

46048/2019

Government of West Bengal
Labour Department, I. R. Branch

N.S. Buildings, 12th Floor, 1, K.S. Roy Road, Kolkata - 700001

No. Labr/ 449. / (LC-IR)/IR/11L-28/18

Date : . 07. . 05. - 19

ORDER

WHEREAS under the Government of West Bengal, Labour Department Order No. 1571 - I.R. dated 04.10.1993 the Industrial Dispute between M/s Kamalpur Tea Estate, P.O. Bagdogra, Dist. Darjeeling, Pin - 734422 and Smt. Fulmani Oraon, W/o. Sri Kishan Oraon, represented by All West Bengal Tea Garden Labour Union, Vill. Sebdella, P.O. Hatighisha, Dist. Darjeeling regarding the issues mentioned in the said order, being a matter specified to the Industrial Dispute Act, 1947 (14 of 1947), was referred for adjudication to the Judge, Sixth Industrial Tribunal, Jalpaiguri.

AND WHEREAS the Judge of the said Sixth Industrial Tribunal, Jalpaiguri, 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,

SD/
Deputy Secretary

to the Government of West Bengal

Date : 07. . 05. - 19

No. . Labr/ 449/1 (5) / (LC-IR)

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

1. M/s Kamalpur Tea Estate, P.O. Bagdogra, Dist. Darjeeling, Pin - 734422.
2. Smt. Fulmani Oraon, W/o. Sri Kishan Oraon, represented by All West Bengal Tea Garden Labour Union, Vill. Sebdella, P.O. Hatighisha, 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.

SD
Deputy Secretary

Date : . 07. . 05. - 19

No. . Labr/ 449/2 (2) / (LC-IR)

Copy forwarded for information to :

1. The Judge, Sixth Industrial Tribunal, Jalpaiguri with reference to his Memo No. 36/I.T.(J) dated 12.04.2019.
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-10/1993 (VI)

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

M/s. Kamalpur Tea Estate, P.O. Bagdogra,
Dist. Darjeeling-734422.

.....Employer.

-VS-

Smt. Fulmani Oraon (2)
W/o Shri Kishan Oraon,
represented by All West Bengal Tea Garden Labour
Union of Vill. Sebdella, P.O. Hatighisha
Dist. Darjeeling,

.....Workman.

Order No. 191 dt. 01/04/2019

Today is fixed for taking steps by the parties to this case as last opportunity. 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.1571-IR/I.R./9L-20/92 dated 04/10/1993 of the Govt. of West Bengal, Labour Department, I. R. Branch, Writers' Buildings, Kolkata-700001, was received on 12.11.1993. Accordingly, the case was started and notices were issued in Form No. D2 fixing 10/12/1993 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.

Sd/-

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



Sd/-

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