

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

No. Labr/768/(LC-IR)/.....

Date: 19-08-2019

ORDER

WHEREAS the Industrial Dispute between M/s Bhojnarain Tea Estate, P.O. Kamalabagan, Dist. Darjeeling, Pin-734426 and their workman Sri Kaley Chhetri, S/o Padam Bhadur Chhetri, Old Pucca Line, Bhojnarain Tea Estate, P.O. Kamla Bagan, Dist- Darjeeling, Pin-734426 regarding the issue mentioned in the said order, being a matter specified in the Second 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

Date: 19-08-2019

No. Labr. (768/1(5)/(LC-IR)

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

1. M/s Bhojnarain Tea Estate, P.O. Kamalabagan, Dist. Darjeeling, Pin-734426.
2. Sri Kaley Chhetri, S/o Padam Bhadur Chhetri, Old Pucca Line, Bhojnarain Tea Estate, P.O. Kamla Bagan, Dist- Darjeeling, Pin-734426.
3. The Assistant Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The O.S.D. & E.O. 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.

RS 21.8.19.
Deputy Secretary

/57910/2019

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

No. Laker/769/(LC-IR)Date: 19-08-2019**ORDER**

WHEREAS an industrial dispute existed between M/S Rahimpur Tea Estate, P.O. Ethelbari, Dist- Jalpaiguri, W.B. and Sri Banamali Tanti, Rahimpur Tea Estate, Ethabari More P.O. Ethelbari, Dist- Jalpaiguri, W.B. regarding the issue, being a matter specified in the 3rd schedule to the Industrial Dispute Act, 1947 (14 of 1947);

AND WHEREAS the workman has filed an application under section 10(2A) of the Industrial Dispute Act, 1947 (14 of 1947) to the Judge, Sixth I.T. specified for this purpose under this Deptt.'s Notification No. 101-IR/12L-14/11 dated 02.02.2012.

AND WHEREAS the said Judge Sixth I.T. has submitted to the State Government its Award under section 10(2A) of the I.D. Act, 1947 (14 of 1947) 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 BengalNo. Laker/769/1(5)/(LC-IR)Date 19-08-2019

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

1. M/s S Rahimpur Tea Estate, P.O. Ethelbari, Dist- Jalpaiguri, W.B .
2. Sri Banamali Tanti, Rahimpur Tea Estate, Ethabari More P.O. Ethelbari, Dist- Jalpaiguri, W.B. .
3. The Asstt. Labour Commissioner, W.B. In-Charge, Labour Gazette.
4. The O.S.D. & E.O. Labour Commissioner, W.B., New Secretariat Buildings, (11th Floor), 1, Kiran Sankar Roy Road, Kolkata - 700001.
- ✓ 5. The O.S.D., IT Cell, Labour Department, with the request to cast the Award in the Department's website.

RS 21.8.19.

Deputy Secretary

1/57910/2019

No. Lalor/769/2(2)(LR-IR)Date 19-08-2019

Copy forwarded for information to :-

1. The Judge, Sixth Industrial Tribunal, West Bengal, with respect to his Memo No. 59/IT(J) dated 11/07/2019 .
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-02/2009 (VI)

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



M/s. Rahimpur Tea Estate
P.O. Ethelbari, Dist. Jalpaiguri.

.....Employer.

-VS-

Sri Banamali Tanti, P.F.No.1513/367,
Rahimpur Tea Estate, Ethelbari More,
P.O. Ethelbari, Dist. Jalpaiguri.

.....Workman.

Order No.46 dt. 01/07/2019

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

On careful perusal of the record it is found that a copy of Order No. 29-IR/IR/9L-24/08 dt. 06/01/2009 of the Govt. of West Bengal, Labour Department, I. R. Branch, Writers' Buildings, Kolkata-700001, was received on 24.02.2009. Accordingly, the case was started and notices were issued in Form No.D2 fixing 20/03/2009 for SR, appearance and for further order. It is found that notices were served and both the parties appeared. It is also found that several chances have been given to the employee to file written case along with list of documents but till today no step has been taken by the employee for filing written case and list of documents. It is clear that more than 9 years elapsed but the petitioner has failed to file written case and list of documents. Since last few dates ~~and~~ no step has been taken by the employee. 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)
Judge,
Sixth Industrial Tribunal
Jalpaiguri.

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

True Copy
B. N. Bhaduri
JUDGE
Sixth Industrial Tribunal
Jalpaiguri