

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

No. Labr/ 918 / (LC-IR)/ 22015(16)/98/2025

Date : 07-08-2025

ORDER

WHEREAS under Labour Department's Order No. Labr./862/(LC-IR)/LC-24011(11)/2/2018 dated 16/11/2018 with reference to the Industrial Dispute between M/s. Keya Seth's Ayurvedic Solution (Cosmetic Division), 13, Chandranath Simlai Lane, Paikpara, Kolkata – 700002 and its workman Sri Phanibhusan Pal, 3/B, Sashi Bhusan Banerjee Lane, Rishra, Hooghly - 712248, 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 8th Industrial Tribunal, Kolkata.

AND WHEREAS the 8th Industrial Tribunal, Kolkata, has submitted to the State Government its Award dated 03.07.2025 in Case No. VIII-25/2018 on the said Industrial Dispute Vide e-mail dated 06.08.2025 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/ 918 /1(5)/(LC-IR)/ 22015(16)/98/2025

Date : 07-08-2025

Copy forwarded for information and necessary action to:

1. M/s. Keya Seth's Ayurvedic Solution (Cosmetic Division), 13, Chandranath Simlai Lane, Paikpara, Kolkata – 700002.
2. Sri Phanibhusan Pal, 3/B, Sashi Bhusan Banerjee Lane, Rishra, Hooghly - 712248.
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/ 918 /2(3)/(LC-IR)/ 22015(16)/98/2025

Date : 07-08-2025

Copy forwarded for information to :

1. The Judge, 8th Industrial Tribunal, Kolkata, N.S. Building, 1, K.S. Roy Road, Kolkata-700001 with reference to e-mail dated 06.08.2025.
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. Keya Seth's Ayurvedic Solution (Cosmetic Division), 13, Chandranath Simlai Lane, Paikpara, Kolkata – 700002 and their workman Sri Phanibhusan Pal, 3/B, Sashi Bhusan Banerjee Lane, Rishra, Hooghly - 712248 referred to this Tribunal Vide G. O. No. Labr./862/(LC-IR)/LC-24011(11)/2/2018 dated 16/11/2018 and reference no. 3115-IR/IR/3A-6/59, dated 21/06/1960.

(Case No. VIII-25/2018)

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

A W A R D

Dated 03.07.2025

An industrial dispute between M/s. Keya Seth's Ayurvedic Solution (Cosmetic Division), 13, Chandranath Simlai Lane, Paikpara, Kolkata – 700002 and their workman Sri Phanibhusan Pal, 3/B, Sashi Bhusan Banerjee Lane, Rishra, Hooghly – 712248 Vide G. O. No. Labr./862/(LC-IR)/LC-24011(11)/2/2018 dated 16.11.2018 and reference no. 3115-IR/IR/3A-6/59, dated 21/06/1960 referred to this Tribunal for adjudication

The said Seventh Industrial Tribunal shall submit its award to the State Government within a period of three months from the date of receipt of this order by the said Seventh Industrial Tribunal in terms of Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), subject to the other provision or provisions of the said Act.

The said Seventh Industrial Tribunal shall meet at such places and on such dates as it may direct.

In view of G.O. No. Labr./700/(LC-IR)/23099/15/2019 dated 26.07.2019 this case has been withdrawn from the file of Seventh Industrial Tribunal and has been transferred to this Tribunal i.e. Eighth Industrial Tribunal, Kolkata for disposal on the following issues:-

I S S U E (S)

1. Whether the refusal of employment of Sri Phanibhusan Pal w.e.f. 01.12.2017 by the management of M/s. Keya Seth Ayurvedic Solution Pvt. Ltd. Is justified?
2. To what relief, is he entitled ?

The case record is taken up for passing order.

Perused the case record wherefrom it appears that after filing written statement and list of documents by both the parties P.W. -1 was examined and cross-examined in part. At this stage after a long period on 16.12.2024 one petition has been filed by the Ld. Advocate for

the workman submitting that as reported by the wife of the workman that the workman has been expired on 08.12.2024 and accordingly it was ordered to file death certificate of the workman Mr. Phanibhusan Pal and taking steps by the workman on 22.01.2025. But in spite of passing three dates on 17.06.2025 Ld. Advocate for the workman submits that none of any family members of the workman has been traced as yet and therefore he is not in a position to insert or incorporate any legal heirs of the workman. Again in spite of being directed for taking steps as a last chance on 03.07.2025 as neither any representative of the workman nor the Company is present after repeated calls, therefore this Tribunal has no hesitation to hold that there is no dispute exists at present between the parties and as such the case is liable to be disposed off in view of Rule 22 of the West Bengal Industrial Dispute Rule, 1958.

Hence, it is

ORDERED

that the industrial dispute being No. VIII-25 of 2018 of the Industrial Disputes Act, 1947 under reference no. 3115-IR/IR/3A-6/59, dated 21/06/1960 and also vide reference order no. Labr./ 862/(LC-IR)/LC-24011(11)/2/2018 dated 16.11.2018 is no longer in-existence and accordingly the case is disposed off and this order is to be treated as No Dispute Award between the parties.

Dictated & Corrected by me

-Sd-
Judge

-Sd-

Judge
Eighth Industrial Tribunal
Kolkata
03.07.2025

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/8th I.T./24/2025

Dated Kolkata, the 06.08.2025

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From: Shri Amit Chattopadhyay,
Judge,
8th 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.

Sir,

I am sending herewith copies of the Award passed in the matter of an industrial dispute between M/s. Keya Seth's Ayurvedic Solution (Cosmetic Division), 13, Chandranath Simlai Lane, Paikpara, Kolkata – 700002 and their workman Sri Phanibhusan Pal, 3/B, Sashi Bhusan Banerjee Lane, Rishra, Hooghly – 712248 being case No. **Case No.VIII-25/2018 of the I.D. Act, 1947** Vide G. O. No. Labr./862/(LC-IR)/LC-24011(11)/2/2018 dated 16/11/2018 for information and necessary action.

Encl: As stated above.

Yours faithfully,

-Sd-
Judge,
Third Industrial Tribunal,
Kolkata
03.07.2025

