

41566/2019

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

No. Labr/ 289/(LC-IR)/22015(14)/38/2019

Date : 15.03.19

ORDER

WHEREAS under the Government of West Bengal, Labour Department Order No. 975 – IR/9L-19/2008 dated 11.09.2008 the Industrial Dispute between M/s Pahargoomiyah Tea Estate, Bagdogra, Dist. – Darjeeling and their workman Sri Jogeswar Tirkey, Garder Sirdar at Gumguma Division, Pahargoomiyah Tea Estate, Dist. - Darjeeling regarding the issue mentioned in the said order, being a matter to the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the Judge, Sixth Industrial Tribunal, West Bengal.

AND WHEREAS the Judge of the said Sixth 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

No. Labr/ 289/1(5)/(LC-IR)

Date : 15.03.19

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

1. M/s Pahargoomiyah Tea Estate, Bagdogra, Dist. – Darjeeling.
2. Sri Jogeswar Tirkey, Garden Sirdar at Gumguma Division, Pahargoomiyah Tea Estate, Bagdogra, Dist. - Darjeeling.
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The Labour Commissioner, W.B. New Secretariate Buildings, 1, K. S. Roy Road, 11th Floor, Kolkata- 700001.
- ✓ 5. The O.S.D., IT Cell, Labour Department, with the request to cast the Award in the Department's website.

Deputy Secretary

Date : 15.03.19

No. Labr/ 289/2(1)/(LC-IR)

Copy forwarded for information to :

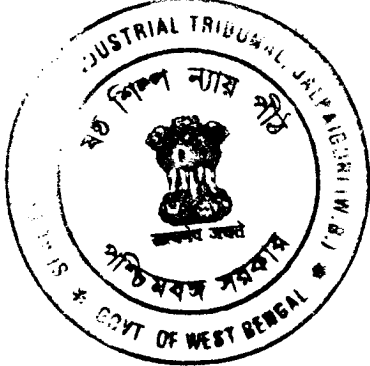
1. The Judge, Sixth Industrial Tribunal, Jalpaiguri, West Bengal with reference to his Memo No. 18/I.T. (J) dated 28.01.2019.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata -700001.

Deputy Secretary

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

Case No. VIII-17/2008 (VI)

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



M/s. Pahargoomiyah Tea Estate, Bagdogra,
Dist. Darjeeling.

.....Employer.

-VS-

Their workman Sri Jogeswar Tirkey,
Garden Sirdar at Gumguma Division of
Pahargoomiyah Tea Estate, Darjeeling.

.....Workman.

Order No. 45 dt. 21/01/2019

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

On careful perusal of the record it is found that a copy of Order No. 975-I.R./IR/9L-19/2008 dated 11/09/2008 of the Govt. of West Bengal, Labour Department, I. R. Branch, Writers' Buildings, Kolkata-700001, was received on 20.10.2008. Accordingly, the case was started and notices were issued in Form No. D2 fixing 18/11/2008 for SR, appearance and for further order. It is found that notices were served and both the parties appeared. Since last few dates and no step has been taken by the employee and 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
sdh
JUDGE
Sixth Industrial Tribunal
Jalpaiguri