

I/559233/2024

LABR-22015(12)/22/2019-IR SEC-Dept. of LABOUR

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

No. Labr./ 956 /(LC-IR)/22015(12)/22/2019

Date : 18/9/24

ORDER

WHEREAS an industrial dispute existed between M/s. The Calcutta Jute Manufacturing Company Limited, 93, Narkeldanga Main Road, Kolkata - 700054 and its workmen Smt. Champa Devi, W/O Late Bhagirath Sahani, Village – Seikhdumari, P.O. – Gopalpur, P.S. – Nayagaon, Dist. – Saran, Bihar & 5 others regarding the issues being a matter specified in the second schedule of the Industrial Dispute act, 1947 (14 of 1947);

AND WHEREAS the workmen have filed an application directly under sub-section 2 of Section 2A of the Industrial Dispute act, 1947 (14 of 1947) to the Seventh Industrial Tribunal specified for this purpose under this Department Notification No. 101- IR dated 2.2.12;

AND WHEREAS the said Seventh Industrial Tribunal has submitted to the State Government its Award dated 24.07.2024 in Case No. 47 / 2013 on the said Dispute vide Memo No. Dte/7th I.T./188/2024 dated 12.09.2024.

NOW, THEREFORE, in pursuance of the provisions of Section 17 of the Industrial Disputes 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,

Sd/-

Assistant Secretary

to the Government of West Bengal

No. Labr/ 956 /1(5)/(LC-IR)

Date : 18/9/24

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

1. M/s. The Calcutta Jute Manufacturing Company Limited, 93, Narkeldanga Main Road, Kolkata - 700054.
2. Smt. Champa Devi, W/O Late Bhagirath Sahani, Village – Seikhdumari, P.O. – Gopalpur, P.S. – Nayagaon, Dist. – Saran, Bihar.
3. The Asstt. Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The OSD & EO 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 the request to cast the Award in the Department's website.

[Signature]

Assistant Secretary

No. Labr/ 956 /2(3)/(LC-IR)

Date : 18/9/24

Copy forwarded for information to :-

1. The Judge, Seventh Industrial Tribunal, N. S. Building, 3rd Floor, 1, K. S. Roy Road, Kolkata - 700001 with reference to his Memo No. Dte/7th I.T./188/2024 dated 12.09.2024.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata - 700001.
3. Office Copy.

Assistant Secretary

[Signature]
18/09/24

In the 7th Industrial Tribunals, Kolkata
Case No. 47/2013

Under Section 2A(2) of the Industrial Disputes Act, 1947

Present : Ms. Yogita Gaurisaria, Judge,
Seventh Industrial Tribunal, Kolkata

Mrs. Champa Devi, W/O Late Bhagirath Sahani, aged about 58 years, residing at
Village – Seikhdumari, P.O.Gopalpur, P.S. Nayagaon, Dist. Saran, Bihar & 5 other
.....Applicants

Vs.

M/s. The Calcutta Jute Manufacturing Company Limited, 93, Narkeldanga Main
Road, Kolkata – 700 054. O.P./Company

A W A R D

DATED, 24/07/2024

Today is fixed for passing award in respect of Memorandum of Settlement on
compromise dated 21.06.2024, filed by both the parties.

The case record is taken up for passing award.

Perused the Memorandum of Settlement (Exbt. B) dated 21.06.2024 and
petition Under Section 2A(2) of the Industrial Disputes Act, 1947 (as amended) as
well as evidence of the applicant Mrs. Champa Devi (P.W.1) and Mr. Shantanu
Saha, O.P.W.1 (authorized representative of the O.P./Company), (Authority letter
(Exbt. A) so adduced in support of said Memorandum of Settlement (Exbt. B).

It appears from the evidences of P.W.1 and O.P.W.1 that the matter in dispute has
already been settled in between the parties in terms of Memorandum of Settlement
dated 21.06.2024 (Exbt. B), I further find from the said Memorandum of Settlement
as well as from the evidence of both the parties that the Company has handed over a
Cheque being No. 833749 dated 10.06.2024 of Rs. 1,40,000/- (One lakh forty
thousand only) drawn on Yes Bank Ltd., Stephen House, 56A, Hemanta Basu
Sarani, Kolkata – 700 001 to the applicants as full and final settlement amount
(Copy of Cheque, marked as Exbt. 2). The applicants No. 2 to 6 by filing affidavit
dated 05.06.2024 (Exbt.1) stated that they have no objection if a cheque of full and

Contd.....P/2



sd/-
24/07/24
Judge
Seventh Industrial Tribunal

(2)

final settlement amount is handed over to Mrs. Champa Devi (P.W.1) and accordingly, the said cheque was handed over by the O.P. to the applicant (P.W.1) as full and final settled amount and the Ld. Advocate for the O.P. apprised this Tribunal that the amount of the said cheque in respect of full and final settlement has already been credited to the Bank Account of the applicant (P.W.1). It also appears from the evidence of P.W.1 that the applicant(s) has no grievance against the O.P./Company at present. A xerox copy of the said cheque for full and final settled amount was marked as Exbt. 2. An original money receipt has been filed to that effect and marked as Exbt. C . Considered.

The Memorandum of Settlement filed by the parties dated 21.06.2024 have duly been signed by the applicant, Mrs. Champa Devi (P.W.1) and Mr. Shantanu Saha (O.P.W.1) (Representative of the O.P./Company) voluntarily. Since the matter has already been settled between the parties to the proceedings, I am of the view that this Tribunal should not stand in the way of their such settlement/compromise , which appears to be legal and valid, and so, this Tribunal finds no impediment in allowing such prayer , made jointly by the parties voluntarily.

Hence, it is

O r d e r e d

that the settlement between the parties is allowed and accordingly, the proceedings under Section 2A(2) of the Industrial Disputes Act, 1947, as amended , be and the same is disposed of in terms of the Memorandum of Settlement dated 21.06.2024. The Memorandum of Settlement dated 21.06.2024 be made part of the Award.

This is my Award.

Let six (6) copies of the Award be sent to the appropriate authority for information and taking necessary action.

Dictated & corrected by me.

sd/-
Judge

Judge
Seventh Industrial Tribunal



sd/-
(Yogita Gaurisaria)

Judge
7th Industrial Tribunal
Kolkata
24.07.2024

Judge
Seventh Industrial Tribunal