

Government of West Bengal
Labour Department
I.R. Branch
N.S. Buildings, 12th Floor, Kol-1

No.Labr./981/(LC-IR)/22015(16)/546/2018

Date : 17.12.2018

ORDER

WHEREAS an industrial dispute existed between M/s. Road India, C/o Jai Shree Carries (P) Ltd. Mohta House, 3rd Floor, Room Nos. 1,2 & 29, Strand Road, Kolkata-700001 & Anr. And their workman Sri Arun Kumar Jha, Line No.2, Jemco Basti, P.O. & P.S. Telco, Jamshedpur-831004 regarding the issues being a matter specified in the 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 Department's Notification No. 101-IR dated 02.02.2012.

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



Deputy Secretary to the
Government of West Bengal.

No. Labr./981/1(2) -IR

Date : 17.12.2018

Copy forwarded for information to :-

1. The Judge, Seventh Industrial Tribunal with reference to his Memo No.1790-LT dated 29.08.2018.
2. The Joint Labour Commissioner (Statistics), W.B., 6, Church Lane, Kolkata-700001.



Deputy Secretary to the
Government of West Bengal

No. Labr./981/2(5)/(LC-IR)

Date : 17.12.2018

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

1. M/s. Road India, C/o Jai Shree Carries (P) Ltd. Mohta House, 3rd Floor, Room Nos. 1,2 & 29, Strand Road, Kolkata-700001.
2. Sri Arun Kumar Jha, Line No.2, Jemco Basti, P.O. & P.S. Telco, Jamshedpur-831004.
3. The Assistant Labour Commissioner, W.B., In-Charge of Labour Gazette.
4. The Labour Commissioner, W.B., N.S. Buildgs.(11th Floor),1, K.S. Roy Road, Kol-1.
5. The O.S.D. IT Cell, Labour Department, with the request to case the Award in the Department's Website.



Deputy Secretary to the
Government of West Bengal

Sabita/IR/17122018

17/12/18

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, Kolkata.**

Case No. 47/2012; under Section 2A(2) of the I.D. Act, 1947

Shri Arun Kumar Jha,
Line No. 2, Jemco Basti, P.O. & P.S. Telco,
Jamshedpur - 831004.

...Applicant.

-versus-

M/s. Road India
C/o. Jai Shree Carries (P) Ltd.,
Mohta House, 3rd Floor, Room Nos. 1 & 2,
29, Strand Road, Kolkata - 70001 & Anr.

...Opposite Parties

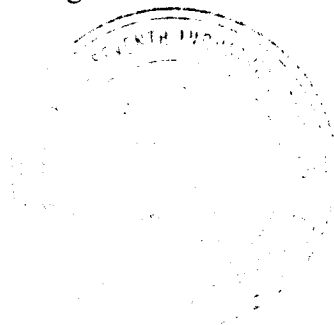
A W A R D

Dated : 21-08-2018

None appears on behalf of the applicant and opposite parties on repeated calls. Today is fixed for taking steps by the applicant, as final opportunity, failing which for proceedings under Rule 22 of the West Bengal Industrial Dispute Rules, 1958.

Records reveal that on 06.08.2012, an application under Section 2A(2) of the Industrial Disputes Act, 1947 was filed by the applicant Sri Arun Kumar Jha against the opposite parties in connection with termination of his services by them, praying for reinstatement, back wages and consequential benefits, upon which the instant case was registered and notices were issued to the opposite parties directing them to appear and file written statement(s). The opposite parties duly appeared through their Ld. Advocate and filed their written statement, whereafter the parties also exchanged copies of documents and filed list(s) thereof before this Tribunal. Records further reveal that on 22.10.2013, Issues were framed by this Tribunal and further, an additional Issue was framed on 29.06.2016, whereafter the matter was fixed for evidence by the applicant. Records also reveal that the applicant has been granted several opportunities thereafter, however for one reason or the other the applicant did not lead evidence. It further appears that since 03.05.2018, the applicant has failed to appear on three consecutive dates without any intimation and / or cause shown for such absence and taking note of such absence, this Tribunal had granted one final opportunity on the last date to the applicant to take steps by today, as final opportunity, failing which the matter would proceed under Rule 22 of the said Rules.

sd/-



Contd.....P/2.

(2)

Having examined the records as aforesaid, and in view of the absence of the parties today, this Tribunal is of the view that this is a fit case for proceeding under Rule 22 of the said Rules.

Accordingly, and in terms of Rule 22 of the West Bengal Industrial Dispute Rules, 1958 as amended till date, this Tribunal holds that the instant industrial dispute being Case No.47/2A(2)/2012, instituted on 06.08.2012 is **no longer in existence, between the parties.**

The aforesaid constitutes the '**No-Dispute Award**' passed by this Tribunal in the instant Case No.47/ 2A(2)/ 2012, which stands disposed of forthwith.

Dictated & corrected by me.

sd/
Judge
Seventh Industrial Tribunal

sd/
Judge
Seventh Industrial Tribunal
Kolkata
21-08-2018
Seventh Industrial Tribunal

