

1/49348/2019

File No. LABR-22015(16)/317/2018-IR-SEC-Dept. of LABOUR
Government of West Bengal
Labour Department, I. R. Branch
N.S. Buildings, 12th Floor, 1, K.S. Roy Road, Kolkata - 700001

Date : 12.06.19

No. Labr/546/(LC-IR)/22015(16)/317/2018

ORDER

WHEREAS under the Government of West Bengal, Labour Department Order No. 659 – IR/11L-64/13 dated 21.05.2014 the Industrial Dispute between M/s Enterprising Engineers (Lion's Park, CPT Contractors' Colony, P.O. Durgachak, Haldia) under the management of M/s Renuka SAugar Ltd., Vill & P.O. Debhog, City Center, Dist. Purba Medinipur and their workman Sri Labakumar Das, Vill Mahatma Gandhi Nagar, P.O. Hatiberia, P.S. Haldia, Dist. Purba Medinipur, Pin – 721 657 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, Eighth Industrial Tribunal, Kolkata.

AND WHEREAS the Judge of the said Eighth Industrial Tribunal, Kolkata, 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/546/1(6)/(LC-IR)

Date : 12.06.19

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

1. M/s Enterprising Engineers, Lion's Park, CPT Contractors' Colony, P.O. Durgachak, Haldia.
2. M/s Renuka SAugar Ltd., Vill & P.O. Debhog, City Center, Dist. Purba Medinipur.
3. Sri Labakumar Das, Vill Mahatma Gandhi Nagar, P.O. Hatiberia, P.S. Haldia, Dist. Purba Medinipur, Pin – 721 657.
4. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
5. The Labour Commissioner, W.B. New Secretariate Buildings, 1, K. S. Roy Road, 11th Floor, Kolkata- 700001.
- ✓ 6. The O.S.D., IT Cell, Labour Department, with the request to cast the Award in the Department's website.

Deputy Secretary

No. Labr/546/2(2)/(LC-IR)

Date : 12.06.19

Copy forwarded for information to :

1. The Judge, Eighth Industrial Tribunal, Kolkata with reference to his Memo No. 677–L.T. dated 31.05.2019.
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata - 700001.

Deputy Secretary

In the matter of an Industrial Dispute between M/s. Enterprising Engineers (Lion's Park, CPT Contractors' Colony, P.O. Durgachak, Haldia) under the Management of M/s. Renuka Sugar Ltd. Vill & P.O. Debhog, City Center, Dist. Purba Medinipur and Sri Labakumar Das, Vill. Mahatma Gandhi Nagar, P.O. Hatiberia, P.S. Haldia, Purba Medinipur, Pin - 721657 referred to this Tribunal vide G.O.No. 659-IR/IR/11L-64/13 dated 21.05.2014.

(Case No.VIII-55/14)

BEFORE THE JUDGE, EIGHTH INDUSTRIAL TRIBUNAL, KOLKATA.

Present

Sri Madhusudan Dutta, Judge,
Eighth Industrial Tribunal

A W A R D

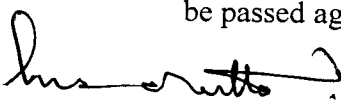
This industrial dispute between M/s. Enterprising Engineers (Lion's Park, CPT Contractors' Colony, P.O. Durgachak, Haldia) under the Management of M/s. Renuka Sugar Ltd. Vill & P.O. Debhog, City Center, Dist. Purba Medinipur and Sri Labakumar Das, Vill. Mahatma Gandhi Nagar, P.O. Hatiberia, P.S. Haldia, Purba Medinipur, Pin - 721657 has been referred by the Govt. of West Bengal, Labour Department vide Order No. 659-IR/IR/11L-64/13, dated 21.05.2014, to this Tribunal for adjudication of the following issues: -

I S S U E S(S)

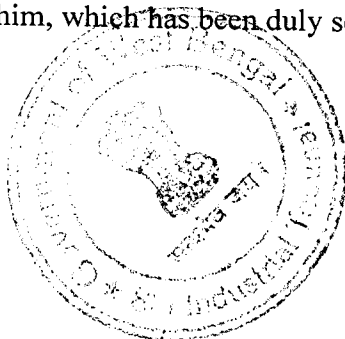
1. Whether the refusal of employment of Sri Labakumar Das by M/S Enterprising Engineers under the Management of M/S Renuka Sugar Ltd. w.e.f. 11.12.2011 was justified?
2. What relief, if any, he is entitled to?

Today is fixed for order.

Record reveals that this case is pending since the year 2014. It also transpires that the applicant absented himself for a considerable period and finding no other alternative show cause notice was issued upon the applicant as to why "No dispute award" shall not be passed against him, which has been duly served.



Judge
8th Industrial Tribunal
Govt. of West Bengal

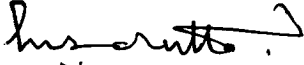


None appears on behalf of the applicant. In view of the materials on record, I find it is no longer necessary to keep the matter pending.

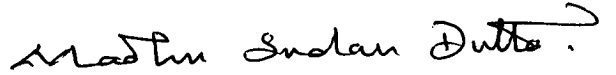
Such being the conduct on the part of the applicant and his Ld. Advocate coupled with the fact, I think that in order to protect the judicial sanctity no further indulgence should be given to this applicant because justice is not monopoly to him. Therefore, I am of the view that it is a fit case to pass a 'No Dispute Award' under Rule 22 of Industrial Disputes Rules, 1958, the industrial dispute by and between the parties being treated as non-existent.

This is my AWARD.

Dictated & corrected by me.



Judge.



Judge,
Eighth Industrial Tribunal
Kolkata
31.05.2019

