

File No.LABR-164044

Issue No. 1/37994/2019

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

No.Labr./146/(LC-IR)

Dated, Kolkata, 08.02.19.

ORDER

WHEREAS under the case no. VIII-17/2007(VI) of the Industrial Dispute Act,1947 the Industrial Dispute between M/s. Sukna Tea Estate, P.O.-Gulma, Dist .Darjeeling and their workman Shri Muktalal Rajen, S/O Late Chandra Bahadur Rajen, General Secretary, Terai Plantion Workers' Union, Sukna Tea Estate, P.S. Pradhan Nagar, P.O.-Gulma, Dist.-Darjeeling regarding the issue mentioned in the said order, being a matter specified in the Third Schedule to the Industrial Dispute Act,1947(14 of 1947), was referred for adjudication to the Judge, 6th Industrial Tribunal, West Bengal.

AND WHEREAS the Judge of the said 6th Industrial Tribunal, West Bengal, has submitted to the State Government its award on the said Industrial Dispute.

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



Deputy Secretary to the
Government of West Bengal.

(Contd... 2)

FILE No. LABR-164044
1/37994/2019

No. Labr./146/1(5)(LC-IR)

Dated 08.02.19

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

1. M/S Sukna Tea Estate, P.O. Gulma, Dist. Darjeeling.
2. Shri Muktalal Rajen, S/O. Late Chandra Bahadur Rajen, General Secretary, Terai Plantation Workers' Union, Sukna Tea Estate, P.S. Pradhan Nagar, P.O. Gulma, Dist. Darjeeling.
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The Labour Commissioner, W.B., N.S. Bldgs, (11th Floor), 1, K.S. Roy Road, Kol-1.
- ✓ 5. The O.S.D., IT Cell, Labour Deptt., with the request to cast the Award in the Department's website.


Deputy Secretary

Dated, 08.02.19.

No. Labr./146/2(2)(LC-IR)

Copy forwarded for information to :-

1. The Judge, 6th Industrial Tribunal, Kolkata, with respect to his Memo No.02-L.T. dtd.04.01.2019.
2. The Joint Labour Commissioner(Statistics), West Bengal, 6, Church Lane, Kolkata-700001.

Deputy Secretary

Jnt/order



Before the Judge, Sixth Industrial Tribunal
North Bengal Region at Jalpaiguri
Nawab Bari Judicial Complex
Jalpaiguri.

Case No. VIII-17/2007 (VI)

Present: Sri B. N. Bhaduri, Judge,
Sixth Industrial Tribunal, North Bengal Region at Jalpaiguri
Nawab Bari Judicial Complex, Jalpaiguri.

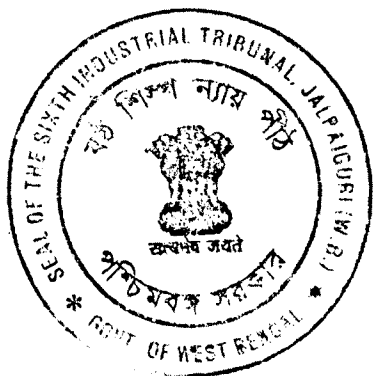
Sri Muktalal Rajen S/o Late Chandra Bahadur Rajen,
General Secretary, Terai Plantation Workers' Union,
Resident of Sukna Tea Estate, P.S. Pradhan Nagar,
P.O. Gulma, Dist. Darjeeling.

.....The Applicant

-VS-

M/s. Sukna Tea Estate
P.O. Gulma, Dist. Darjeeling,
Represented by the Manager, Sukna Tea Estate.

.....The Opposite Party.



Order No.48 dt. 03/01/2019

Today is fixed for hearing. The employee and the employer have not taken any steps today. Today also none appeared on repeated calls.

On careful perusal of the record it is found that the workman Sri Muktalal Rajen filed this case directly to this Tribunal for directing the employer to pay full wages for the month of October, 2003 to the workman concerned along with installation Sub-meters in each and every labour quarter. Accordingly, the case was started and notices were issued in Form No.D2 fixing 17/12/2007 for SR, appearance and for further order. It is found that notices were served and both the parties appeared. Since last few dates no step has been taken by the employee and the employer. Therefore, it is clear that the petitioner has no interest in the further proceeding of this case and there is also no reasonable ground to keep this case pending any more.

Under such circumstances, I have no other alternative but to hold that the Industrial Disputes raised in between the parties to this case is no longer in existence and accordingly the case is to be disposed of as per provision of Rule-22 of the West Bengal Industrial Disputes Rules, 1958. Hence it is

ORDERED

That this Industrial Dispute between the parties to this case is no longer in existence and accordingly no award is passed. The case is disposed of accordingly.

Copy of this "No Dispute Award " be sent to the Assistant Secretary, Labour Department, I.R. Branch, Govt. of West Bengal, New Secretariat Buildings, Block-A, 12th Floor, 1, K. S. Ray Road, Kolkata-700001, for his information with a request to publish the same in the Calcutta Gazette within 30 days from the date of its receipt.

(Baidya Nath Bhaduri)
sdh Judge,
Sixth Industrial Tribunal
Jalpaiguri.

(Baidya Nath Bhalduri)
sdh Judge,
Sixth Industrial Tribunal
Jalpaiguri.

True Copy
As per
JUDGE
Sixth Industrial Tribunal
Jalpaiguri