

File No.LABR-22015(16)/541/2018-IR-SEC-Dept. of LABOUR  
1/31015/2018

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

No. Labr./885/(LC-IR)  
22015(16)/541/2018

Dated, Kolkata, 26.11.18.

**ORDER**

WHEREAS an industrial dispute existed between M/S Tata Consultancy Services Ltd., Regd. Office : TCS House, Raveline Street, 21, DS Marg Fort, Mumbai-400001 & Anr. and their workman Sri Joy Chatterjee, S/o. Biplab Chatterjee, M/90/501, SP Sukhobrishti New Town, Action Area 3, Kolkata – 700 135 regarding the issues being a matter specified in Second schedule of the Industrial Dispute Act,1947(14 of 1947);

AND WHEREAS the workman has filed an application directly under sub-section 2 of Section 2A of the Industrial Dispute Act,1947(14 of 1947) to the Judge, Seventh Industrial Tribunal Specified for this purpose under this Deptt.'s Notification No.101-IR dated.2.2.12;

AND WHEREAS the said Judge, Seventh Industrial Tribunal has submitted to the State Government its Award on the said 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.

**No.Labr./885/1(2)/(LC-IR)**

Dated, Kolkata, 26.11.18

Copy forwarded for information to :-

1. The Judge, Seventh Industrial Tribunal with reference to his Memo No.1977-LT dtd.26.09.2018.
2. The Joint Labour Commissioner(Statics), W.B., 6, Church Lane, Kol-1.

*Sd/-*

Deputy Secretary

**No.Labr/885/2(5)/(LC-IR)**

**Dated.26.11.2018.**

Copy with a copy of the Award is forwarded for information & necessary action to :

1. M/s. Tata Consultancy Services Ltd., Regd. Office : TCS House, Raveline Street, 21, DS Marg Fort, Mumbai-400001.
2. Sri Joy Chatterjee, S/o. Biplab Chatterjee, M/90/501, SP Sukhobrishti New Town, Action Area 3, Kolkata-700 135
3. The Assistant Labour Commissioner, W.B., In-Charge of Labour Gazette.
4. The Labour Commissioner, W.B., N.S. Building(11<sup>th</sup> Floor), 1, K.S.Roy Road, Kolkata-700 001.
5. The O.S.D., IT Cell, Labour Department, with the request to cast the Award in the Department's website.

  
**Deputy Secretary**

  
27/11/18

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

**Present : Sri Avani Pal Singh,**  
Judge, Seventh Industrial Tribunal, West Bengal.

**Case No. : 21/2A(2)/2018**

**Joy Chatterjee, S/o. Biplab Chatterjee,**  
M/90/501, SP Sukhobrishti New Town,  
Action Area 3, Kolkata - 700135.

**....Applicant**

**versus**

**M/s. Tata Consultancy Services Ltd.,**  
Regd. Office : TCS House, Raveline Street,  
21, DS Marg Fort, Mumbai - 400001  
& Anr.

**.....OP/Company**

**A W A R D**

**Dated : 18-09-2018**

None of the parties appear on repeated calls. Today is fixed for steps, by the applicant, failing which for proceedings under Rule 22 of the West Bengal Industrial Dispute Rules, 1958.

Examined the records. The instant case came to be registered on 20.06.2018 when an application dated 31.05.2018 under Section 2A(2) of the Industrial Disputes Act, 1947 was filed by the applicant Joy Chatterjee. Upon receipt of notice, together with a copy of such application, the OP/Company M/s. Tata Consultancy Services Ltd. duly appeared through their I.d. Advocate on 18.07.2018 and thereafter on 16.08.2018, the OP/Company filed their written statement, however copy thereof could not be served on the applicant as he failed to appear on that date. It further reveals that on 16.08.2018, since the applicant had been directed to file his list of documents, another opportunity was granted to him to file his 'list of documents' by the next date fixed 04.09.2018.

Records further reveal that the applicant neither filed his 'list of documents' by or before 04.09.2018 nor appeared nor was represented on that date, and taking note of his failure to avail the final opportunity to file his list of documents as well as of his failure to appear before the Tribunal on two consecutive dates, this Tribunal

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noted that there were indications that the alleged industrial dispute between the parties may no longer be existing, and gave one last opportunity to the applicant to take steps by today, failing which proceedings under Rule 22, as aforesaid, would be drawn up.

In the aforesaid backdrop, and in the light of the absence of the parties today as well as the absence of the applicant on three consecutive dates without intimation or showing sufficient cause, this Tribunal holds that the alleged 'industrial dispute' between the parties no longer exists and this is a fit case for passing a 'No Dispute Award' under Rule 22 of the West Bengal Industrial Dispute Rules, 1958.

The aforesaid constitutes the **No-Dispute Award** passed in the instant case being **No.21/2A(2)/2018**, which shall stand disposed of.

Dictated & corrected by me

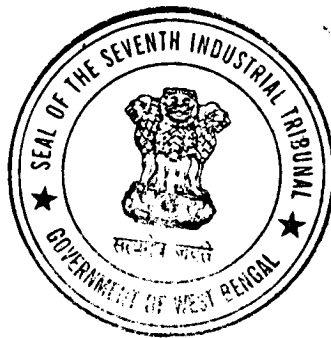
*Sd/-*  
Judge

*Judge*  
Seventh Industrial Tribunal

*Sd/-*  
Judge

Seventh Industrial Tribunal  
18/09/2018

*Judge*  
Seventh Industrial Tribunal



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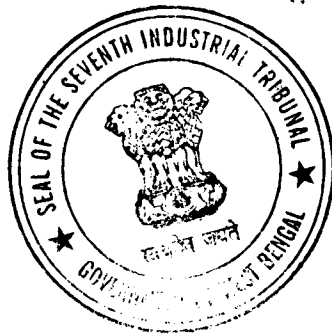
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**Judge**  
**Seventh Industrial Tribunal**

Sd/-  
Judge

**Judge**  
**Seventh Industrial Tribunal**  
18/09/2018



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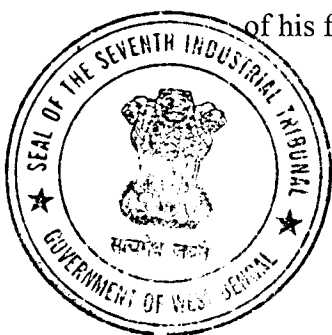
**AWARD**

**Dated : 18-09-2018**

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**Judge**  
**Seventh Industrial Tribunal**

Sd/-

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Seventh Industrial Tribunal

18/09/2018

**Judge**  
**Seventh Industrial Tribunal**





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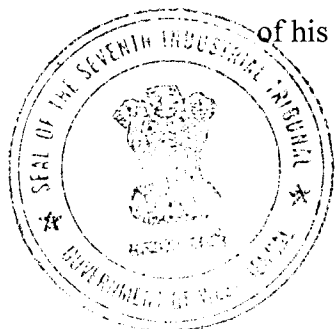
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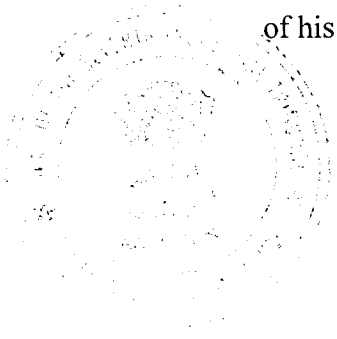
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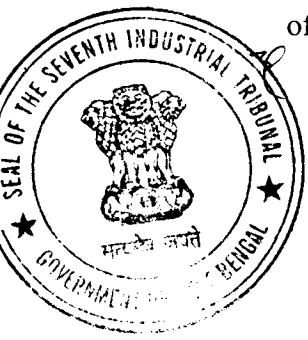
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