

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

No. Labn. 1692/1 (LC-IR)

Date : 11-09-18.

ORDER

WHEREAS under the Government of West Bengal, Labour Department Order No. 920-IR/IR/101-04/04 dated 24.09.2012 the Industrial Dispute between M/s:CESC Limited, Howrah Regional Office, 433/1, G.T. Road (N), Howrah-711101 and their Employees, represented by The Union CESC Shramik Karmachari Union, CESC, Howrah Regional Office Unit, 433/1, G.T. Road (N), Howrah-711101 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, 7th. Industrial Tribunal, West Bengal.

AND WHEREAS the Judge of the said 7th. 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,

Sd/-

Deputy Secretary

to the Government of West Bengal

Date : 11-09-18.

No. Labn. 1692/1 (LC-IR)

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

1. CESC Limited, Howrah Regional Office, 433/1, G.T. Road (N), Howrah-711101.
2. The Secretary . CESC Shramik Karmachari Union, CESC, Howrah Regional Office Unit, 433/1, G.T. Road (N), Howrah-711101
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.
- 6.

Sd/-
Deputy Secretary

Date : 11-09-18.

No. Labn. 1692/2(2) (LC-IR)

Copy forwarded for information to :

1. The Judge, 7th. Industrial Tribunal, West Bengal with reference to his Memo No. 1438-L.T. dated 13/07/2018 .
2. The Joint Labour Commissioner (Statistics), West Bengal, 6, Church Lane, Kolkata -700001.
- 3.

Deputy Secretary
Government of West Bengal.

In the Seventh Industrial Tribunal, West Bengal
New Secretariat Buildings, Kolkata

P R E S E N T :

Shri Avani Pal Singh, Judge, Seventh Industrial Tribunal

Case No. VIII-50/2012; u/s. 10 of the I.D. Act, 1947

Vide Order Of Reference No.920-IR/IR/10L-04/04; dated 24th September, 2012.

An Industrial Dispute Between

M/s. CESC Limited, Howrah Regional Office,
433/1, G.T. Road (N), Howrah – 711 101.

-A n d-

Their Employees, represented by the Union CESC Shramik
Karmachari Union (Affiliated to INTUC), CESC, Howrah
Regional Office Unit, 433/1, G.T. Road(N), Howrah – 711 101.

A W A R D

Dated : 10-07-2018

None of the parties nor their Ld. Advocates appear on repeated calls. Today is fixed for filing of show-cause petition, if any, by the Union as final opportunity, and in default thereof for further order(s).

Records reveal that upon receipt of the Order of Reference being No.920-IR/IR/10L-04/04 dated 24.09.2012 from the I.R. Branch, Labour Department, Government of West Bengal, the instant case came to be registered on 09.11.2012 and summons were issued in the prescribed Form upon the parties directing them to appear on 14.12.2012, on which date both parties appeared and filed their respective duplicate D-2 Form and their letters of authority, and accordingly the matter proceeded on contest, with the parties filing their respective written statement(s) and list(s) of document(s) on various dates thereafter.

Records also reveal that despite several opportunities granted to the Union, they failed to lead evidence for one reason or the other and finally, the parties started absenting in regular course on the dates fixed by this Tribunal.

On 01.09.2017 this Tribunal, taking notice of such continuous absence of, and failure to take steps by, the Union, directed the said Union to show-cause by the next date as to why the instant case would not be disposed of by a 'No-Dispute Award' in accordance with law.

sd/-



Contd...P/2

(2)

The Union has failed to appear on any dates thereafter and further they have not filed any show-cause. Records also reveal that the OP/Company too has not been appearing since several dates past.

Clearly, the conduct of the parties of not appearing without sufficient cause and/or intimation, indicates that the parties have abandoned the matter and the industrial dispute between them has ceased to exist, and this is a fit case to be dealt with as per Rule 22 of the West Bengal Industrial Dispute Rules, 1958.

Accordingly, and in terms of Rule 22 of the West Bengal Industrial Disputes Rules, 1958 as amended till date, this Tribunal holds that the instant **Industrial Dispute** being Case No. **VIII-50/2012** instituted on **09.11.2012** is **no longer in existence, between the parties.**

The aforesaid constitutes the **No Dispute Award** passed by this Tribunal in the instant Case No. **50/10(1B)(d)/2012**, which stands disposed of forthwith.

Dictated & corrected by me.

sdf
Judge.

sdf
Judge
Seventh Industrial Tribunal
Kolkata
04-07-2018

Judge
Seventh Industrial Tribunal

