, Kolkata - 700016.
2. Saifee Golden Jubilee English Public School Employees Union (Regd. No. 24420), 77/2/1 Lenin Sarani, Kolkata 700013.
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/ **716** /2(3)/(LC-IR)/ LABR-22015(16)/85/2025
Copy forwarded for information to :

Date: **23-06-2025**

1. The Judge, 1st Industrial Tribunal, Kolkata, N.S. Building, 1, K.S. Roy Road, Kolkata-700001 with reference to her e-mail dated 17.06.2025.
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 Saifee Golden Jubilee English Public School, 9, Park Lane, Kolkata - 700016 and their workmen represented by Saifee Golden Jubilee English Public School Employees Union (Regd. No. 24420), 77/2/1 Lenin Sarani, Kolkata 700013.

[Case No.: VIII – 56/2010]

G. O. No.: 1356-I.R./IR/11L-109/06 (PT) dated 23.12.2010

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: 17th June, 2025.

This purported industrial dispute existing between M/s Saifee Golden Jubilee English Public School, 9, Park Lane, Kolkata - 700016 and their workmen represented by Saifee Golden Jubilee English Public School Employees Union (Regd. No. 24420), 77/2/1 Lenin Sarani, Kolkata 700013 emanates out of an order of reference vide G.O. No. **1356-I.R./IR/11L-109/06 (PT) dated 23.12.2010** 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) Grades and Scales Pay,
- 2) Dearness Allowances,
- 3) House Rent Allowance,
- 4) Medical Allowance,
- 5) Bonus,
- 6) Leave,
- 7) Duty Hours, Tiffin time, Duty roster,
- 8) Leave Travel allowance,
- 9) Education allowance,
- 10) Uniform,
- 11) Washing allowance,
- 12) Loan facility,
- 13) Festival allowance,
- 14) Retirement age,
- 15) Recruitment on compassionate ground.

On receipt of copy of order of reference vide G.O. No. 1356-I.R./IR/III-109/06 (PT) dated 23.12.2010, 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.

Thereafter proceedings was going on and it is revealed from the record that vide order dated 01.04.2022 the petition filed by the OP/Company dated 19.01.2022 stands rejected on contest with cost of Rs. 1,000/- and the next date i.e. 11.04.2022 was fixed for further argument on behalf of the Company.

On 20.05.2022 Id. Counsel for the Company filed a petition for an adjournment with the order of the Hon'ble High Court, Calcutta wherein it was ordered that the liberty was granted to the petitioner to approach this Tribunal for adjournment of further hearing of the case and on 04.12.2023 Id. Counsel representing the Op/Company filed an order of the Hon'ble Court dated 24.11.2023 under the case of WPA 8893 of 2022 wherein the Hon'ble Court was pleased to extend the interim order for a period of six months from the 24.11.2023.

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, Id. 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 but none of the parties had appeared to proceed with the case.

However, to remove the curiosity about the information relating to the present status of the WPA No. 8839/2022 pending before the Hon'ble High Court at Calcutta on opening of the e-court site of the Hon'ble Court and after taking a print out of the server copy of the order, it has been revealed before this Tribunal that the said WPA has already been disposed of on 07.08.2024 by the Hon'ble Justice Ravi Kishan Kapur by holding that the WPA is dismissed as infructuous.

Record goes to show that the applicant/ Union of Workmen is not attending the Tribunal without taking any steps since long.

Under these circumstances and the conduct of the parties of this case particularly the conduct of the applicant Union of Workmen, who are reluctant to proceed with the further proceedings of this case for a long period there is no other alternative but to dispose of this case by holding that at present there is no dispute is in existence between the parties and it was ordered on 25.04.2025 for passing 'No Dispute' Award on the next date i.e. on 17.06.2025.

So, considering such conduct of the parties particularly of the applicant/ Union of Workmen clearly it is established that the Union of Workmen 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.
17.06.2025